






Veirs Mill Corridor Master Plan: Work Session #2

-  Jessica McVary, Planner Coordinator, Area 2 Division, Jessica.McVary@montgomeryplanning.org, (301) 495-4723
-  Nancy Sturgeon, Planner Supervisor, Area 2 Division, Nancy.Sturgeon@montgomeryplanning.org, (301) 495-1308
-  Carrie Sanders, Chief, Area 2 Division, Carrie.Sanders@montgomeryplanning.org, (301) 495-4653

Completed: 05/31/18

Summary

The Planning Board's public hearing on the Veirs Mill Corridor Master Plan was held on April 26, 2018 and the public hearing record closed on May 10, 2018. The Planning Board's first work session for the plan was held on May 17, 2018 and a summary of comments received prior to May 10 were provided to the Planning Board. Additional comments were received, and a summary of these comments are attached. Comments from the Montgomery County Department of Transportation (MCDOT) and the Maryland Department of Transportation State Highway Administration (MDOT SHA) were also received, and these comments will be summarized and provided in advance of a future work session.

During the second work session, staff will summarize the guidance received from the Planning Board in the first work session and then continue with discussion on the land use and zoning recommendations in the public hearing draft. The discussion will focus on the land use and zoning recommendations in the Connecticut / Randolph District, including the existing commercial properties, and the Twinbrook District, including the Rock Creek Woods Apartments and the Halpine View Apartments. Attachment 1 provides an overview of the existing zoning, zoning recommended in the public hearing draft and zoning requests received in the written testimony for select properties. Attachment 2 includes a summary of the written public hearing testimony received for select properties in the Connecticut / Randolph District and the Twinbrook District. The complete public hearing testimony related to zoning requests for select properties in these districts is also included in Attachment 4.

A third work session is scheduled for July 12, 2018 to continue the review of the land use and zoning recommendations, if necessary, and initiate discussion on the transportation recommendations.

Key milestones in the Veirs Mill Corridor Master Plan process include the following:

- | | |
|--------------------|---|
| ▪ January 11, 2018 | Preliminary Recommendations presented to the Planning Board |
| ▪ March 8, 2018 | Working Draft presented to the Planning Board |
| ▪ March 22, 2018 | Public Hearing Draft available |
| ▪ April 26, 2018 | Planning Board Public Hearing |
| ▪ May 17, 2018 | Planning Board Work Session #1 |
| ▪ June 7, 2018 | Planning Board Work Session #2 |
| ▪ July 12, 2018 | Planning Board Work Session #3 |

Attachments

1. Summary of Zoning Recommendations
2. Summary of Written Public Hearing Testimony Related to Zoning for Work Session 2 and Testimony Received after May 10, 2018
3. Written comments received since May 10, 2018
4. Zoning requests received in written testimony for select properties

Veirs Mill Corridor Master Plan

Attachment 1: Summary of Zoning Recommendations

	<u>Property</u>	<u>Page</u>	<u>Existing Zoning</u>	<u>PH Draft Zoning</u>	<u>Owner's Requested Zoning</u>	<u>Staff Response</u>
1	Northeast Quadrant of Veirs Mill Rd and Randolph Rd	80	CRT-0.75, C-0.75, R-0.25, H-45 CRN-0.5, C-0.5, R-0.25, H-35	CRT 1.25, C-0.75, R-0.75, H-50	No testimony received	Maintain PH Draft Zoning
2	Veirs Mill Village	79	CRT-0.75, C-0.75, R-0.25, H-45 R-60	CRT 1.25, C-0.75, R-1.0, H-75	CRT-1.25, C-1.25, R-1.25, H-75	Maintain PH Draft Zoning
3	Stonemill Square	78	CRT-0.75, C-0.75, R-0.25, H-45 R-60	CRT 1.25, C-0.75, R-1.0, H-75	Concurs with PH Draft Zoning	Maintain PH Draft Zoning
4	Rock Creek Woods	98	R-20	Confirm Existing Zoning Support Future Local Map Amendment	CRT-1.25, H-75	CRT-1.25, C-0.25, R-1.25, H-75
5	Halpine View (13001 Twinbrook Pkwy and 5508 Dowgate Ct)	98	R-30	Confirm Existing Zoning	CRT-1.5, C-0.25, R-1.25, H-85	Maintain PH Draft Zoning
6	Halpine View (12813 Twinbrook Pkwy)	98	R-30	CRT-1.25, C-0.25, R-1.0, H-85	CRT-1.5, C-0.25, R-1.25, H-85	CRT-1.25, C-0.25, R-1.25, H-85
7	Parkway Woods	98	R-30	CRT-1.25, C-0.25, R-1.0, H-85	No testimony received	CRT-1.25, C-0.25, R-1.25, H-85
8	Halpine Hamlet	98	R-30	CRT-1.25, C-0.25, R-1.0, H-85	No testimony received	CRT-1.25, C-0.25, R-1.25, H-85

Veirs Mill Corridor Master Plan

Attachment 2: Summary of Written Public Hearing Testimony Related to Zoning for Work Session 2 and Testimony Received after May 10, 2018

	<u>Issue / Property</u>	<u>Page</u>	<u>Testimony or Comment</u>	<u>Commenter</u>	<u>Staff Response</u>
1	Land Use and Zoning Veirs Mill Village Shopping Center	79, 84	<p>Equalize the density potentials of commercial and residential by rezoning the property to CRT 1.25, C-1.25, R-1.25, H-75.</p> <p>Provide flexibility for interim improvements without accommodating long-term master plan expectations.</p> <p>Ensure proposed transportation infrastructure can be accommodated within the existing right-of-way.</p> <p>Allow for the configuration of the open space to occur with future redevelopment plans.</p>	VMR Associates (William Kominers and Elizabeth Rogers, Lerch, Early & Brewer CHTD)	<p>Staff continues to support the Draft Plan's proposed recommendations for this property.</p> <p>Staff will review the recommended provisions regarding incremental changes and discuss with the Planning Board.</p> <p>The Draft Plan's transportation recommendations are located within the existing right-of-way. It is important to note that a portion of the VMR Associates parking is located within the existing right-of-way.</p> <p>Staff continues to support the Draft Plan's design recommendations for this property, but acknowledges that the conceptual illustrations in the plan are illustrative and intended to convey ideas.</p>
2	Land Use and Zoning Stonemill Square Shopping Center	78, 85, 86, 88-89	<p>The zoning recommendations in the draft plan are acceptable. Request revisions to the urban design, open space and transportation recommendations, including the location and size of open space and streets.</p> <p>Request that the plan recommendations are identified as illustrative and that partial redevelopment of the site can proceed without triggering compliance with recommendations more applicable to long-term redevelopment.</p>	CBS Associates (Scott Wallace, Linowes and Blocher LLP)	<p>Staff continues to support the Draft Plan's proposed recommendations for urban design, open space and transportation for this property.</p> <p>The abstract of this master plan states: "Plans do not specify all development possibilities. They often include illustrative sketches intended to convey a sense of desirable future character rather than detailed recommendations of a particular design."</p>

Veirs Mill Corridor Master Plan

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	<u>Issue / Property</u>	<u>Page</u>	<u>Testimony or Comment</u>	<u>Commenter</u>	<u>Staff Response</u>
3	Land Use and Zoning Rock Creek Woods Apartments	97-101	Request for rezoning of the entire Rock Creek Woods Apartments property from R-20 to CRT-1.25, H-75 to facilitate long-term redevelopment to higher density multifamily use due to age and condition of existing dwelling units.	Joseph Lynott, III	Staff supports the owner's requested zoning due to unique infrastructure challenges and proximity to future bus rapid transit.
4	Land Use and Zoning Halpine View Apartments	71; 97-101.	Request for rezoning of the entire Halpine Park LLC property from R-30 to CRT-1.5, C-0.25, R-1.25, H-85 to support long-term redevelopment due to age and condition of existing dwelling units. Request for the master plan to recommend the disposition of the former Aspen Hill right-of-way to Halpine Park, LLC. Request for the historical overview of Halpine View to be removed from the plan.	Halpine Park LLC (C. Robert Dalrymple, Linowes and Blocher LLP)	Staff continues to support the Draft Plan's proposed zoning recommendations (R-30) for 13001 Twinbrook Parkway and 5508 Dowgate Court, but supports a rezoning to CRT-1.25, C-0.25, R-1.25, H-85 for 12813 Twinbrook Parkway to increase opportunities for optional method development on the portion of the property located near the Twinbrook Metrorail Station.
5	Land Use and Zoning Halpine View Apartments	97-101.	Halpine Park LLC supports the goal of affordable housing but believes that the goal can best be achieved through a phased redevelopment with the CRT zone. Halpine Park LLC does not believe that the draft plan's recommendation to redevelop a portion of the site while preserving some units is economically feasible.	Halpine Park LLC (Brian Alford, Grady Management)	Staff continues to support the Draft Plan's proposed zoning recommendations (R-30) for 13001 Twinbrook Parkway and 5508 Dowgate Court, but supports a rezoning to CRT-1.25, C-0.25, R-1.25, H-85 for 12813 Twinbrook Parkway to increase opportunities for optional method development on the portion of the property located near the Twinbrook Metrorail Station.

Veirs Mill Corridor Master Plan

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	<u>Issue / Property</u>	<u>Page</u>	<u>Testimony or Comment</u>	<u>Commenter</u>	<u>Staff Response</u>
6	Land Use and Zoning Halpine View Apartments	71; 97-101.	<p>Supplemental comments were provided to respond to questions from the Planning Board during the public hearing.</p> <p>Buildings 12 and 13, located toward the rear of the property and adjacent to Rock Creek Park, include 78 units with 36 one-bedroom, 18-two bedroom and 24-three bedroom units.</p> <p>Halpine View currently includes 250 two-bedroom units and 57 three-bedroom units. Should the entire property be recommended for rezoning to the CRT-1.5, C-0.25, R-1.25, H-85 zone to allow for a phased redevelopment, Halpine would provide at a minimum, the same number of new two- and three-bedroom units at the property.</p>	Supplemental Comments from Halpine Park LLC (C. Robert Dalrymple, Linowes and Blocher LLP)	Staff continues to support the Draft Plan's proposed zoning recommendations (R-30) for 13001 Twinbrook Parkway and 5508 Dowgate Court, but supports a rezoning to CRT-1.25, C-0.25, R-1.25, H-85 for 12813 Twinbrook Parkway to increase opportunities for optional method development on the portion of the property located near the Twinbrook Metrorail Station.

Veirs Mill Corridor Master Plan

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	<u>Issue / Property</u>	<u>Page</u>	<u>Testimony or Comment</u>	<u>Commenter</u>	<u>Staff Response</u>
7	Land Use and Zoning		<p>Replace the zoning for single-family homes with higher density for anything within a mile radius to Metro or BRT stations.</p> <p>Redevelop the northeast lot at the intersection of Veirs Mill Road and Connecticut Avenue, currently occupied by Verizon, into mixed-use residential.</p> <p>Consider options for hotel zoning at the soon to be former car dealership in Wheaton. <i>(Staff notes that this location is within the Wheaton Central Business District and Vicinity Sector Plan and not within the Veirs Mill Corridor Master Plan.)</i></p>	Jared Hautamaki	Staff continues to support the land use and zoning recommendations in the Public Hearing Draft.
8	Mobility and Safety	27-52	Support plan and recommendations related to safety and lack of bicycle lanes to facilitate transportation options besides cars.	Suzanne Kaasa	Staff concurs. The draft plan seeks to prioritize the safety of all road users through the introduction of infrastructure for pedestrians, bicyclists and transit users as well as reduced speeds.
9	Mobility and Vision Zero	27-52	Supports improvements for improved safety of pedestrians, bicyclists and residents at Matthew Henson Trail crossing and along Veirs Mill Road. Supports incorporation of vision zero and recommendations for BRT, continuous sidewalks, bike lanes and reduced speed limits.	Alan H. Landay	Staff concurs. The draft plan seeks to prioritize the safety of all road users through the introduction of infrastructure for pedestrians, bicyclists and transit users as well as reduced speeds.


