

## Item 6 - Correspondence

**From:** [Balmer, Emily](#)  
**To:** [Folden, Matthew](#); [Leftwich, Troy](#)  
**Cc:** [Coello, Catherine](#)  
**Subject:** Fwd: Montgomery County Planning Board Hearing Notice - Wheaton Gateway, Sketch Plan No. 320210060  
**Date:** Wednesday, May 18, 2022 7:33:29 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Hi Troy and Matt,

I received the below comment from when I emailed out the notice for Wheaton Gateway. Just FYI thanks

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**From:** Daniel Marcin <dsmarcin@gmail.com>

**Sent:** Tuesday, May 17, 2022 10:45 PM

**To:** Balmer, Emily <emily.balmer@montgomeryplanning.org>

**Subject:** Re: Montgomery County Planning Board Hearing Notice - Wheaton Gateway, Sketch Plan No. 320210060

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

My public comment is, whatever gets this done already is what I'm in favor of. Thank you for your service.

On Thu, May 12, 2022 at 3:19 PM Balmer, Emily <[emily.balmer@montgomeryplanning.org](mailto:emily.balmer@montgomeryplanning.org)> wrote:

Please see the attached Montgomery County Planning Board Hearing Notice for Wheaton Gateway, Sketch Plan No. 320210060.



Montgomery County Planning Department  
M-NCPPC  
2425 Reddie Drive  
Wheaton, MD 20902

**PUBLIC NOTICE**

## Montgomery County Planning Board HEARING NOTICE

Wheaton Gateway, Sketch Plan No. 320210060  
May 26, 2022

(view additional information on the back of this card)

Written comments should include the agenda item and must be received by **12 noon on Wednesday** before a scheduled Thursday hearing. They may be emailed to Montgomery County Planning Board Chair Casey Anderson at [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org); mailed to Chair Casey Anderson, Montgomery County Planning Board, 2425 Reddie Drive, Wheaton, MD 20902; or faxed to (301) 495-1320.

Written comments received after the deadline may not be considered by the Planning Board or be included in the public record unless the Chair leaves the record open.

**PUBLIC NOTICE**

### PLANNING BOARD HEARING

On **May 26, 2022**, the Montgomery County Planning Board will conduct an in-person and virtual public hearing on the following development plan:

**Name of Plan:** Wheaton Gateway, Sketch Plan No. 320210060

**Zoning:** CR 5.0, C-4.5, R-4.5, H-130; CR 3.0, C-2.5, R-2.5, H-100; CRN 1.5, C-.25, R-1.5 and R-60

**Property Size:** 5.16 acres

**Master Plan:** 2010 Wheaton CBD and Vicinity Sector Plan

**Proposed Use:** Request for up to 910,223 square feet of development through the optional method of development for the CR zones and through the standard method of development for the CRN & R-60 zones comprised of 65,000 square feet of commercial use and 845,223 square feet of residential uses with 30% MPDUs; including a minimum of 12% public open space.



**Located on Southwest corner of the Veirs Mill Road and University Boulevard.**

You may review the Staff Report regarding the development plan, check the approximate hearing time, sign up to testify remotely or in-person, and find other information related to participation in the Planning Board's proceedings by going to our website at [montgomeryplanningboard.org/agendas/](http://montgomeryplanningboard.org/agendas/) or calling 301-495-4605. The deadline to sign up to testify and submit written materials is **noon on the day before the hearing (you may sign up on the website or by contacting the chair's office directly using the information on the back of this card)**. To participate in person proof of COVID-19 vaccination will be required to enter the auditorium. The public can also watch the Planning Board hearing online via livestream at [www.montgomeryplanningboard.org](http://www.montgomeryplanningboard.org). For ADA or other accommodations, please submit requests one week in advance to ADA Coordinator at 301-495-1324 or 301-495-133 (TTY).

For more information or to comment on the development plan, please contact Troy Leftwich, Planner III via email at [Troy.Leftwich@montgomeryplanning.org](mailto:Troy.Leftwich@montgomeryplanning.org), or by phone at 301-495-4553.

Thank you for your interest in Montgomery County's future development.

