

Item 5 - Correspondence

From: [Lindsey, Amy](#)
To: [MCP-Chair](#)
Cc: [Folden, Matthew](#); [Sanders, Carrie](#)
Subject: FW: Comments on amendments requested by Alvin Aubinoe/Wildwood Medical Center LLC — Site Plan 82008024C
Date: Wednesday, February 9, 2022 9:47:55 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
Importance: High



Amy Lindsey
Planner III, Mid-County Planning

Montgomery County Planning Department
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amy.lindsey@montgomeryplanning.org
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From: Linda Lizzio <Linda.Lizzio@Longandfoster.com>
Sent: Tuesday, February 8, 2022 6:03 PM
To: Lindsey, Amy <amy.lindsey@montgomeryplanning.org>
Cc: Ann Bowker <glenwood543@gmail.com>; Debbie Cico <mmcopen@aol.com>; Marie Wierzbic <mncwierzbic@gmail.com>
Subject: Comments on amendments requested by Alvin Aubinoe/Wildwood Medical Center LLC — Site Plan 82008024C
Importance: High

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Dear Amy,

Thank you for the information that you provided us on the Aubinoe/Wildwood Medical Center project. Regarding the amendments requested by Aubinoe, Wildwood Manor Citizens Association has the following comments that we are requesting to be included on the formal record.

The Wildwood Manor Citizens Association submits the following comments on amendments proposed by Alvin Aubinoe/Wildwood Medical Center LLC relating to the 5-story residential and commercial building approved with conditions by the Planning Board in early 2019. The building confronts Wildwood Manor single-family homes directly across Berkshire Drive, a neighborhood street. Our comments concern: (1) calculation of the property's gross tract area; (2) the number of residential units in the building; and (3) accurate citation of relevant master plan guidance.

(1) The Aug. 12, 2021 statement of justification for the amendments states on page 2, "... [T]his Limited Major Amendment seeks to rectify an erroneous gross tract area (GTA) figure for the property that was used in density calculations in previous development applications.... [T]here is no change to the amount of existing and proposed development on the subject property being requested in this amendment...." We understand that currently, the property's GTA is determined without including public right-of-way. The applicant wants to increase the property's GTA by including land that was dedicated as public right-of-way (ROW) decades ago, in the property's current GTA. The apparent purpose is to increase allowed density on the property. Using square foot and acreage numbers shown in page 2, this would increase the property's GTA by 22.6% above the current GTA figure. If this proposed increase in the property's GTA figure is approved, we assume that the applicant will use the approval to justify increased density/development on the property in future amendment(s).

MNCPPC staff initially disagreed with the proposed GTA calculations, then reversed position under pressure from the applicant. This appears to be a significant change in the way the property's GTA is determined. We believe that MNCPPC should carefully reconsider its position. Not only would including public right-of-way in GTA calculations increase the GTA figure and (apparently) the allowed density for this property, we understand that it also could serve as precedent with implications for other properties in Montgomery County. Assuming that current development/density standards/requirements are based on GTA as currently calculated, it appears that increasing GTA figures without also adjusting development standards/requirements could allow more development/density than intended or appropriate.

(2) The amendment proposes to increase the number of potential dwelling units in the building from 60 to 72. We assume that this would result in an increased number of residents' vehicles. The approved number of surface parking spaces next to this building appears to be only 13; most parking spaces for this building will be in an underground parking garage reached by an awkwardly located garage entrance at the northeast corner of the building. We ask that MNCPPC carefully review whether the number of on-site (residential) parking spaces for this property meets minimum requirements if the number of apartments is increased by 12, and is adequate.

Age-restricted (55+) dwelling units were approved for this building, per Montgomery County requirement. We understand that the county has removed, or soon will remove, this requirement, and Mr. Aubinoe therefore is likely to request its removal for this property, which also could result in an increased number of residents' vehicles. Federal Realty Investment Trust is likely to aggressively enforce parking restrictions on its adjacent Wildwood Shopping Center property.

All of these circumstances likely would/will increase the number of Aubinoe-property-related vehicles whose drivers want handy, easily accessible surface parking on adjacent Wildwood Manor streets, especially Berkshire Drive. We again emphasize the importance of effective physical barriers and screening (removable across the Berkshire Drive emergency access during emergencies) to prevent these Wildwood Manor neighborhood streets from becoming surface parking lots for Aubinoe-property residents, customers, and staff. (Residents-only parking restrictions wouldn't exclude Aubinoe-property residents, and limited parking periods for non-residents' parking would adversely affect Wildwood Manor residents' visitors.)