Veirs Mill Corridor Master Plan






Attachment 3: Written comments received since May 10, 2018

Email

Viers Mill Master Plan Draft

Email

From  jared.hautamaki@gmail.com

To  <MCP-Chair MCP-Chair>;  Clyde Dmonte;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc

Subject Viers Mill Master Plan Draft

Date Sent **Date Received** 5/10/2018 8:07 AM

I think the plan is a bit underwhelming. I would encourage revisions for replacing zoning for single family homes with higher density for anything within a mile radius to metro or brt stations.

I would encourage development of the Northeast lot at Connecticut and Viers Mill, the Verizon building into mixed use residential.

And I would look at options for zoning got a hotel at soon to be former car dealership in Wheaton. Neighbors have complained of a lack of hotel options to the Wheaton Hills Civic Association via Nextdoor.com.

Thank you for the opportunity to comment.

Jared Hautamaki
3002 Blueridge
Silver Spring MD 20902


Attachments






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Email

Veirs Mill Corridor Master Plan

Email

From  suzanne.kaasa@gmail.com

To  <MCP-Chair MCP-Chair>;  Clyde Dmonte;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc

Subject Veirs Mill Corridor Master Plan

Date Sent **Date Received** 5/9/2018 10:06 PM

I am writing in support of this plan and the recommendations it contains. As a resident on the Veirs Mill corridor, I have attended almost all of the outreach planning sessions that were held during the development of the plan. The plan addresses several key issues that were raised, such as resident concerns about safety issues and lack of bicycle lanes to facilitate transportation options besides cars.


Attachments






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Email

Vision Zero/ Veirs Mill Rd

Email

From  alan_landay@yahoo.com

To  <MCP-Chair MCP-Chair>;  Clyde Dmonte;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc

Subject Vision Zero/ Veirs Mill Rd

Date Sent **Date Received** 5/13/2018 3:02 PM

I wish to endorse Montgomery County Vision Zero Plan. It has a laudable goal.

Unfortunately, I missed the recent hearing on the Vision Zero plans. However, I hope my comments can still be considered.

As an Aspen Hill resident, living near the Veris Mill Rd Hiker/Biker road crossing for the Matthew Henson Trail, I have a special concern for Veirs Mill Rd safety improvements. As I am sure you know, two cyclists have been killed at this intersection prior to recent installment of a red light at the crossing. I still see the need for further improvements for safety here and along VM Rd, in general. Speed is still a big danger.

I have read some of the plans, which include:

Build a combination of 2-way protected bike lanes, sidepaths and neighborhood greenways for a continuous, safe, and low-stress bicycle route,

- Build continuous sidewalks on both sides of the road,
- Implement the proposed Bus Rapid Transit plan for Veirs Mill,
- Add trees and landscaping to buffer people from cars,
- Add new traffic signals, refuge islands and protected intersections that give people walking and biking priority for crossing the road,
- Remove high speed turn lanes,

- And reduce the speed limit to 35 mph.

These are good plans, especially those involving speed reduction, sidewalks, and use of VM Rd by pedestrians and cyclists. I heartily endorse these proposals.

Sincerely yours,
Alan H. Landay
4401 Bsyne Street
Rockville, MD 20853
301-933-3282

alan_landay@yahoo.com

Attachments

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Veirs Mill Corridor Master Plan

Attachment 4: Zoning requests received in written testimony for select properties

William Kominers
301-841-3829
wkominers@lerchearly.com

Elizabeth C. Rogers
301-841-3845
ecrogers@lerchearly.com

May 7, 2018

Via Electronic and Overnight Mail

The Honorable Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Veirs Mill Corridor Master Plan
Veirs Mill Shopping Center
12200 Veirs Mill Road

Dear Chair Anderson and Members of the Montgomery County Planning Board:

On behalf of VMR Associates ("VMR"), the owners and managers of the Veirs Mill Shopping Center located at 12200 Veirs Mill Road in Silver Spring, Maryland (the "Property" or "Shopping Center"), we provide the following comments on the Planning Board's Public Hearing Draft of the Veirs Mill Corridor Plan, dated April 2018 ("Public Hearing Draft"). The Property is described on page 79 and shown on page 84 of the Public Hearing Draft (*see* attached "Exhibit "A").

VMR is supportive of the proposed zoning change, which will encourage future redevelopment by allowing additional density for the Property. But VMR also requests changes to the Public Hearing Draft to provide adequate flexibility (for both short-term and long-run evolution) to best assure that the master plan's goals can be realized. In summary, VMR requests the following changes:

1. Equalize the density potentials of commercial and residential by rezoning the Property to CRT 1.25, C-1.25, R-1.25, H-75, to allow the maximum permitted density for the Property to be allocated more readily between either commercial and/or residential uses, based on market demands;
2. Provide sufficient flexibility to allow interim, incremental reinvestment in the Shopping Center without having to accommodate all end-state master plan expectations;
3. Ensure that the proposed transportation infrastructure improvements can be accommodated within the existing right-of-way so as not to physically interfere with the Shopping Center; and

4. Allow for determination of the exact configuration of open space to occur in connection with future, actual, redevelopment plans, rather than hypothetically in the master plan.

Our reasoning is outlined in greater detail below.

Background

The Property is located in the western quadrant of the intersection of Randolph Road and Veirs Mill Road (*see* Exhibit "A"). According to the Maryland State Department of Assessments and Taxation records, the Property has a site area of approximately 3.32 acres (or 145,054 square feet), and is currently improved with an approximately 47,886 square foot neighborhood-serving commercial shopping center. The Shopping Center has been serving the local community since the mid-1950's.

Requested Changes to Public Hearing Draft Plan

1. *Changes to Zoning Necessary to Provide Sufficient Flexibility to Allow Future Redevelopment to Respond to Market Conditions.*

The Public Hearing Draft recommends rezoning the Property from a combination of R-60 and CRT-0.75, C-0.75, R-0.20, H-45 to CRT-1.25, C-0.75, R-1.0, H-75. Recognizing that the Shopping Center is functionally all commercial and should be zoned commercial, VMR is supportive of the CRT Zoning, with its increased height and density that is recommended in the Public Hearing Draft. However, the commercial and residential density permitted should be equalized in the CRT zone. This flexibility is important to ensure in the future that redevelopment is better able to respond and adapt to market conditions that cannot be foreseen today.

To achieve the full height and density currently recommended by the Public Hearing Draft, or with the requested equalization, any project would need to go through the Optional Method of Development. This will add substantial associated costs and processing, including the requirement to provide a substantial amount of public benefits. This, along with other improvements recommended in the Public Hearing Draft (*e.g.* minimum of ¼ acre Neighborhood Green Urban Park, streetscape and transportation infrastructure improvements, minimum of 15% MPDUs (if proposing residential development) etc.), results in significantly increased overall costs of redevelopment, and correspondingly decreases the incentive to redevelop. Thus, in order to encourage redevelopment of the Property, which is integral to realizing the Public Hearing Draft's overarching goals, sufficient flexibility must be provided to facilitate the type of development that will be economically feasible at the time.

There will need to be adequate economic justification to encourage redevelopment of the existing, successful, income-producing Shopping Center, given all the costs that go along with redevelopment under the Optional Method (*e.g.* significant public benefits recommended by the master plan, as well as those required under the CRT Zone). Accordingly, **we are requesting that the Property be rezoned CRT 1.25, C-1.25, R-1.25, H-75**, to allow the Property to better respond to market conditions at the time of redevelopment.

2. Need for More Flexibility to Encourage Creative, Interim Design Solutions and Continued Reinvestment in the Shopping Center.

The Public Hearing Draft should retain maximum flexibility to encourage short-term, creative design solutions for existing uses like the Property, without requiring significant economic constraints. This is important for the ongoing economic viability of the Shopping Center. If the Shopping Center cannot evolve and move with the times, it risks lack of ongoing investment and resulting deterioration. Thus, the master plan should allow for small, incremental changes before reaching the end state, in order to allow this locally-serving Shopping Center to retain its vitality and ensure that it can continue to meet the needs of the surrounding community, until such time as large-scale redevelopment makes sense.

The master plan should not be an impediment to this interim reinvestment, and instead should embrace and encourage ongoing evolution. Accordingly, we recommend adding language to the Public Hearing Draft to provide specific flexibility for these types of incremental changes and to allow continued reinvestment to occur. Similar to what has been included in other comparable County master plans (e.g. Takoma/Langley Crossroads Sector Plan), we recommend adding the following provisions to the Public Hearing Draft:

- Section 2.2.2 on page 13: Allow for interim development, while not compromising the Master Plan's ultimate objectives and recommendations, which provides for growth opportunities, ongoing expansion, and physical upgrades for existing shopping centers/businesses/uses.
- Section 2.3.1 on page 21: Property owners will not be expected to relocate existing buildings, roads or access points to conform to the Master Plan for limited interim development.
- Section 4.3 on page 105: The CRT Zone specifically allows for the phasing of public benefits. The Planning Board should consider options for phasing public benefits and/or amenities commensurate with the size and scale of development so the cost of providing public benefits doesn't make interim development financially infeasible.

3. Ensure that the Proposed Transportation Improvements do not come at the Expense of the Already Physically Constrained Properties in the Plan Boundary, Especially Those Properties Located at Prominent Corners.

The Public Hearing Draft recommends the transformation of Veirs Mill Road into a multi-modal "complete street". To implement this recommendation, the Public Hearing Draft calls for a number of transportation-related improvements. While we recognize that the Public Hearing Draft references accommodating these improvements within the "existing right-of-way," we are concerned that the methods for implementing these transportation improvements may ultimately affect the frontage of the Property that exists today. Given the already limited size of the Property (and its prominent location at the intersection of Randolph Road and Veirs Mill Road), we want to be certain that the Public Hearing Draft is unequivocal that additional right-of-way will not be required for the implementation of any of the possible transportation improvements.

4. *Provide Sufficient Flexibility to Determine the Exact Configuration of Open Space in Connection with Future Redevelopment Plans.*

The Public Hearing Draft currently recommends the creation of a public open space of ¼ acre on the Property. VMR recognizes the benefit of open space on the Property in connection with any comprehensive redevelopment. However, the exact location and configuration of the open space should be determined at the time of redevelopment. The Master Plan should not be unnecessarily prescriptive in requiring either a certain land area or that all the public open space be provided in one central location. The siting, configuration, and size should be determined in the review of a specific development proposal, not a theoretical exercise. Several smaller, more intimate open space areas may ultimately be more successful, depending on the future redevelopment concept.