### Emily Balmer

Administrative Assistant III, Downcounty Planning Division

Montgomery County Planning Department

2425 Reddie Drive, Wheaton, MD 20902

[emily.balmer@montgomeryplanning.org](mailto:emily.balmer@montgomeryplanning.org)



**Montgomery  
Planning**

o: 301.495.4621



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Daniel Marcin

Economist

[dsmarcin@gmail.com](mailto:dsmarcin@gmail.com)

[Homepage](#)

**From:** [ELEANOR DUCKETT](#)  
**To:** [MCP-Chair](#)  
**Subject:** Wheaton Gateway Sketch Plan KVCA Opposition  
**Date:** Tuesday, May 24, 2022 9:50:22 AM  
**Attachments:** [Wheaton Gateway Sketch Plan KVCA Opposition.docx](#)  
[Wheaton Gateway and Division 4.5 clarification needed May 18, 2022.docx](#)  
[Book 4, Plat 303 Kensington View Sections 1 & 2 MSA S1249 8116.pdf](#)  
[Kensington View Dead-ends 5-23-2022.png](#)  
[Attachment 1 - East Ave. Traffic 4-23-2021.png](#)  
[Kens. Blvd. Veirs Mill Intersection.png](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear Chair Anderson and Members of the Planning Board,

Please accept the attached documents detailing the Kensington View Civic Association's **opposition** to the approval of the Wheaton Gateway Sketch Plan No. 320210060.

Thank you,  
Eleanor Duckett  
Acting Chair - KVCA Land Use and Zoning Committee  
11111 Midvale Road  
Kensington, MD 20895  
301-942-2253



May 24, 2022

Re: **Wheaton Gateway Sketch Plan No. 320210060**

Dear Chair Anderson and Members of the Planning Board,

The Kensington View Civic Association respectfully request that the Planning Board deny or, at a minimum, postpone the approval of the Wheaton Gateway Sketch Plan No. 320210060.

Neither Division 4.5 nor Chapter 50 of the current zoning ordinance support the increased densities or heights on the CRN zone proposed in Phase I, Lindsay property development. Phase I does not accurately reflect the “maximum density and height” the Planners are recommending approval for. (See attached)

The Kensington View Subdivision (Section One and Section Two) was subdivided and recorded in 1925. The original subdivision had a street pattern that supported the proposed subdivision, with a 70' Kensington Boulevard platted as a primary boulevard acting as a ring road that ran from Wheaton to Kensington. (Attached)

Due to the Kensington Branch Silver Creek and elevations, many roads were never built by the County. We now have Section Two, Kensington View Subdivision completely separated from Section One with multiple dead-end streets that terminate at County owned properties (Crossway's/former Pleasant View Elementary School, Pleasant View Park, Albert Einstein High School). There are only two entrances/exits from University Boulevard that allow ingress/egress for residents. One is a signalized intersection at East Avenue (platted at 50', built to 22.1'; not 60' that the Planner's state on page 23 of their submission) and the other is a right-turn only exit from Midvale Road (platted at 50'). East Avenue is a primary residential street that is platted at tertiary road standards with no proposed upgrades. These dead-end roads cannot support the traffic proposed by the Wheaton Gateway Sketch Plan's internal private street. This Sketch Plan proposes a new internal street that **requires** all loading vehicles (trucks, tractor trailers, etc.) to exit onto East Avenue behind the McDonald's entrances/exits and allows all traffic from the proposed 65,000 square feet of non-residential and 845,223 square feet of residential development to exit onto East Avenue. (Attached)

The Planner's submission photos of East Avenue do not include a photo of the stacking room from the Upton Drive/East Avenue merge to the light at University Boulevard. The photo we are submitting shows the traffic (mainly from McDonald's two exits adjacent to the proposed internal road) that backs up periodically at the light at University Boulevard. East Avenue has one ingress lane, one egress lane (straight or left turn movement) and one right-turn only egress lane. Additional traffic exiting the proposed development could severely impact this intersection. We did ask the Planners and Wheaton Gateway whether they would be willing to make this internal road one-way from East Avenue to the internal road garage entrances. Gateway said no. (Attached)

While the Planner's describe the proposed internal road as “helping to continue the street grid network established by surrounding existing neighborhoods in the immediate area” (page 24), it does not help any grid, it is simply a convenient point for the Veirs Mill development to access East Avenue. A better “grid network” would be to align the garage entrances with Kensington Boulevard at Veirs Mill Road. This intersection (regardless of the status of the Kensington Boulevard abandonment in Kensington View) would be the future looking grid pattern

envisioned by the current Wheaton CBD and Vicinity Sector Plan. It would also alleviate the need for traffic egressing onto East Avenue. (Attached)

While the Planner's submission states on page 10 "800 residential dwelling units comprising a variety of unit types (i.e. 1,2, and 3-bedroom units)", it does not mention the Studios, shared living space or loft spaces Wheaton Gateway has proposed in their submissions/webinars. There is a brief statement on page 12 about the loft spaces envisioned for the Lindsay properties. Unit size will determine how many residents will reside on East Avenue.

When Wheaton Gateway had their public showings/webinars, the Ambassador site was Phase I, the Lindsay site was Phase II. Wheaton attendees were excited about the redevelopment of the Ambassador. We recently learned that the Phases have been switched and the Ambassador site will only be developed when "there is a market demand for Phase 2" (page 14 of Planner's submission). We believe the Ambassador site should be developed first to build the signature Gateway building the Wheaton residents and the Sector Plan envisioned and let the Lindsay site develop when "there is a market demand." We do not consider grass and above-ground parking a Signature Node.