(3) As discussed and confirmed during our Nov. 30, 2021 meeting/call with MNCPPC staff, staff report(s) and Planning Board resolution(s) for the current amendments will accurately state that this project adheres to/is consistent with this Rock Spring Master Plan/Rock Spring Sector Plan (RSMP/RSSP) guidance (2017) for the Aubinoe property: "Building massing along Berkshire Drive should be limited to a height of 35 feet within 50 feet of the Berkshire Drive right-of-way," and "Provide a green space of at least 30 feet in width measured from the public right-of-way on the Aubinoe property along Berkshire Drive...." Unfortunately, the Dec. 2018 staff report and March 2019 Planning Board resolutions on the most recent previous version of this project inaccurately say that the proposed development "adheres to" Master Plan recommendations for building setbacks "30 feet from Berkshire Drive" — which would allow Aubinoe to build closer to Berkshire Drive. Incorrectly saying that the building setback for the Aubinoe property is measured from Berkshire Drive, rather than from the public right-of-way, is a substantive inconsistency/discrepancy. It could lead to confusion, especially since RSMP/RSSP guidance for Federal Realty's Wildwood Shopping Center states, "provide a green space of 40 feet in width measured from the curb along Berkshire Drive."

Thank you for your kind assistance.

Best regards,

Linda Lizzio, President
Wildwood Manor Citizens Association

From: "Lindsey, Amy" <amy.lindsey@montgomeryplanning.org>
Date: Friday, January 7, 2022 at 3:58 PM
To: Ann Bowker <glenwood543@gmail.com>
Cc: Linda Lizzio <Linda.Lizzio@Longandfoster.com>, Debbie Cico <mmcopen@aol.com>
Subject: RE: Aubinoe's proposed revisions

My apologies,

I have asked for the resubmitted plans to be viewable on DAIC so that adjustment should be made soon. The resubmitted plans were essentially a cleaned up version of the initial submission. No substantive changes were made – no facilities changed or were moved. There are no additional impacts to the surrounding community.

I do understand that Skip Aubinoe is moving forward with this development.

Amy



Amy Lindsey
Planner Coordinator, Mid-County Planning

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From: Ann Bowker <glenwood543@gmail.com>

Sent: Thursday, January 6, 2022 12:59 AM

To: Lindsey, Amy <amy.lindsey@montgomeryplanning.org>

Cc: Linda Lizzio <linda.lizzio@longandfoster.com>; Debbie Cico <mmcopen@aol.com>

Subject: Fwd: Aubinoe's proposed revisions

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Amy, we're sure you're busy, but we'd appreciate it if you could take a couple of minutes to respond to the questions in my January 3 email below. And can you tell us when public comments should be received by MNCPPC in order to be reflected in staff report(s) on Aubinoe's proposed revisions?

We see that Aubinoe has begun activity in the parking lot just north of his medical building, and Federal Realty Investment Trust/Wildwood Shopping Center has added a wood fence between the Balducci's parking lot and Aubinoe's property.

Ann

Sent from my iPhone

Begin forwarded message:

From: Ann Bowker <glenwood543@gmail.com>

Date: January 3, 2022 at 10:00:57 PM EST

To: "Lindsey, Amy" <amy.lindsey@montgomeryplanning.org>

Cc: Linda Lizzio <Linda.Lizzio@longandfoster.com>, Debbie Cico <MMCOPEN@aol.com>

Subject: Re: Aubinoe's proposed revisions

Thank you for your quick response, Amy.

Have Aubinoe's revised plans been posted on DAIC? (The increase in Covid cases and quarantines, and this week's snowfall, are complicating things....)

Do any plan changes potentially affect nearby Wildwood Manor residents and streets?
And can you tell us about any concerns you/MNCPPC Planning currently have about Aubinoe's plans? Thank you.

Ann

Sent from my iPhone

On Jan 3, 2022, at 10:02 AM, Lindsey, Amy
<amy.lindsey@montgomeryplanning.org> wrote:

The plans have been resubmitted but the changes were very minor - more

of a cleanup of a plan resubmittal. I believe we are looking at a Planning Board date of February 17th.

Amy

Amy Lindsey
Planner Coordinator, Mid-County Planning

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-----Original Message-----

From: Ann Bowker <glenwood543@gmail.com>
Sent: Sunday, January 2, 2022 5:48 PM
To: Lindsey, Amy <amy.lindsey@montgomeryplanning.org>
Cc: Linda Lizzio <linda.lizzio@longandfoster.com>; Debbie Cico <mmcopen@aol.com>
Subject: Aubinoe's proposed revisions

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Happy New Year, Amy!

During our November 30 meeting/call about Aubinoe's current proposed amendments (site plan #82008024C, preliminary plan #11989271D), you suggested that we give you name(s) of person(s) to contact when MNCPPC receives Aubinoe's revisions to these proposed amendments. Please contact me then, and I'll let the other Wildwood Manor community members know. Thank you.

Ann

Sent from my iPhone

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