Conclusion

As one of the major commercial elements within the Veirs Mill Corridor Plan, future redevelopment of the Property is integral to achieving the goals and objectives outlined in the Public Hearing Draft. As has been recognized in other recent master plans, VMR is asking that the Public Hearing Draft, in addition to the long-term ultimate redevelopment, allow sufficient flexibility to encourage creative, interim design solutions that allow for incremental change. This is important to ensure that the Shopping Center is able to advance with the times, and continue to meet the needs of the surrounding community as they evolve. VMR is also requesting that the Master Plan not be unnecessarily prescriptive and rather, provide sufficient and clear flexibility to allow any comprehensive redevelopment of the Property to respond to future market demands.

We appreciate the Board's consideration of this request, and ask that this letter be included in the record for the Public Hearing Draft.

Sincerely,
LERCH, EARLY & BREWER, CHTD.



William Kominers



Elizabeth C. Rogers

Enclosures

cc: Ms. Carrie Sanders
Ms. Nancy Sturgeon
Ms. Jessica McVary
Mr. Alan Levin
Mr. Brett Schneider
Mr. Michael Sanders, Esq.

EXHIBIT "A"

Veirs Mill Village

Veirs Mill Village is a neighborhood-serving retail center constructed in the mid-1950s that comprises approximately 50,000 square feet of commercial uses on a three-acre site. Tenants include Rodman's, La Baguette de Paris, Dunkin Donuts, Rite Aid, local restaurants and a laundromat. The site is owned by one property owner, VMR Associates, and is zoned CRT-0.75, C-0.75, R-0.25, H-45 and R-60.

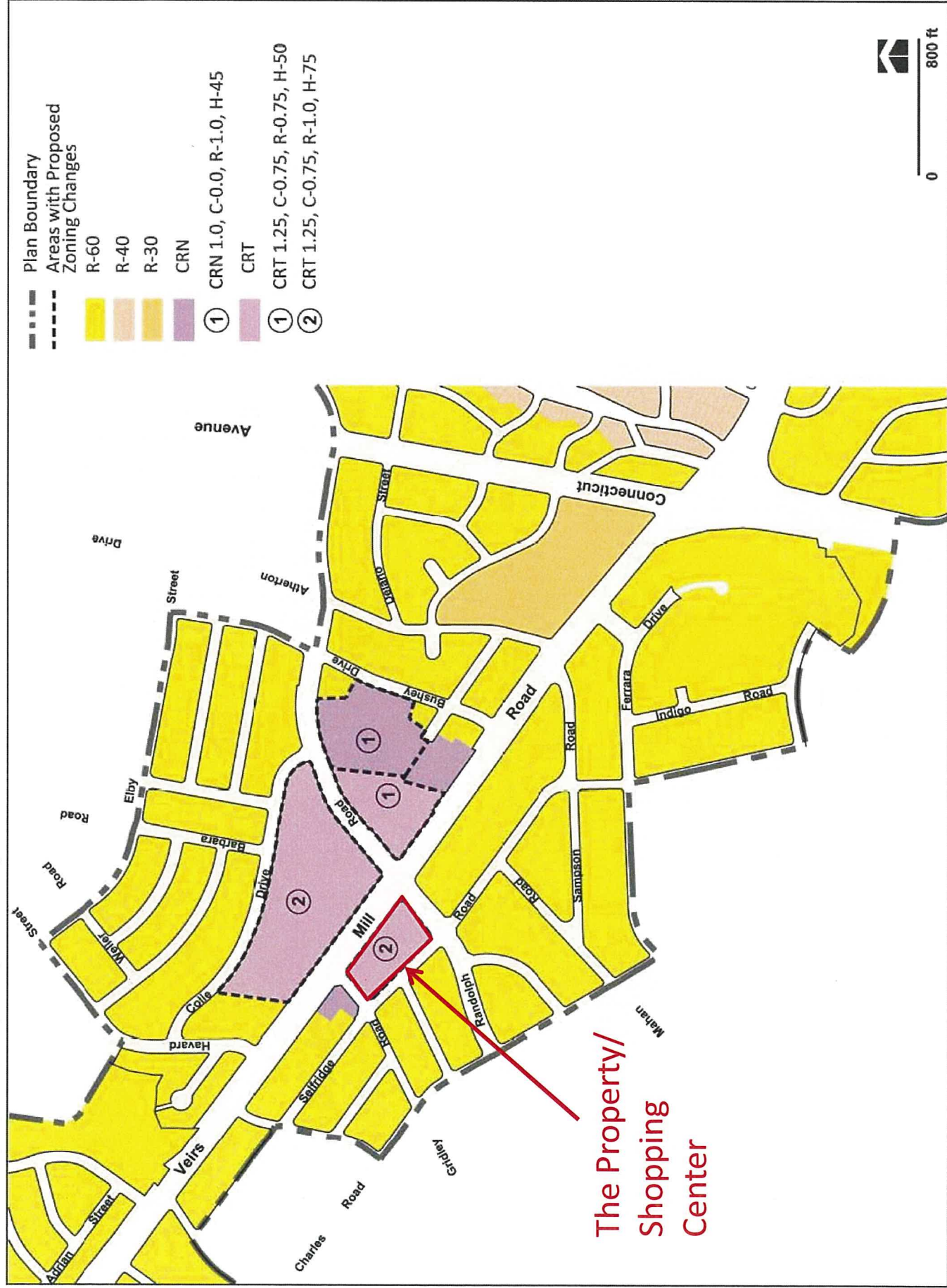
Veirs Mill Village is significantly smaller than Stonemill Square, but redevelopment of the site could provide an opportunity to introduce smaller scale, transit-oriented improvements. Future renovations could improve walkability, introduce limited housing and provide community amenities, including a publicly accessible open space or plaza. Redevelopment could also improve the relationship between the site and the surrounding residential community.

Recommendation

- Rezone the properties at the existing Veirs Mill Village from Residential-60 and Commercial Residential Town (CRT-0.75, C-0.75, R-0.25, H-45) to CRT 1.25, C-0.75, R-1.0, H-75 to encourage mixed-use development, including housing units to provide neighborhood serving amenities as well as new residential options.



Map 20: Connecticut / Randolph Proposed Zoning



LINOWES
AND | BLOCHER LLP
ATTORNEYS AT LAW

May 10, 2018

Scott C. Wallace
301.961.5124
swallace@linowes-law.com

By Email Delivery

Casey Anderson, Chair
and Commissioners of the
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Stonemill Square – Veirs Mill Corridor Master Plan Update-Working Draft (the
“Working Draft”)

Dear Chairman Anderson and Planning Board Commissioners:

This office represents CBS Associates Limited Partnership (“CBS”), the owner of the Stonemill Square Shopping Center located in the northwest quadrant of the intersection of Randolph Road and Veirs Mill Road. An aerial photograph of the Shopping Center is attached as Attachment “1”. The Property is currently zoned CRT 0.75/C 0.75/R 0.75/H 45. A small portion of the Property is zoned R-60. The Working Draft recommends rezoning the entire Property to CRT 1.25/C 0.75/R 1.0/H 75 to encourage mixed-use redevelopment.

CBS supports rezoning the R-60 portion of the Property to the CRT Zone to provide uniform zoning of the Property. With regard to the balance of the Property, the existing Shopping Center is a productive asset with unique community focused stores, and CBS has no immediate plans for redevelopment. Although CBS did not request additional density, the CRT zoning recommendation is acceptable.

However, CBS is concerned that the Urban Design, Open Space and Road Network recommendations for the Property in the Working Draft are too restrictive, particularly with regard to the location and size of public open space and the extension of a public road through the Property, and will not facilitate the successful redevelopment of the Shopping Center if pursued in the future.

Further, while the Working Draft addresses short-term and long-term redevelopment scenarios for the Property, the recommendations may frustrate modest short-term improvements. For example, CBS has recently been approached by a gas station operator who has plans for replacing the existing outdated service center and gas station with a convenience store and new pumps. This project would improve the aesthetics of a portion of the Property, as well as

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Casey Anderson, Chair
and Commissioners of the
Montgomery County Planning Board
May 10, 2018
Page 2

vehicular circulation. However, the recommendations in the Working Draft regarding internal road alignments and building locations may not facilitate the project moving forward.

In order to address these concerns, we have proposed revisions to the Working Draft shown in Attachment "2" (clean and redline). The proposed revisions are intended to address the goals of the Master Plan Update while still allowing the owners of the Shopping Center enough flexibility to facilitate short-term improvements and accommodate market conditions that will drive redevelopment if it is to occur in the future.

We look forward to discussing these revisions with Staff and the Planning Board as its review of the Working Draft continues. In the meantime, please do not hesitate to contact me if you have any questions.

Thank you.

Very truly yours,

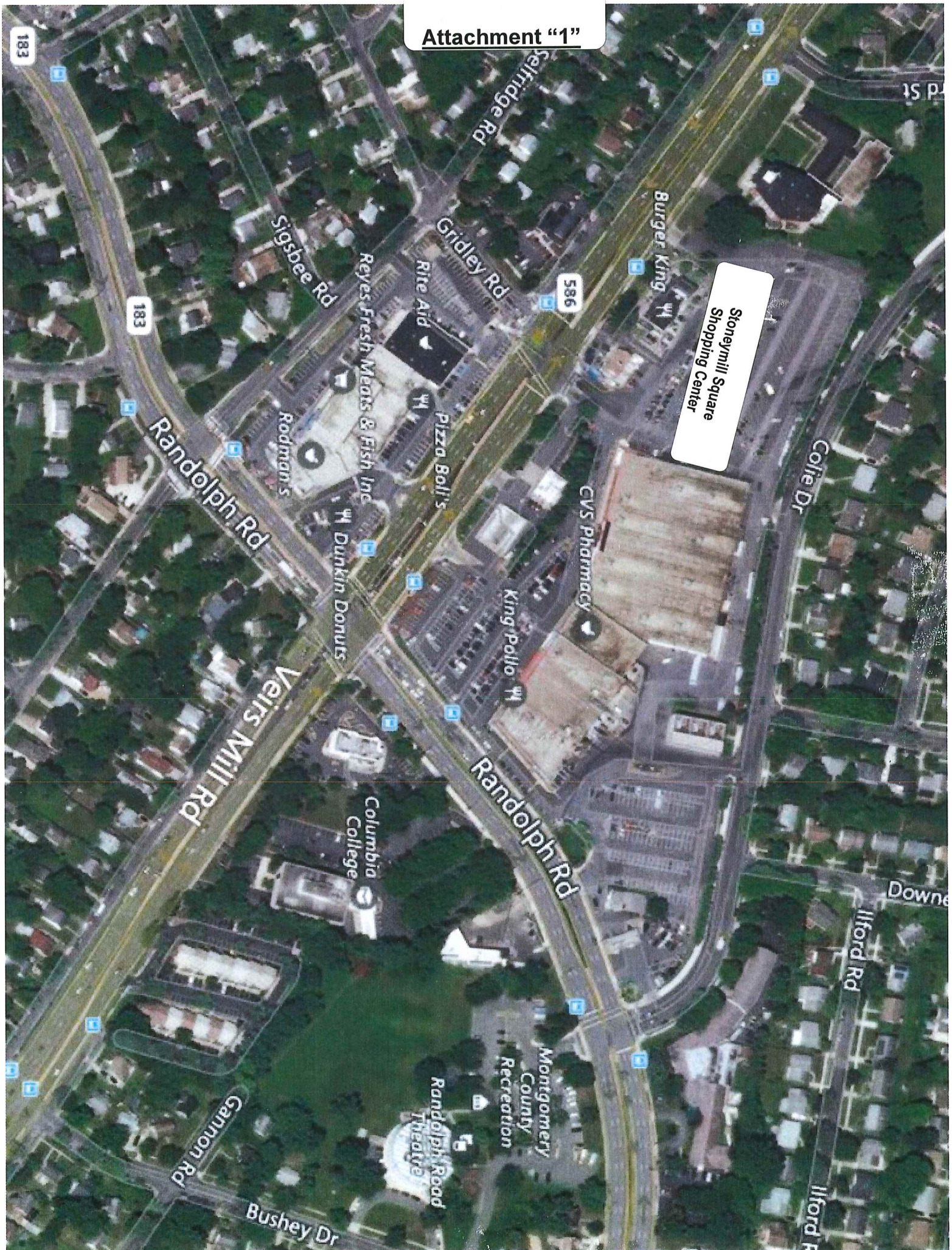
LINOWES AND BLOCHER LLP



Scott C. Wallace

cc: Ms. Nancy Sturgeon
Ms. Jessica McVary
Mr. Larry Spott
Mr. Michael Beachley

Attachment "1"



Attachment “2”

Veirs Mill Corridor Master Plan Revisions to March 2018 Working Draft

1.6.3 Opportunities (Page 7)

- Planned implementation of bus rapid transit on Veirs Mill Road could increase transit ridership, reduce commute times for existing riders, stimulate reinvestment in the public infrastructure and help reduce single occupancy vehicle trips
- Existing commercial node at the intersection of Veirs Mill Road and Randolph Road could be redeveloped to introduce additional neighborhood-serving uses and provide a central community gathering space.
- If the existing commercial uses are unlikely to redevelop, short-term site improvements could be implemented to improve connections, where feasible and applicable.