We believe this Sketch Plan does not satisfy the requirements of Section 7.3.3. Sketch Plan for approval. Section 7.3.3.A.2 states "A sketch plan describes a project at an early stage to provide the public and Planning Board the chance to review a proposed development for general design, **density**, circulation, public benefits, and **relationship to the master plan** before a developer is required to expend significant resources on design and engineering." We believe the density and relationship to the Master Plan do not satisfy this description.

It also does not satisfy Section 7.3.3.E, Necessary Findings. Section 7.3.3.E states "To approve a sketch plan, the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:"

1. "Meet the objectives, general requirements, and standards of this Chapter;" **This sketch plan does not meet the objectives, requirements or standards of Chapter 59 or Chapter 25 of the zoning ordinance.**
2. "**Substantially conform** with the recommendations of the applicable master plan;" **To summarize our concerns that are included in Attachment D and detail other Sector Plan recommendations, we do not believe it substantially conforms with these recommendations in the Wheaton CBD and Vicinity Sector Plan recommendations:**
  - "Protect existing residential neighborhoods (page 33)
  - "The CRN Zone is a transitional zone appropriate for areas between high density developments and low-density single-family residential uses. The CRN Zone permits a more limited mix of uses and less intense development where transitions must be provided to nearby neighborhoods." (Page 34)
  - All maps in the Sector Plan show a proposed road connection at Kensington Boulevard, not the center of the Lindsay/Wheaton Gateway development. (Pages 22, 26, 28, 31, 36, 37, 39, 40, 42, 61, 67, 70)
  - "This Plan recommends retaining that right-of-way but only making selected, strategic connections with the full participation of affected communities." (Appendix 3, page 14)

- “A Business District Street is meant for circulation in commercial and mixed-use zones.” (Appendix 3, page 17)
  - “A Primary Residential Street is meant primarily for circulation in residential zones, although some through traffic is expected.” (Appendix 3, page 17)
  - Pedestrian Connections Proposed on Map 8, not vehicular connection (Appendix 3, page 22)
  - “It is critical that new uses adjacent to, or across the street from, existing houses are carefully designed to be compatible in scale and character with the existing residential development” (page 55)
  - “The Plan envisions two new, low- to moderately-scaled mixed-use developments along Veirs Mill Road on Lindsay Ford properties, flanking the western entrance to the CBD. **Pedestrian** connections will link these areas to the Core District and the existing neighborhoods.” (Page 55)
  - “Redevelopment adjacent to R-60 zoned neighborhoods should be compatible with the existing low-scale character of these residential areas.” (Page 55)
  - “Rezone the Ambassador Building site...This maximum height will allow a landmark structure at the intersection.” (Page 57)
  - “Major Node” at Ambassador site (Map 8, page 28)
  - “A through-block connection between Veirs Mill Road and East Avenue is desirable at this location (see also text under Pedestrian Circulation, first bullet on page 64)” (page 57)
  - “Provide through-block pedestrian connections where feasible...” (page 64)
  - “If the car dealership properties are developed as one development...The Planning Board may limit height to less than allowed by the zone to achieve compatibility.” (Page 57)
  - “Existing single-family residential neighborhoods should be preserved and protected from the adverse impacts of nearby non-residential development.” (Page 58)
  - “Expand Upton Drive and East Avenue to meet 70-foot street standards when warranted by redevelopment of parcels between Upton Drive/East Avenue and Veirs Mill Road, or by a significant increase in school-related traffic on Upton Drive. Additional right-of-way necessary to support new development on the northeast side of Upton Drive and East Avenue should be acquired while minimizing effects on residential properties. Street design should be flexible enough to support redevelopment of commercial properties along these blocks.” (Page 64)
  - “Existing townhouses along Grandview Avenue are a good example of an appropriate transitional building type and scale.”  
“An appropriately scaled new development, across from single-family houses” (Sector Plan Design Guidelines page 27)
5. “Achieve compatible internal and external relationships between existing and pending nearby development;”

Thank you for your time and consideration,

Eleanor Duckett

Acting Chair – Kensington View Land Use and Zoning Committee

May 19, 2022

**Re: Division 4.5 clarification necessary**

Dear Councilmembers Navarro, Riemer and Council President Albornoz,

The Kensington View Civic Association Land Use and Zoning Committee requests that the County Council request postponement of the approval of the Wheaton Gateway Sketch Plan, scheduled before the Planning Board Thursday, May 26, 2022, until the problems listed below are resolved.