2.5.3 Street Network Recommendations (Page 33)

- If the Stonemill Square Shopping Center completely redevelops, extend Gridley Road as a private street from its current terminus at Veirs Mill Road to Colie Drive to provide greater connectivity through the property. The location and alignment for the extension shown in the Master Plan is illustrative and may change to accommodate redevelopment of the site.

3.2 Connecticut/Randolph District (Page 75)

Tenants include Korean Korner, Unique Thrift, CVS and neighborhood-serving uses, such as restaurants, gas stations and a dry cleaner. Nearly 13 acres of the site are owned by one entity, CBS Associates Limited Partnership, with a long-term ground lease, valid until 2059, on a sizable portion of the property. The site is currently zoned CRT-0.75, C-0.75, R-0.25, H-45 and R-60.

Stonemill Square presents an ideal opportunity for new or infill development to transition the auto-oriented suburban center to a walkable, transit-oriented development with improved neighborhood amenities, including additional housing and a public gathering space. While the site is uniquely positioned for development, the primary property owner has not expressed interest in redevelopment at this time. The ground lessee, however, has expressed some interest in a potential long-term development, either on the portion of the site subject to the ground lease or through a consolidated redevelopment with the primary property owner.

As the redevelopment of Stonemill Square is not anticipated in the near-term, the plan recommends a series of short-term improvements to enhance and upgrade the existing center. For example, the plan recommends building on the existing site amenities, including the mobile food trucks now serving residents, employees and retail patrons. The property includes older retail uses, including a gas station pad site that will likely need to be redeveloped in the short term. The Plan acknowledges that the existing gas station and its facilities, and other existing development may be modernized and redeveloped pursuant to Division 7.7 of the Zoning

Ordinance, Exemptions and Nonconformities. Additional short-term recommendations are discussed in greater detail in the urban design section of this chapter.

As Stonemill Square is conveniently positioned to provide neighborhood- serving uses and access to existing and future transit, the plan also includes long-term recommendations to guide the future redevelopment of this site. The plan encourages a mixed-use, transit-oriented development with active uses visible from both Veirs Mill Road and Randolph Road, new street connections and a publicly accessible open space or plaza to serve as a community gathering space. The plan recommends that new development provide appropriate transitions to existing residential communities.

3.2.2 Urban Design (Page 81)

Improvements to several properties at the intersection of Veirs Mill Road and Randolph Road have the potential to provide the community with an upgraded neighborhood center.

Stonemill Square (Block bounded by Veirs Mill Road, Randolph Road and Havard Street)

- If partial redevelopment of the Stonemill Square property with new buildings occurs in the short-term, it should:
 - Clarify vehicular and pedestrian circulation through the property to improve connectivity within the corridor.
- If the Stonemill Square property is completely redeveloped, the following guidelines apply:
 - Consider innovative types of development that incorporate, to the extent feasible, distinctive local uses to create a recognizable neighborhood center.
 - Reduce the scale of this large block by creating a compact development pattern with short blocks and active streets.
 - Include through-block private streets that connect to existing neighborhood streets, if feasible.
 - Concentrate development intensity along major roads and transition to adjacent single-family uses with uses that are compatible in scale.
 - Provide a centrally located open space for public use, activated by surrounding uses.
 - Alternative design approaches that better meet the intent of these guidelines may be approved by the Planning Board.

3.2.3 Parks, Trails and Open Space (Page 82)

- Explore new trail connections to the Matthew Henson Trail from the communities to the east.

For Stoneyhill Square, this plan recommends:

- If the Stoneyhill Square property is completely redeveloped, the public open space required under the CRT Zone should include amenities that serve as a gathering space and focal point for the Connecticut/Randolph District. The open spaces may be formally planned with visibility from adjacent public streets or located internal to the redeveloped site with wayfinding signs provided to encourage use by residents of the surrounding community.

Figure 23 Caption (Page 84)

Short-Term

Focus on surface parking lots to identify potential improvements to streetscape, storm water management, and existing storefronts.

Figure 24 (Page 85) Remove internal street connections from figure.

(REDLINE)

Veirs Mill Corridor Master Plan Revisions to March 2018 Working Draft

1.6.3 Opportunities (Page 7)

- Planned implementation of bus rapid transit on Veirs Mill Road could increase transit ridership, reduce commute times for existing riders, stimulate reinvestment in the public infrastructure and help reduce single occupancy vehicle trips
- Existing commercial node at the intersection of Veirs Mill Road and Randolph Road could be redeveloped to introduce additional neighborhood-serving uses and provide a central community gathering space.
- If the existing commercial uses are unlikely to redevelop, short-term site improvements could be implemented to improve connections ~~with adjacent communities~~, where feasible and applicable.

2.5.3 Street Network Recommendations (Page 33)

- If the Stonemill Square Shopping Center completely redevelops, extend Gridley Road as a ~~business district~~private street from its current terminus at Veirs Mill Road to Colie Drive to provide greater connectivity through the property. The location and alignment for the extension shown in the Master Plan is illustrative and may change to accommodate redevelopment of the site.

3.2 Connecticut/Randolph District (Page 75)

Tenants include Korean Korner, Unique Thrift, CVS and neighborhood-serving uses, such as restaurants, gas stations and a dry cleaner. Nearly 13 acres of the site are owned by one entity, CBS Associates Limited Partnership, with a long-term ground lease, valid until 2059, on a sizable portion of the property. The site is currently zoned CRT-0.75, C-0.75, R-0.25, H-45 and R-60.

Stonemill Square presents an ideal opportunity for new or infill development to transition the auto-oriented suburban center to a walkable, transit-oriented development with improved neighborhood amenities, including additional housing and a public gathering space. While the site is uniquely positioned for development, the primary property owner has not expressed interest in redevelopment at this time. The ground lessee, however, has expressed some interest in a potential long-term development, either on the portion of the site subject to the ground lease or through a consolidated redevelopment with the primary property owner.

As the redevelopment of Stonemill Square is not anticipated in the near-term, the plan recommends a series of short-term improvements to enhance ~~the community orientation, walkability and site circulation~~and upgrade the existing center. For example, the plan recommends building on the existing site amenities, including the mobile food trucks now

serving residents, employees and retail patrons. ~~Improving the organization of this function could begin to introduce a community gathering space at this central location~~ The property includes older retail uses, including a gas station pad site that will likely need to be redeveloped in the short term. The Plan acknowledges that the existing gas station and its facilities, and other existing development may be modernized and redeveloped pursuant to Division 7.7 of the Zoning Ordinance, Exemptions and Nonconformities. Additional short-term recommendations are discussed in greater detail in the urban design section of this chapter.

As Stonemill Square is conveniently positioned to provide neighborhood- serving uses and access to existing and future transit, the plan also includes long-term recommendations to guide the future redevelopment of this site. The plan encourages a mixed-use, transit-oriented development with active uses visible from both Veirs Mill Road and Randolph Road, new street connections and a publicly accessible open space or plaza to serve as a community gathering space. The plan recommends that new development provide appropriate transitions to existing residential communities.

3.2.2 Urban Design (Page 81)

Improvements to several properties at the intersection of Veirs Mill Road and Randolph Road have the potential to provide the community with an upgraded neighborhood center.

Stonemill Square (Block bounded by Veirs Mill Road, Randolph Road and Havard Street)

- ~~Short-term improvements on~~ If partial redevelopment of the Stonemill Square property with new buildings occurs in the short-term, it should:
 - Clarify vehicular and pedestrian circulation through the property to improve connectivity ~~between~~ within the corridor ~~and surrounding neighborhood.~~
 - ~~Identify potential areas where future open spaces for public use could be established.~~
- ~~Long-term redevelopment of~~ If the Stonemill Square property ~~should~~ is completely redeveloped, the following guidelines apply:
 - Consider innovative types of development that incorporate, to the extent feasible, distinctive local uses to create a recognizable neighborhood center.
 - Reduce the scale of this large block by creating a compact development pattern with short blocks and active streets.
 - Include through-block private streets that connect to existing neighborhood streets, if feasible.
 - Concentrate development intensity along major roads and transition to adjacent single-family uses with uses that are compatible in scale.
 - Provide a centrally located open space for public use, activated by surrounding uses.

- Alternative design approaches that better meet the intent of these guidelines may be approved by the Planning Board.

3.2.3 Parks, Trails and Open Space (Page 82)

- Explore new trail connections to the Matthew Henson Trail from the communities to the east.

For Stoneyhill Square, this plan recommends:

- ~~Create a public open space consistent with a Neighborhood Green Urban Park (as defined in the PROS Plan), a minimum of three-quarter acre, at~~ If the Stoneyhill Square property when it redevelops. The is completely redeveloped, the public open space required under the CRT Zone should include ~~hardscape elements and lawn areas to~~ amenities that serve as a gathering space and focal point for the Connecticut/Randolph District. ~~It should~~ The open spaces may be formally planned with visibility from ~~Veirs Mill Road and the future Bus Rapid Transit station~~ adjacent public streets or located internal to the redeveloped site with wayfinding signs provided to encourage use by residents of the surrounding community.

Figure 23 Caption (Page 84)

Short-Term

Focus on surface parking lots to identify potential ~~areas where open spaces for public use could be established. Improve~~ improvements to streetscape, storm water management, and existing storefronts.

Figure 24 (Page 85) Remove internal street connections from figure.

Summary Report: Litera Change-Pro ML WIX 6.5.0.326 Document Comparison done on 5/10/2018 12:10:45 PM	
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Table Delete	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Total Changes:	43

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April 26, 2018

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VIA EMAIL AND HAND DELIVERY

Mr. Casey Anderson, Chair
and Members of the Planning Board
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Halpine Park LLC's Written Testimony for the Montgomery County Planning Board
Hearing on the Veirs Mill Corridor Master Plan (the "Master Plan")

Dear Mr. Anderson and Members of the Planning Board:

On behalf of Halpine Park LLC ("Halpine"), owner of the Halpine View apartments located at 12813 Twinbrook Parkway, 13001 Twinbrook Parkway, and 5508 Dowgate Court in Rockville ("Halpine View" or the "Property" – shown on the attached tax map), we are submitting this letter as our written testimony for the Montgomery County Planning Board's (the "Planning Board") April 26th public hearing on the Master Plan (specifically, the Working Draft dated March 2018 – the "Public Hearing Draft").

The Property is located in the northeast quadrant of the intersection of Twinbrook Parkway and Halpine Road, and confronts the City of Rockville's municipal limits to the west of Twinbrook Parkway. The Twinbrook Metrorail station is approximately ½ mile from the Property, and the proposed Bus Rapid Transit ("BRT") station at the intersection of Twinbrook Parkway and Veirs Mill Road is located within ¼ mile of the Property. The Property consists of approximately 37.31 acres¹ and was developed with 564 garden-style apartments and ancillary surface parking in the mid-1960's. All of these dwelling units pre-date the County's Moderately Priced Dwelling Unit ("MPDUs") regulations and thus no MPDUs or other regulated affordable dwelling units presently exist at Halpine View. The Property is currently zoned R-30 (Residential Multi-Unit

¹ The Planning Board approved Preliminary Plan No. 11964054A on December 19, 2013, which allows for the abandonment of the unbuilt Aspen Hill Road Extended right-of-way that currently divides the Property such that this abandoned area of approximately 1.9 acres could be incorporated into the Property for redevelopment. This abandonment area was previously dedicated from the Property without consideration in 1964. Halpine is working with the County presently to negotiate the disposition of the abandonment area.

Mr. Casey Anderson, Chair,
and Members of the Planning Board – Veirs Mill Corridor Master Plan (Public Hearing Draft)
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Page 2

Low Density – 30) pursuant to the Countywide District Map Amendment that took effect on October 30, 2014, stemming from the County’s comprehensive re-write of the Montgomery County Zoning Ordinance (Chapter 59 of the Montgomery County Code). The District Map Amendment confirmed the Property’s existing R-30 zoning which was last evaluated through the Approved and Adopted 1992 North Bethesda/Garrett Park Master Plan.

Halpine View has been successful as a rental community for many years; however, the age and condition of these dwelling units do not support continued long range investment by the owners. The cost of continued maintenance of these aging units is substantial given that many of these units do not have amenities that are comparable to many of the more recently developed multifamily housing properties in the near vicinity, with such amenities being necessary and critical to competitively respond to market demands. Given these circumstances, Halpine is seeking zoning and land use recommendations for the Property that will allow for a long-term redevelopment strategy for the Property to include new dwelling units (both market-rate and MPDUs) to replace existing improvements in a phased manner that will ultimately result in a project with the amenities and modern features that can compete for market share into the future. Rezoning the entire Property to facilitate a transit-oriented redevelopment would also result in enhanced pedestrian and vehicular connectivity, a centralized public open space, and conformance with environmental regulations that presently are not addressed (as the existing improvements pre-date many of the regulations now in effect, e.g., stormwater management, forest conservation, floodplain and wetlands, etc.).

Unfortunately, the Public Hearing Draft’s land use and zoning recommendations for the Property are premised upon a preservation approach that is not economically viable and thus would fail to produce the upgrade to the community that could yield numerous public benefits (regulated affordable housing, increased property value and tax revenue, an environmentally compliant project and stability through transit-oriented redevelopment with amenities, pedestrian and bicycle connectivity, and public open space). The Public Hearing Draft proposes to rezone approximately one-third ($1/3^{\text{rd}}$) of the Property to the Commercial Residential Town (“CRT”) Zone to allow for limited redevelopment, while the remainder of the Property (approximately 353 dwelling units) would be preserved under the existing R-30 Zone. (Public Hearing Draft, pp. 92-95). Focusing only on the affordable housing issue, Halpine estimates that hypothetical redevelopment under the Public Hearing Draft’s recommendations (in that it is not economically viable or foreseeable) would yield approximately 98 regulated MPDUs. The Planning Board Draft’s recommendations for the Property are based upon a premise that is not correct as applied to Halpine View – “all of the multi-family residential units in the plan area are market-rate affordable to households earning between 36 percent to 71 percent of the Washington, DC metropolitan region’s area median income (AMI).” (Public Hearing Draft, p. 24). Significantly,

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the vast majority of dwelling units at Halpine View (97%) are currently achieving rents affordable to households earning between 75 to 80 percent of AMI, which is 10 to 15% higher than the MPDU rental rates established by the Department of Housing and Community Affairs (“DHCA”) for garden-style apartments. Moreover, absent the potential for a long-term redevelopment of the entire Property under the CRT Zone, the owners of Halpine View anticipate that these rents will only continue to increase as they rehabilitate and update units. Therefore, the Public Hearing Draft would preserve outdated dwelling units that do not function as MPDUs (with rental rates increasing in the years ahead) and produce approximately 98 regulated MPDUs.

In order to create nearly three (3) times as many regulated MPDUs at the Property, Halpine is proposing that the entire Property be rezoned to the CRT-1.5, C-0.25, R-1.25, H-85 Zone to allow for creation of new marketable and updated dwellings units (including 15% MPDUs) with an emphasis on 2- and 3-bedroom dwelling units. Under Halpine’s proposed zoning and land use recommendations, up to 282 regulated MPDUs would be provided through full build-out, which represents 50% of the existing unregulated dwelling units that make-up the Halpine View apartments. This is a substantial contribution of new MPDUs as opposed to the aging existing dwelling units at the Property that lack all of the amenities sought by residents and are currently renting at rates that exceed MPDU standards. In summary, rezoning the entire Property to encourage redevelopment under the CRT Zone will result in a significantly larger amount of new MPDUs, which is of greater value at this transit-oriented location than unregulated dwelling units that are currently renting at rates in excess of MPDU levels (with such rates expected to continue to escalate along the scale of affordability).

In addition to the affordable housing opportunity, providing a viable land use and zoning result through the Master Plan will allow a phased redevelopment of the Property that will bring many other benefits to this area that will not be generated if redevelopment is not made viable. The present Halpine View community, while it has been very successful over time, has no stormwater management facilities to speak of (and certainly does not have any modern day quality or quantity controls that new development will have). There is no meaningful pedestrian or bicycle connectivity either internal to the community or linking the community to the surrounding neighborhoods, parks, or transit. Furthermore, the existing improvements do not respect the important natural environmental features on the Property (e.g., the stream valley buffer), which a planned and phased redevelopment of the Property would incorporate and feature as an amenity.

Importantly, as summarized in Footnote 1 above, Halpine has unsuccessfully been trying to acquire the right-of-way for Aspen Hill Road extended that on paper bifurcates the Property and

Mr. Casey Anderson, Chair,
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Page 4

already has been approved under County law for abandonment. The hold up in this transaction relates to the consideration being asked by the County, which consideration is premised upon unrealistic highest and best use assumptions (with consideration in the seven figures being demanded notwithstanding that the land was dedicated by Halpine's predecessor at no consideration). While the Public Hearing Draft supports abandonment of the Aspen Hill Road extended right-of-way to facilitate redevelopment at the Property, Halpine proposes that this recommendation be modified to facilitate the final disposition of the abandoned right-of-way by the County by encouraging the creation of MPDUs as well as the shared use path recommended by the Planning Board as the appropriate consideration. (Public Hearing Draft, p. 93). To this end, Halpine requests that this Master Plan identify the County's disposition of this right-of-way to Halpine as a recommendation, with the value to the public being the inclusion of the abandoned right-of-way in the redevelopment of the Property and thereby allowing additional MPDUs to be provided as well as the Planning Board approved shared use path through the Property.

Last, Halpine proposes that the historical overview section in the Public Hearing Draft either be eliminated or clarified because it serves no planning purpose and would only tend to create confusion amongst stakeholders. More specifically, the Public Hearing Draft identifies Halpine View as being built by Carl M. Freeman as well as a brief description of the existing conditions at the Property. (Public Hearing Draft, p. 69). However, Halpine View, like other Carl Freeman multifamily projects developed in the 1950's and 1960's, is merely one of many mass produced multifamily projects created during this era that lacks any unique architecture or design that would support designation on the Montgomery County Master Plan for Historic Preservation (the "Historic Preservation Master Plan"). The fact that the Property was developed by Carl M. Freeman is not a legally meritorious basis for designation on the Historic Preservation Master Plan, which has previously been recognized relative to another multifamily project developed by Carl M. Freeman in Montgomery County.² To avoid this potential for confusion, and because it is unnecessary in the overall context of the Master Plan, we propose that the historical overview section relative to Halpine View be deleted (or if not deleted, modified to clearly indicate that the Master Plan does not recommend designation of the Property as a historic resource).

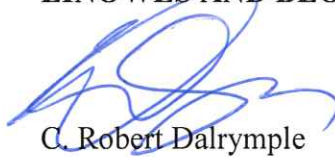
² By way of example, the Glenmont Forest Apartments (also known as Americana Glenmont) was previously evaluated for designation on the Historic Preservation Master Plan pursuant to the criteria in Chapter 24A of the County Code. Significantly, the Historic Preservation Committee previously reviewed historic preservation staff's recommendations relative to the Glenmont Forest Apartments and rejected all of staff's recommendations to place this site on Historic Preservation Master Plan. To this end, the Glenmont Forest Apartments were not designated as a historic resource through the Approved and Adopted 2013 Glenmont Sector Plan.

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and Members of the Planning Board – Veirs Mill Corridor Master Plan (Public Hearing Draft)
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We thank you for consideration of these comments, and we look forward to continuing to work with you, the Planning Staff and the community on the Master Plan. We will be present at the April 26th public hearing to supplement these comments with oral testimony. If you have any questions or require any additional information, please do not hesitate to contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



C. Robert Dalrymple



Matthew Gordon

cc: Ms. Gwen Wright, Planning Director
Ms. Carrie Sanders, Area 2 Chief
Ms. Jessica McVary, Planner Coordinator
Ms. Nancy Sturgeon, Area 2 Supervisor
Mr. Luis Estrada, Planner Coordinator
Ms. Lisa Govoni, Research and Special Projects
Mr. Brian Alford, Grady Management
Mr. George Covucci, Halpine Park LLC

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May 10, 2018

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VIA EMAIL

Mr. Casey Anderson, Chair
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Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Halpine Park LLC's Supplemental Comments for the Montgomery County Planning Board's Public Hearing Record on the Veirs Mill Corridor Master Plan (the "Master Plan")

Dear Mr. Anderson and Members of the Planning Board:

On behalf of Halpine Park LLC ("Halpine"), owner of the Halpine View apartments located at 12813 Twinbrook Parkway, 13001 Twinbrook Parkway, and 5508 Dowgate Court in Rockville ("Halpine View" or the "Property"), we are submitting this letter in response to several questions from members of the Montgomery County Planning Board (the "Planning Board") during the April 26th public hearing on the Master Plan (specifically, the Working Draft dated March 2018 – the "Public Hearing Draft").

As previously noted, the Property is located in the northeast quadrant of the intersection of Twinbrook Parkway and Halpine Road, and confronts the City of Rockville's municipal limits to the west of Twinbrook Parkway. The Twinbrook Metrorail station is approximately ½ mile from the Property, and the proposed Bus Rapid Transit ("BRT") station at the intersection of Twinbrook Parkway and Veirs Mill Road is located within ¼ mile of the Property. The Property consists of approximately 37.31 acres and was developed with 564 garden-style apartments and ancillary surface parking in the mid-1960's. All of these dwelling units pre-date the County's Moderately Priced Dwelling Unit ("MPDUs") regulations and thus no MPDUs or other regulated affordable dwelling units presently exist at Halpine View.