After much research and discussion since 2020, we just received confirmation that Clifford L. Royalty, Chief, Division of Zoning, Land Use & Economic Development, Montgomery County Attorney's Office stated:

In his opinion, after reviewing the KVCA material and talking with Council staff, he has concluded that a ZTA is needed to clarify Council's intent in adopting ZTA 18-06 as to whether the CRN zone, which has no optional method, is subject to the MPDU bonus densities and heights.

KVCA believes that ZTA 18-06, which introduced Section 4.5.2.C, did not clearly update the zoning ordinance to reflect the intentions of the County Council or the intentions of the CRN zone in Division 4.5 of the zoning ordinance.

We further request that someone review and share the discussions in the 2018 PHED committee hearings to determine if the CRN zone came up and whether the Council intended to change the CRN zone (which does not allow Optional Method Development) or only the CR/CRT zones (which do allow Optional Method Development). We were not involved in any discussions when ZTA 18-06 was being vetted.

We believe the zoning ordinance, as it is written today, does not support the increased heights and densities being proposed in the Wheaton Gateway Sketch Plan for the CRN zoned properties on East Avenue. We do not believe that Section 4.5.2.C can be applied independent of the rest of Division 4.5 or Chapter 25A, both of which require MPDUs only under the optional method of development.

Specifically:

**Section 4.5.2. Density and Height Allocation**

C. Development with Moderately Priced Dwelling Units and Other Income-Restricted Housing

"For any application that includes more than 12.5% of the gross residential floor area as Moderately Priced Dwelling Units (MPDUs), qualified under [Chapter 25A](#), the following provisions apply:" (First statement in Section 4.5.2.C)

**25A.00.01.01 Applicability - Definitions**

Moderately Priced Dwelling Unit or MPDU – A dwelling unit which meets the definition provided in Section 25A-3 of the Code.

### **Sec. 25A-3. Definitions.**

#### **Available for building development means all land:**

- (1) Owned by, or under contract to, the applicant;
- (2) Zoned for any type of residential development to which an optional density bonus provision applies; (Emphasis added by KVCA)
- (3) Which will use public water and sewerage; and
- (4) Which is already subdivided or is ready to be subdivided for construction or development.

**Optional density bonus provision means** any increase in density under [Chapter 59](#), in a zoning classification that allows residential development, above the amount permitted in the base or standard method of development, whether by exercise of the optional provisions of [Chapter 59](#) or by any special exception or conditional use. (Emphasis added by KVCA)

The Planners believe that Section 4.5.2.C applies independently of Division 4.5. We believe Section 4.5.2.C should be applied in conjunction with the rest of the Division because applying it independently is contrary to the intent of the CRN zone. We also draw attention to the language in Division 4.5 specifically, these Sections:

Section 4.5.1.A and Section 4.5.1.B Intent Statements - all language

Section 4.5.2.A (2 a) states : "The number following the classification is the maximum total FAR allowed **unless** additional FAR is **allowed** under Section 4.5.2.C or Section 4.5.2.D;" (Emphasis added by KVCA)

Section 4.5.3 Standard Method Development - "The CRN, CRT, and CR zone allow Standard method development under the following limitations and requirements." (-does not state an exception for Section 4.5.2.C).

Section 4.5.3.A "In General" states under number 1 - "In the CRN zone, the maximum total, nonresidential, and residential FARs and maximum height for any property is set by the zone shown on the zoning map." (-does not state an exception for Section 4.5.2.C)

Section 4.5.3.C Lot and Density - number 2 Density (max) - CRN Density, FAR "mapped"; number 4 Height (max) "mapped and Section 4.1.8.B") (-does not state an exception for Section 4.5.2.C)

Section 4.5.4 Optional Method Development - "The CRT and CR zones allow development under the optional method" (the CRN zone is not mentioned here because it does not offer an optional method of development)

Section 4.5.4.B, number 2 b Lot, Density, and Height states "The maximum total, nonresidential FARs and the maximum height are established by the mapped zone unless increased under Section 4.5.2.C and Section 4.5.2.D) (we believe this does not apply to CRN because Optional Method only applies to CRT, CR zones).

Clearly, there is a problem with these sections of the zoning ordinance. Since its introduction, the intent of the CRN zone was to protect neighborhoods. Here is the description of the CRN Zone in our zoning ordinance published by American Legal:

B. Commercial Residential Neighborhood (CRN)

The CRN zone is intended for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges. Retail tenant ground floor footprints are limited to preserve community scale.

Part of that protection at the time was to exclude Optional Method Development so that the CRN zone could be mapped according to the needs of the neighborhood it was being assigned to.

We believe these inconsistencies should be addressed prior to the consideration of the Wheaton Gateway Sketch Plan, and request that you ask the Planning Board to delay its review while Council staff considers the issues we have raised. We look forward to your confirmation of receipt and response. Please contact me with any questions.