In response to Commissioner Dreyfuss' question concerning the two (2) midrise buildings towards the rear of the Property and Rock Creek Park, we are submitting the number and type of units in those buildings for your reference and use (these two (2) buildings are identified as Buildings No. 12 and 13 on the attached map and also reflected on the attached image from

Mr. Casey Anderson, Chair,
and Members of the Planning Board – Supplemental Comments to the Veirs Mill Corridor
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May 10, 2018
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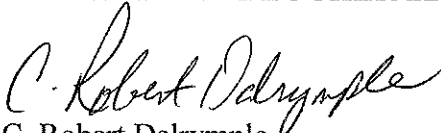
Google Earth). There are a total of 78 multifamily rental units in these two (2) buildings, including 36 one bedroom units, 18 two bedroom units and 24 three bedroom units.

In response to Commissioner Fani-Gonzalez's questions concerning the existing number of two and three bedroom units at the Property, we are supplementing the public hearing record with additional information. Halpine View currently includes a total of 250 two bedroom units and 57 three bedroom units. Should the entire Property be recommended for rezoning to the CRT-1.5, C-0.25, R-1.25, H-85 Zone to allow for a phased redevelopment, Halpine would provide at a minimum, the same number of new two and three bedroom units at the Property. Significantly, these new multifamily units (a minimum of 250 two bedroom units and 57 three bedroom units) would include both market-rate and MPDUs that have updated amenities and modern features.

We thank you for consideration of these supplemental comments, and we look forward to continuing to work with you, the Planning Staff and the community on the Master Plan. We will be present and available to participate at the upcoming Work Sessions on the Master Plan. If you have any questions or require any additional information, please do not hesitate to contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



C. Robert Dalrymple



Matthew Gordon

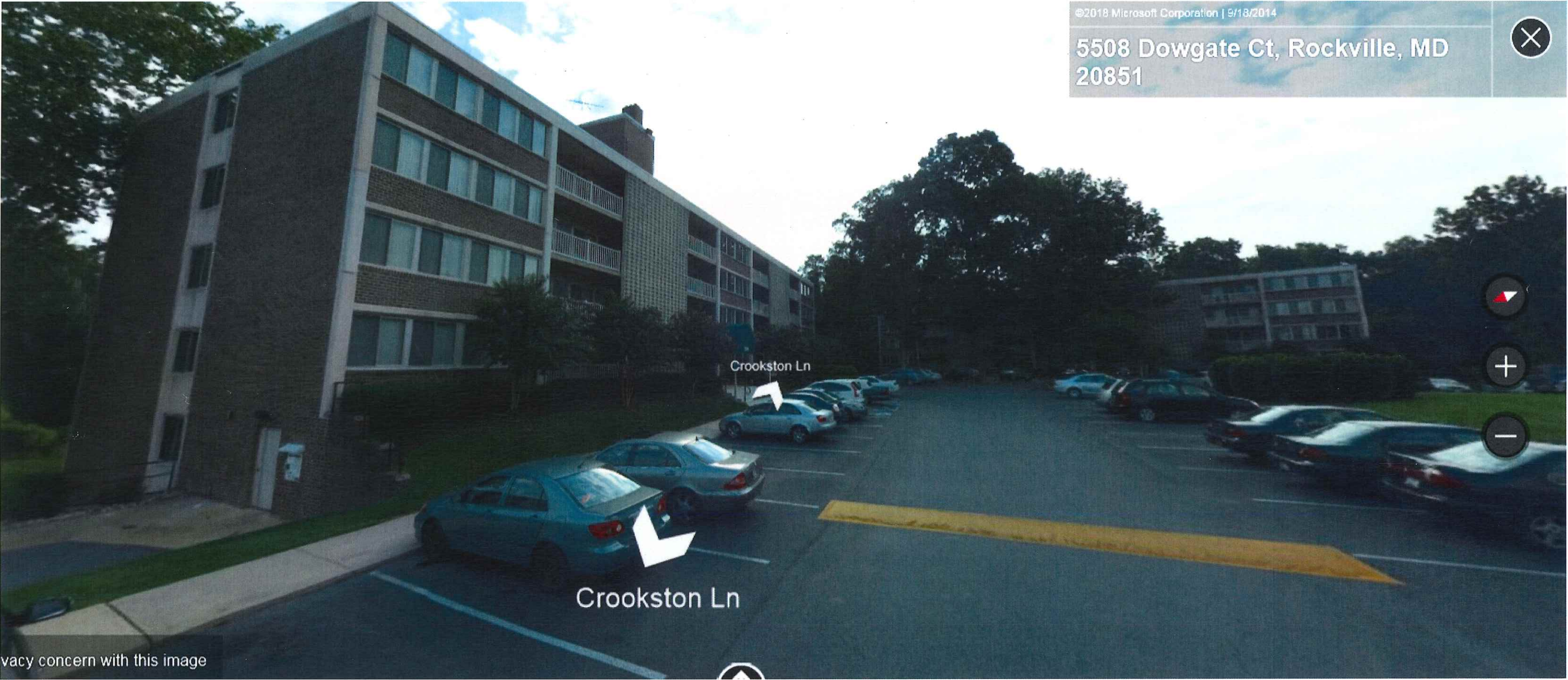
cc: Ms. Gwen Wright, Planning Director
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Ms. Nancy Sturgeon, Area 2 Supervisor
Mr. Luis Estrada, Planner Coordinator
Ms. Lisa Govoni, Research and Special Projects
Mr. Brian Alford, Grady Management
Mr. George Covucci, Halpine Park LLC

Halpine View Building Map

Mid Rise - In Red



HALPINE



Google Earth Images of Building No. 12 and 13 - Halpine View

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April 20, 2018

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Rock Creek Woods Apartments - Veirs Mill Corridor Master Plan

Dear Mr. Anderson and Members of the Planning Board:

On behalf of Bullis Tract, LLC t/a Rock Creek Woods apartments ("RCW"), I am writing to request that the Planning Board rezone its property to the CRT zone to facilitate redevelopment to a higher density, multi-family use. The CRT zoning designation for this strategically located property at the northern gateway of the Veirs Mill Corridor is consistent with the land use principles and goals set forth in the public hearing draft of the Veirs Mill Corridor Master Plan (the "Plan").

The RCW property consists of two parcels totaling approximately 12.21 acres located on the southeast and southwest corners of Veirs Mill Road and Twinbrook Parkway. The property is immediately adjacent to the proposed Twinbrook Bus Rapid Transit Station recommended in the Plan and the Countywide Transit Corridors Functional Master Plan (2013). The southern portion of the property lies within three quarters of a mile of the Twinbrook Metro Station. The property is adjacent to Rock Creek Park to its east and the City of Rockville with a concentration of neighborhood serving retail uses to the north. The property is encumbered by two tributaries of Rock Creek, and the eastern portion of the property has rolling terrain with occasional abrupt grade changes.

The property is improved with nine garden apartment buildings housing 270 units. The project was constructed in the mid-1960s, and it is currently zoned R-20 (Multiple Family, Medium Density). The apartment buildings and associated mechanical systems are nearing the end of their useful life, and the apartment units are approaching the point of functional obsolescence. The supporting utility infrastructure of the project, most notably its aging water and sewer lines, are a frequent source of service interruptions. Despite substantial capital expenditures for repairs in recent years, they are in need of replacement.

LYNOTT, LYNOTT & PARSONS, P. A.

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Page 2

Although the property has been well maintained, the project is lacking modern market necessities and amenities. Among other matters, the project lacks ADA accessibility, modern fire code protection, energy efficient construction, building security and storm water management and forest conservation protections. Because of the age and design of this 1960s era garden apartment project, the buildings and their apartment units cannot be physically retrofitted to modern standards, nor can the project be economically redeveloped or revitalized at the current development density.

In addition, none of the 270 units in the project are MPDUs because the project was constructed many years prior to the MPDU law.

The current draft of the Plan recommends retaining the project's R-20 zoning in order to preserve it as a source of market rate affordable housing. The Plan, however, indicates its support for a future local map amendment to rezone a portion of the project to permit higher density residential uses at this potential BRT station (see Plan, page 93). Retaining the R-20 zoning for even a portion of this unified project, however, effectively precludes the redevelopment or revitalization of the project as a practical and economic matter due to redevelopment costs and economies of scale. The project is presently built to the maximum capacity of the R-20 zone (.5 FAR), and it simply cannot be economically redeveloped as a multi-family project if the land is limited to the same density. Preserving the existing R-20 zoning will not only preclude redevelopment, it will guarantee the project's gradual decline into obsolescence and disrepair while depriving its residents of ADA accessibility, MPDUs, fire code and security protections and other modern amenities.

For the foregoing reasons, RCW retained the firm of Hord Coplan Macht to study the project and prepare conceptual redevelopment plans in a manner consistent with the land use principles enunciated in the Plan, namely: (a) maintaining market affordable multi-family residential development; and (b) recommending a zone appropriate for higher density development near commercial centers, Metrorail or future BRT stations. The enclosed concept site plan demonstrates how this property can be effectively redeveloped under the CRT zone with an FAR of up to 1.25 and a proposed building height of 75 feet to accommodate apartment buildings with garage parking and topography. The concept plan also illustrates how a redesigned modern apartment community can better protect the natural resources and green spaces of this uniquely situated property, while at the same time facilitating a significant increase in market rate affordable housing.

The zoning recommendation of this strategically located property to CRT will allow RCW to offer newly created MPDUs at a contribution rate of 15%, together with substantially more "market rate affordable" apartment units with a significant number of two and three bedroom units for families adjacent to public transit and neighboring retail development.

LYNOTT, LYNOTT & PARSONS, P. A.

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RCW is still owned by the same three families that developed the land more than 50 years ago. Stewardship of the project has now passed to a second generation. The owners anticipate maintaining the project in its current form for a period no less than three years following adoption of the Plan before proceeding with redevelopment.

For the foregoing reasons, RCW respectfully requests that the Planning Board recommend the rezoning of this property to CRT with an FAR of 1.25 and height of 75'.