Thank you,

Eleanor Duckett  
Acting Chair – KVCA Land Use and Zoning Committee  
11111 Midvale Road, Kensington, MD 301-503-3721

Judy Higgins  
Member - KVCA Land Use and Zoning Committee  
11211 Midvale Road, Kensington, MD 240-535-2982

Cc:  
Clifford Royalty, [Clifford.royalty@montgomerycountymd.gov](mailto:Clifford.royalty@montgomerycountymd.gov)  
Robert Kronenberg, [Robert.kronenberg@montgomeryplanning.org](mailto:Robert.kronenberg@montgomeryplanning.org)  
Troy Leftwich, [Troy.leftwich@montgomeryplanning.org](mailto:Troy.leftwich@montgomeryplanning.org)  
Matthew Folden, [Matthew.folden@montgomeryplanning.org](mailto:Matthew.folden@montgomeryplanning.org)  
Carrie Sanders, [Carrie.Sanders@montgomeryplanning.org](mailto:Carrie.Sanders@montgomeryplanning.org)



SECTION ONE  
KENSINGTON VIEW  
MONTGOMERY CO., MARYLAND

June 1925

Joseph N. Starkey  
Surveyor for Montgo Co.

SCALE 1" = 100'

Engineer's Certificate.

I, the undersigned, Joseph N. Starkey hereby certify to the following:

- 1st. That all the Lots, Blocks, Streets and Public Highways shown on this plat are a part of a tract of land called "Heritage" and have been carefully and accurately surveyed and platted at the request of William J. Umstead the owner and maker of this plat, and that they are a part of the same lands conveyed to William J. Umstead by William A. Wroe and wife the 24th day of October 1906 and of record in Liber 192 at folio 2, one of the land records of Montgomery County, Md. (A) That all the lots and blocks are permanently marked with iron pipe.
- 2nd. That the lines of this subdivision do not conflict with the lines of any other subdivision heretofore made and recorded among the land records of Montgomery County, Md.
- 3rd. That monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top.
- 4th. That the bearings other than deed reference bearings are referred to the true meridian of the Washington Suburban Sanitary District.

Joseph N. Starkey  
Joseph N. Starkey  
Civil Engineer.

Owner's Dedication.

This Declaration of Dedication made this July 9 day of July in the year nineteen hundred and twenty-five, Witnesseth, that I, William J. Umstead the undersigned being the owner have caused to be surveyed and platted the land shown on this plat, as set forth in the Engineer's Certification hereon, and by the filing and recording of this plat and the execution of these presents do subdivide the land into Lots, Blocks and Public Highways as shown hereon and dedicate the said highways for public use for any lawful purpose whatever. And do further hereby declare and establish perpetually the building restriction lines as indicated hereon as the lines beyond which the erection of any building, porch thereof or any other structure of a permanent nature exceeding four feet vertically, is restricted. And do further hereby direct the Clerk of the Circuit Court of Montgomery County, Md. to file and record this plat after its approval in due form, by the Washington Suburban Sanitary Commission. In Witness Whereof, I the said William J. Umstead have signed these presents on the day first above written.

William J. Umstead  
Owner.

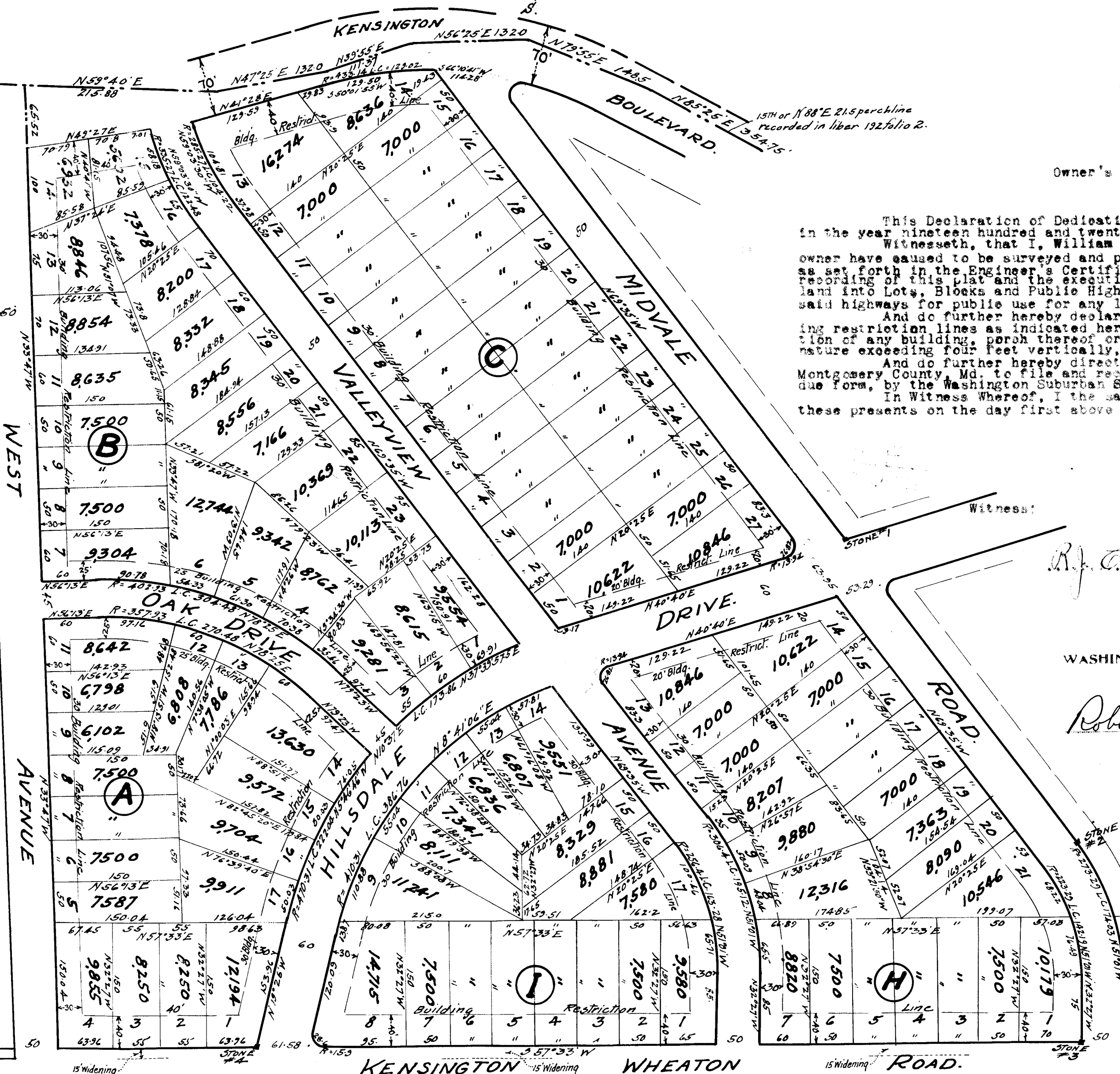
Witness:

R. J. ...

APPROVED JULY 9, 1925

WASHINGTON SUBURBAN SANITARY COMMISSION

Howard ...  
Robert ...





SECTION TWO  
KENSINGTON VIEW  
MONTGOMERY Co. MARYLAND

JUNE 1925

Joseph N. Starkey  
Surveyor for Montgo Co.

Scale 1"=100'

Engineer's Certification

I, the undersigned Joseph N. Starkey hereby certify to the following:

1st. That all the Lots, Blocks, Streets, and Public Highways shown on this plat are a part of a tract of land called "Hermitage" and have been carefully and accurately surveyed and platted at the request of William J. Umstead the owner and maker of this plat, and that they are a part of the same lands conveyed to William J. Umstead by William A. Wroe and Wife the 24th day of October 1906 and of record in liber 192 at folio 2, one of the land records of Montgomery County, Md. (A) That all the lots and blocks are permanently marked with iron pipe.

2nd. That the lines of this subdivision do not conflict with the lines of any other subdivision heretofore made and recorded among the land records of Montgomery County, Md.

3rd. That monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top.

4th. That the bearings other than deed reference bearings are referred to the true meridian of the Washington Suburban Sanitary District.

Joseph N. Starkey  
Civil Engineer.

Owner's Declaration.

This Declaration of Dedication, made this 9th day of June, in the year nineteen hundred and twenty-five, Witnesseth, that I, William J. Umstead the undersigned being the owner have caused to be surveyed and platted the land shown on this plat, as set forth in the Engineer's Certification hereon, and by the filing and recording of this plat and the execution of these presents do subdivide the land into Lots, Blocks and Public Highways as shown hereon and dedicate the said highways for public use for any lawful purpose whatever;

And do further hereby declare and establish perpetually the building restriction lines as indicated hereon as the lines beyond which the erection of any building, porch thereof or any other structure of a permanent nature exceeding four feet vertically, is restricted.

And do further hereby direct the Clerk of the Circuit Court of Montgomery County, Md. to file and record this plat after its approval in due form, by the Washington Suburban Sanitary Commission.

In Witness Whereof I, the said William J. Umstead have signed these presents on the day first above written.