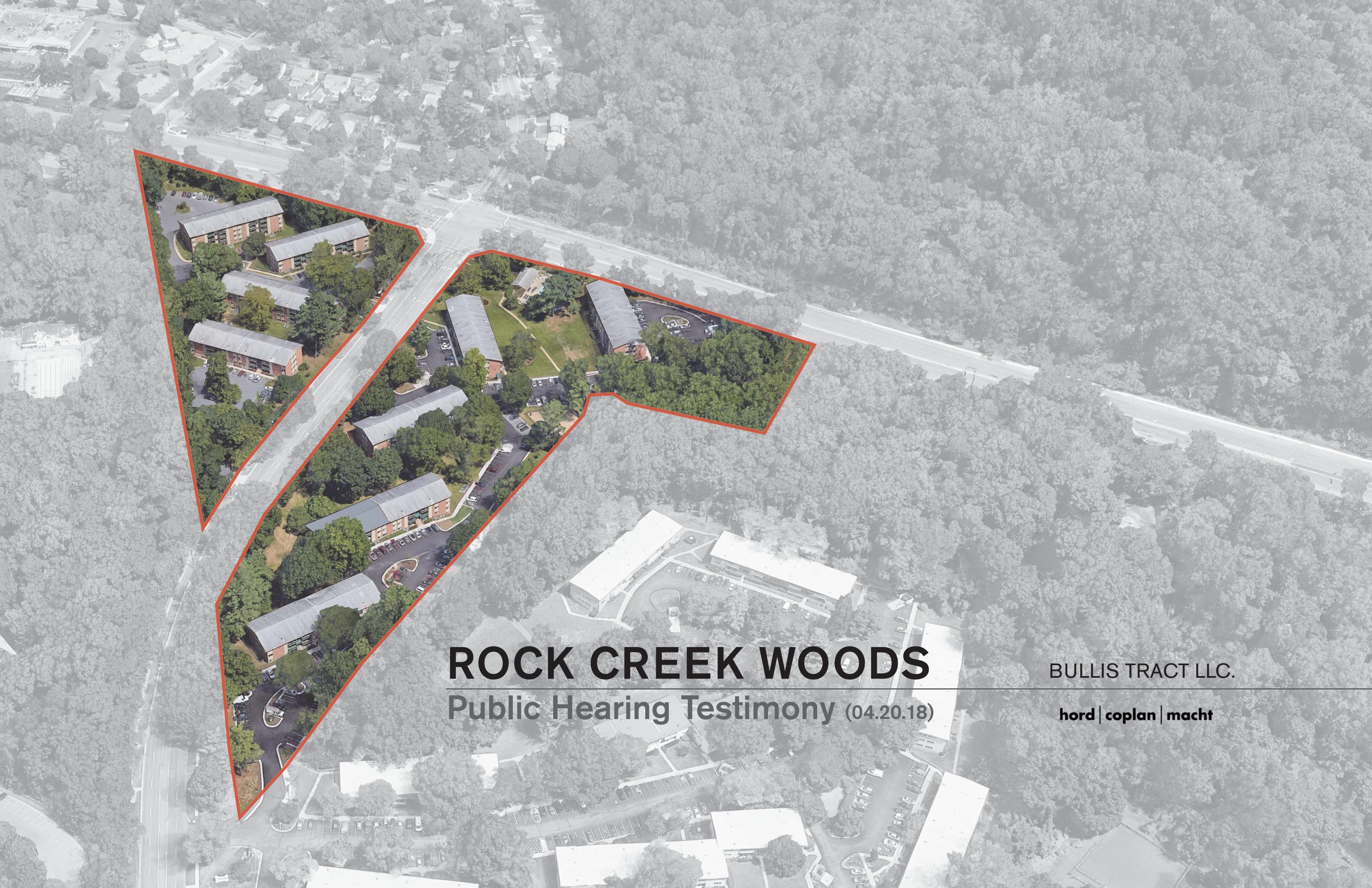
Very truly yours,



Joseph A. Lynott, III

JAL,III/dk

Cc: Jessica McVary
Nancy Sturgeon
Luis Estrada
Miguel Iraola



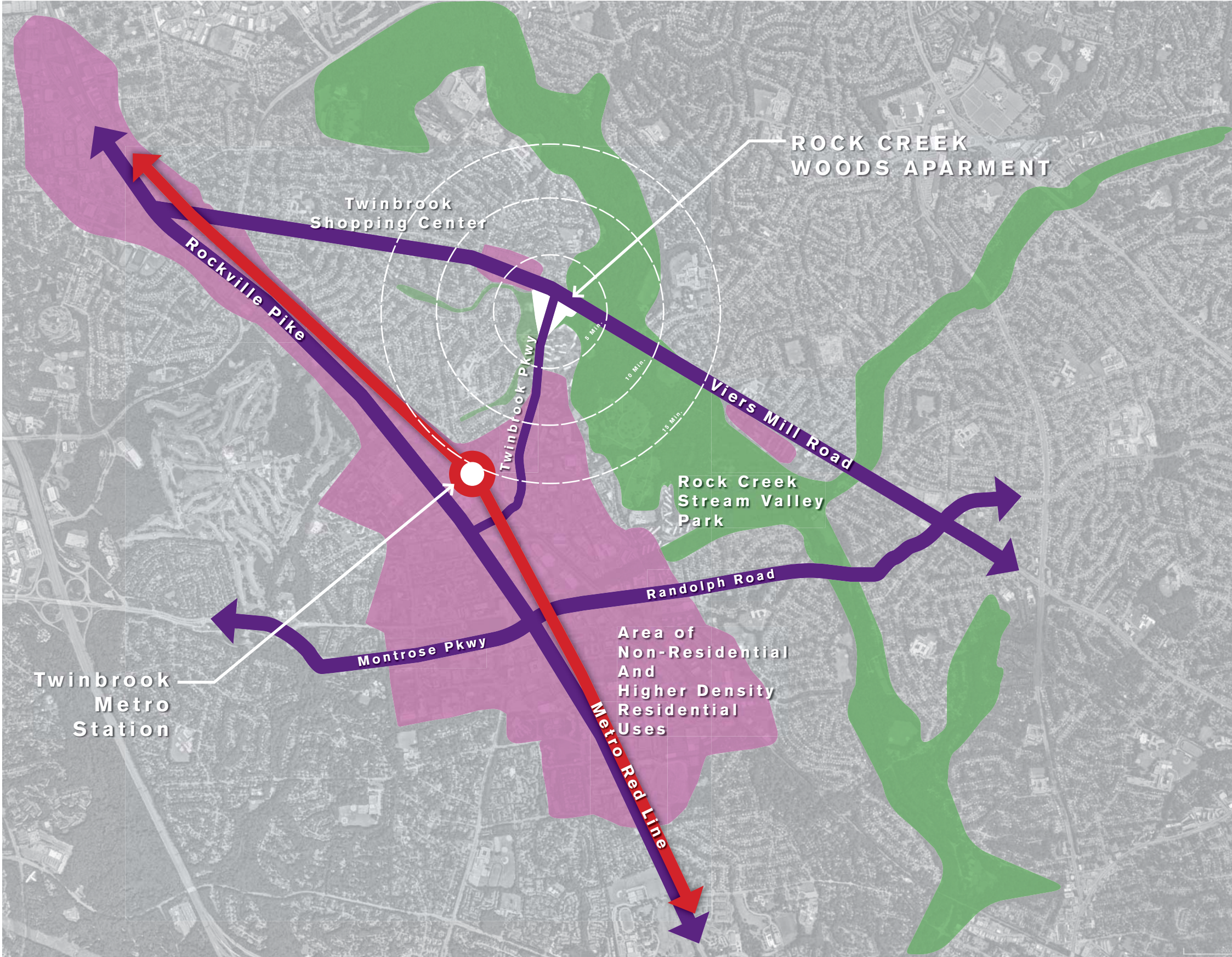
ROCK CREEK WOODS

Public Hearing Testimony (04.20.18)

BULLIS TRACT LLC.

hord | coplan | macht

LOCATION



LAND USES



Rock Creek Woods Apartments
Rockville, MD

LAND USES



Rock Creek Woods Apartments
Rockville, MD

CIRCULATION



Rock Creek Woods Apartments
Rockville, MD

CIRCULATION



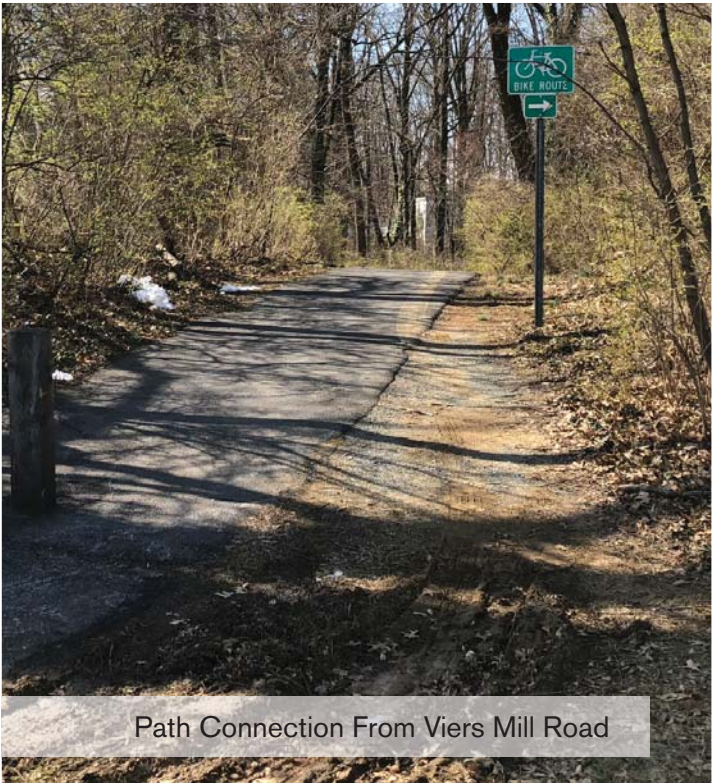
Crosswalk Viers Mill Road at Twinbrook Parkway



Bus Stop at Twinbrook Parkway



Rock Creek Trail Overpass (Vier Mills Road)