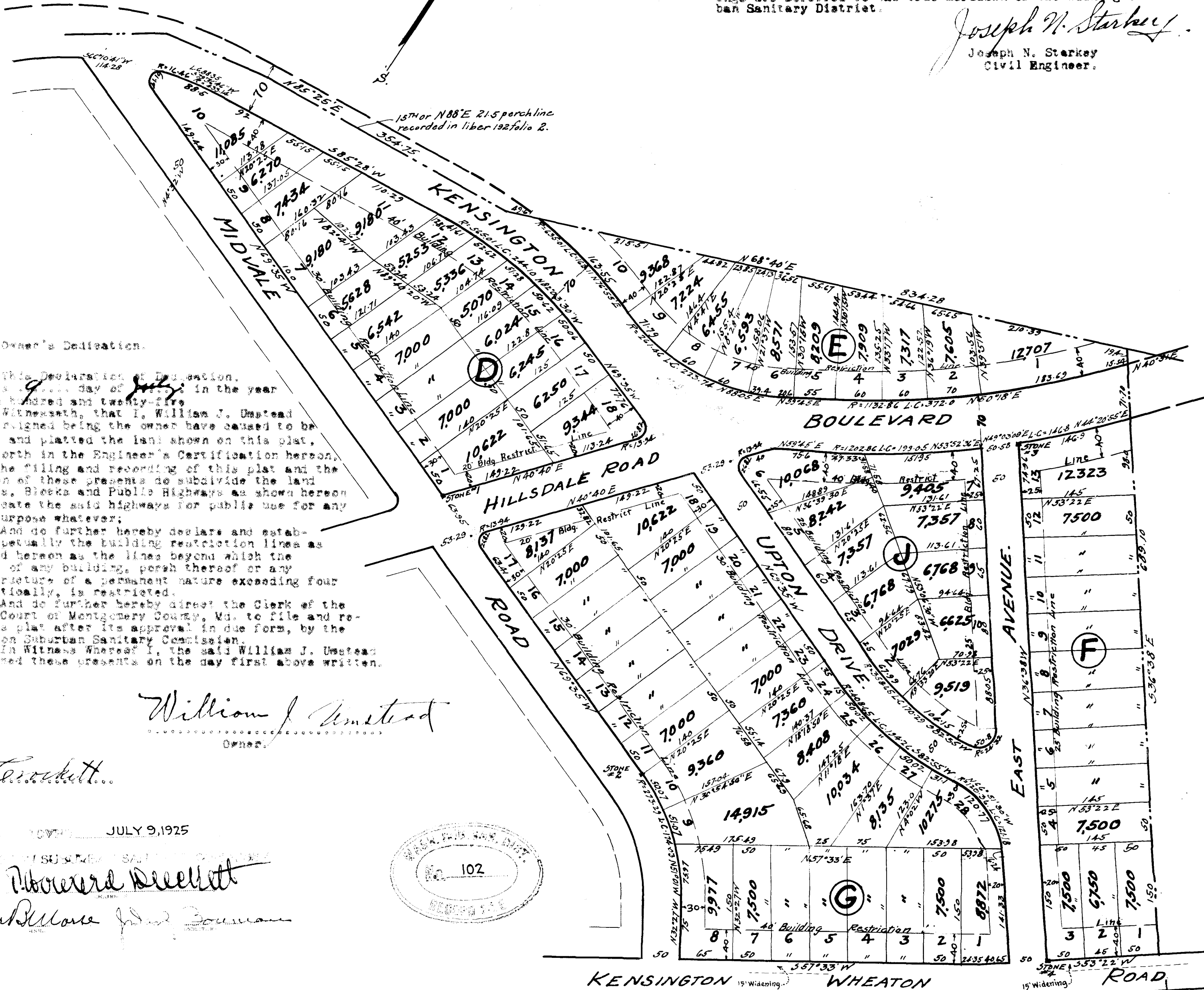
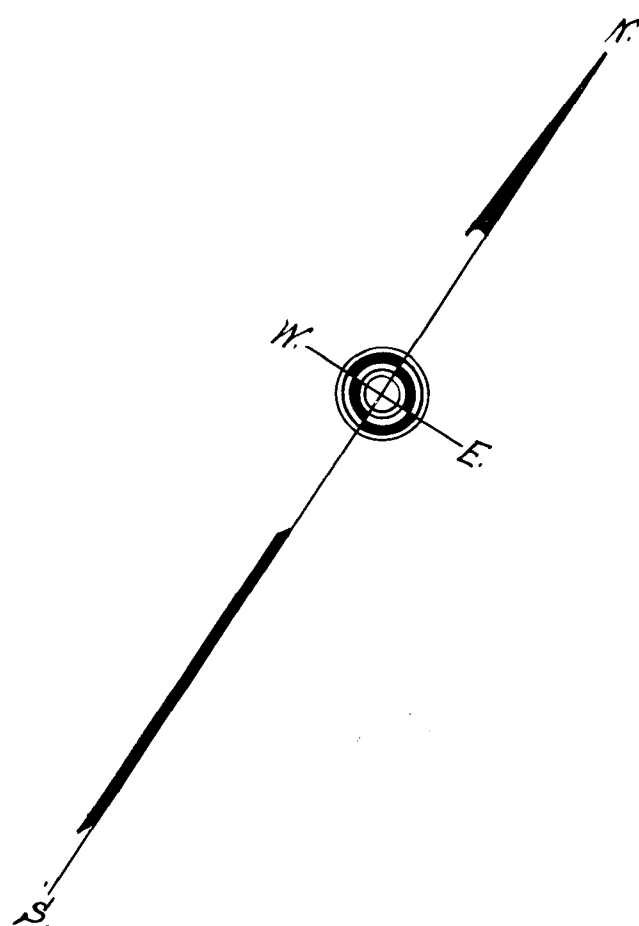
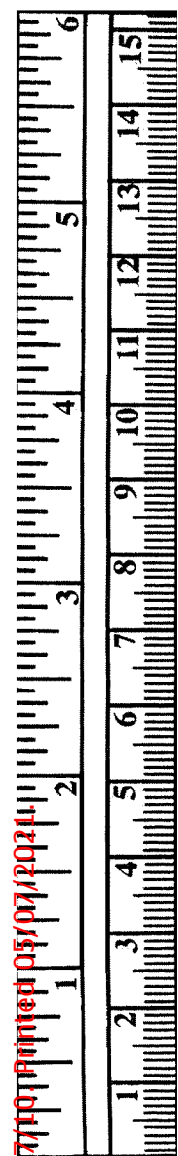
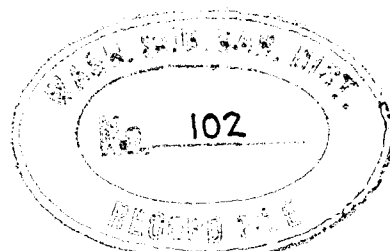
William J. Umstead  
Owner.