Path Connection From Viers Mill Road



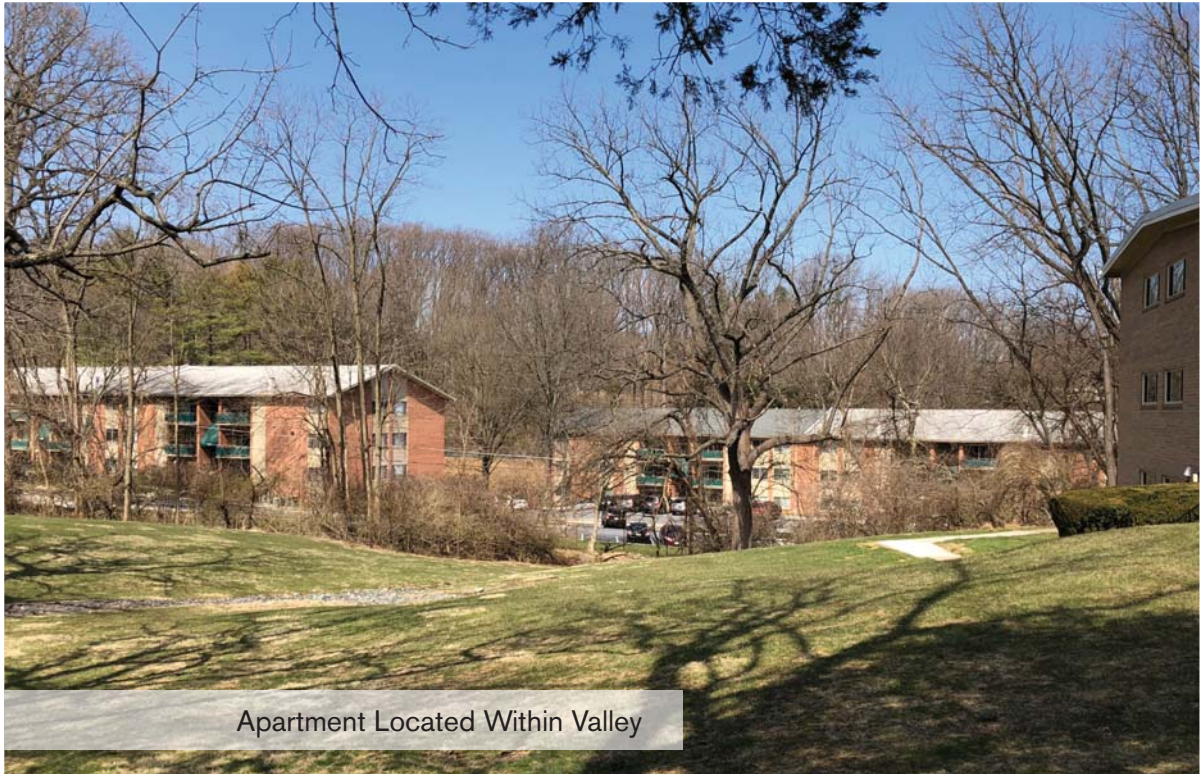
Twinbrook Parkway

TOPOGRAPHY AND DRAINAGE



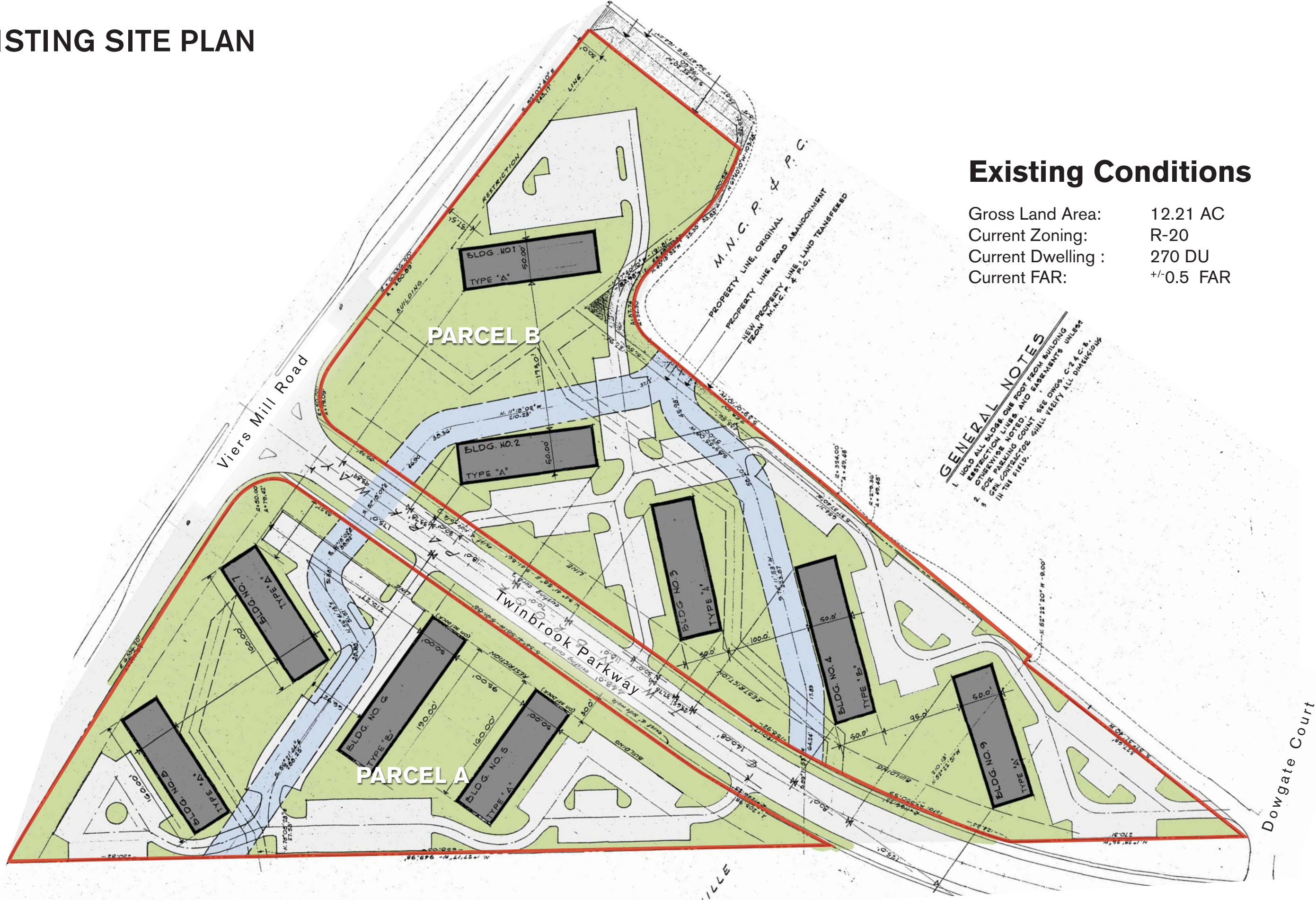
Rock Creek Woods Apartments
Rockville, MD

TOPOGRAPHY AND DRAINAGE



Rock Creek Woods Apartments
Rockville, MD

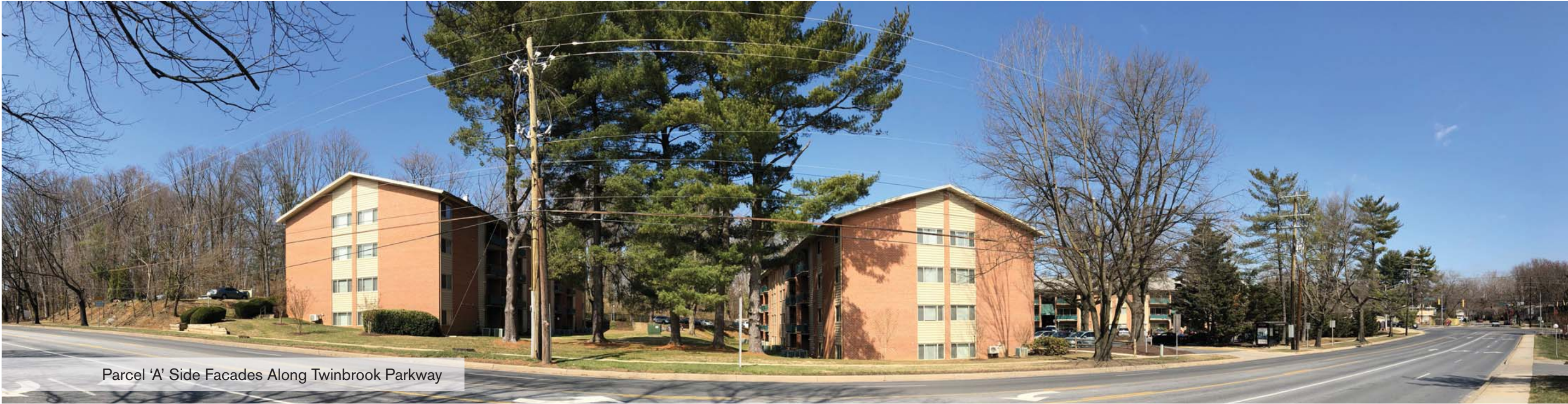
EXISTING SITE PLAN



Existing Conditions

Gross Land Area:	12.21 AC
Current Zoning:	R-20
Current Dwelling :	270 DU
Current FAR:	+/-0.5 FAR

ARCHITECTURAL CHARACTER



Parcel 'A' Side Facades Along Twinbrook Parkway



Typical Apartment Facade



View from Twinbrook Parkway

TOPOGRAPHY AND ACCESSIBILITY



AMENITY SPACES



Parcel 'B' Lawn



Play Space

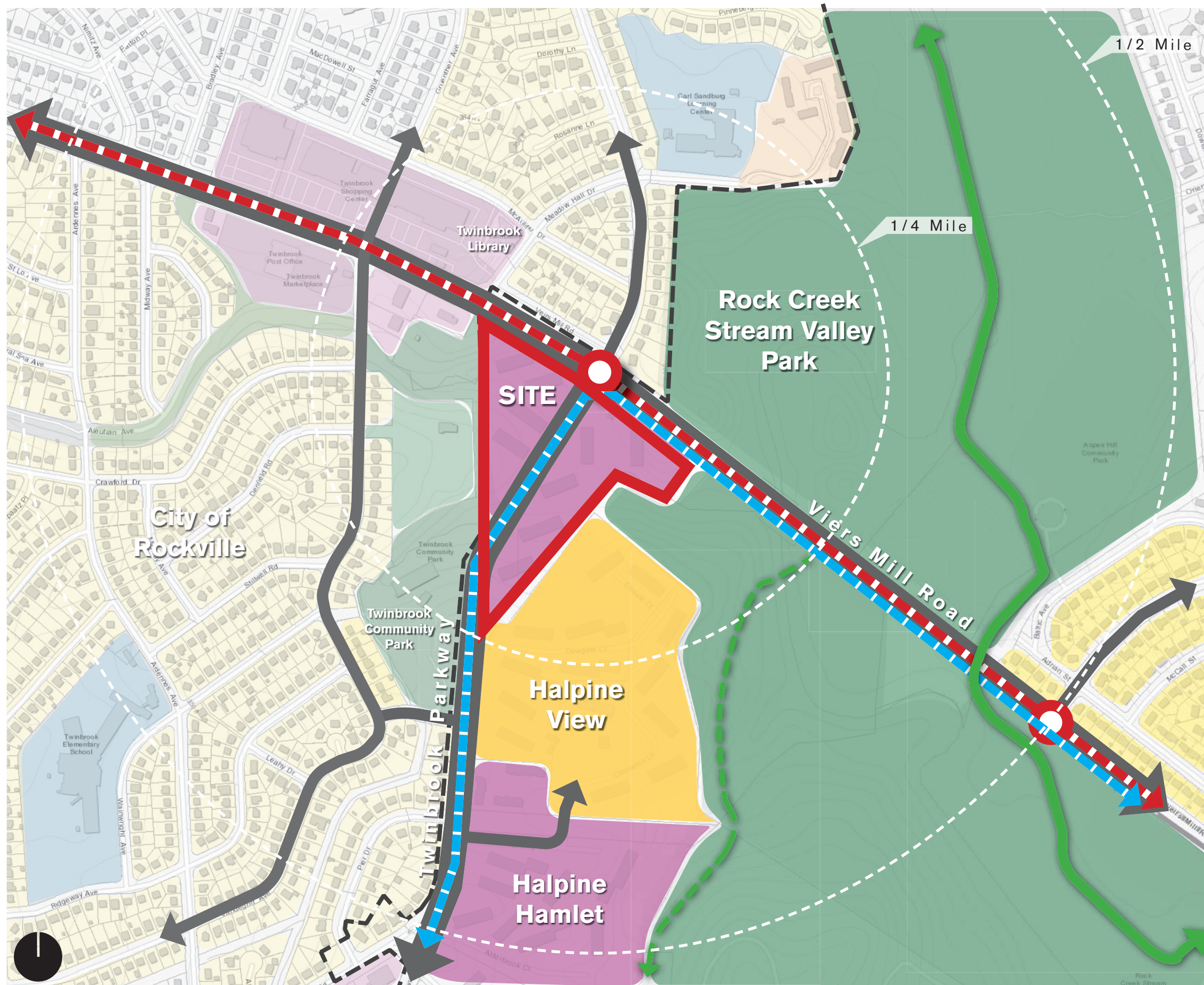


Typical Bike Rack



Pool

TWINBROOK DISTRICT Conceptual District Plan



- Existing Rock Creek Trail
- Proposed Off-Street Trail
- Proposed Bike Lane
- Proposed Viers Mill BRT

- Mixed-Use Residential
- Multifamily Residential
- Single Family Residential
- Open Space

Rock Creek Woods Apartments

Rockville, MD

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April 20, 2018

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CONCEPT SITE PLAN



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