R. J. Crockett

JULY 9, 1925

Howard Deekett

Robert B. Moore



KENSINGTON WHEATON

ROAD



SECTION TWO  
KENSINGTON VIEW  
MONTGOMERY Co. MARYLAND

June 1925

Joseph N. Starkey  
Surveyor for Manly Co.

Scale 1"=100'



Engineer's Certification

I, the undersigned Joseph N. Starkey hereby certify to the following:  
1st. That all the Lots, Blocks, Streets, and Public Highways shown on this plat are a part of a tract of land called 'Heritage' and have been carefully and accurately surveyed and plotted at the request of William A. Dwyer, the owner and maker of this plat, and that they are a part of the same lands conveyed to William A. Dwyer by William A. Dwyer and wife the 24th day of October 1906 and of record in Liber 192 at folio 2, one of the land records of Montgomery County, Md. (A) That all the lots and blocks are permanently marked with iron pipe.  
2nd. That the lines of this subdivision do not conflict with the lines of any other subdivisions heretofore made and recorded among the land records of Montgomery County, Md.  
3rd. That monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top.  
4th. That the bearings other than dead reference bearings are referred to the true meridian of the Washington Suburban Sanitary District.

Joseph N. Starkey  
Civil Engineer

CROSSWATTS  
(SCHOOL)  
PLEASANT VIEW PARK

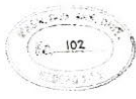
Owner's Declaration  
I, the undersigned, William J. Amick, do hereby declare and certify that I am the owner of the above described land, and that I have caused the same to be surveyed and plotted by Joseph N. Starkey, a Civil Engineer, and that the lines of this subdivision do not conflict with the lines of any other subdivisions heretofore made and recorded among the land records of Montgomery County, Md. and that the monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top. And I further hereby declare and certify that I have caused the same to be surveyed and plotted by Joseph N. Starkey, a Civil Engineer, and that the lines of this subdivision do not conflict with the lines of any other subdivisions heretofore made and recorded among the land records of Montgomery County, Md. and that the monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top. And I further hereby declare and certify that I have caused the same to be surveyed and plotted by Joseph N. Starkey, a Civil Engineer, and that the lines of this subdivision do not conflict with the lines of any other subdivisions heretofore made and recorded among the land records of Montgomery County, Md. and that the monument stones designated as #1, #2, #3 and #4 have been carefully set so as to appear on the surface and extend into the ground not less than three feet below the surface and that the said stones are not less than six inches in minimum dimension on top.

William J. Amick  
Owner

R. J. Corbett

JULY 9, 1925

Howard Russell  
R. J. Corbett



RIGHT  
TURN  
ONLY



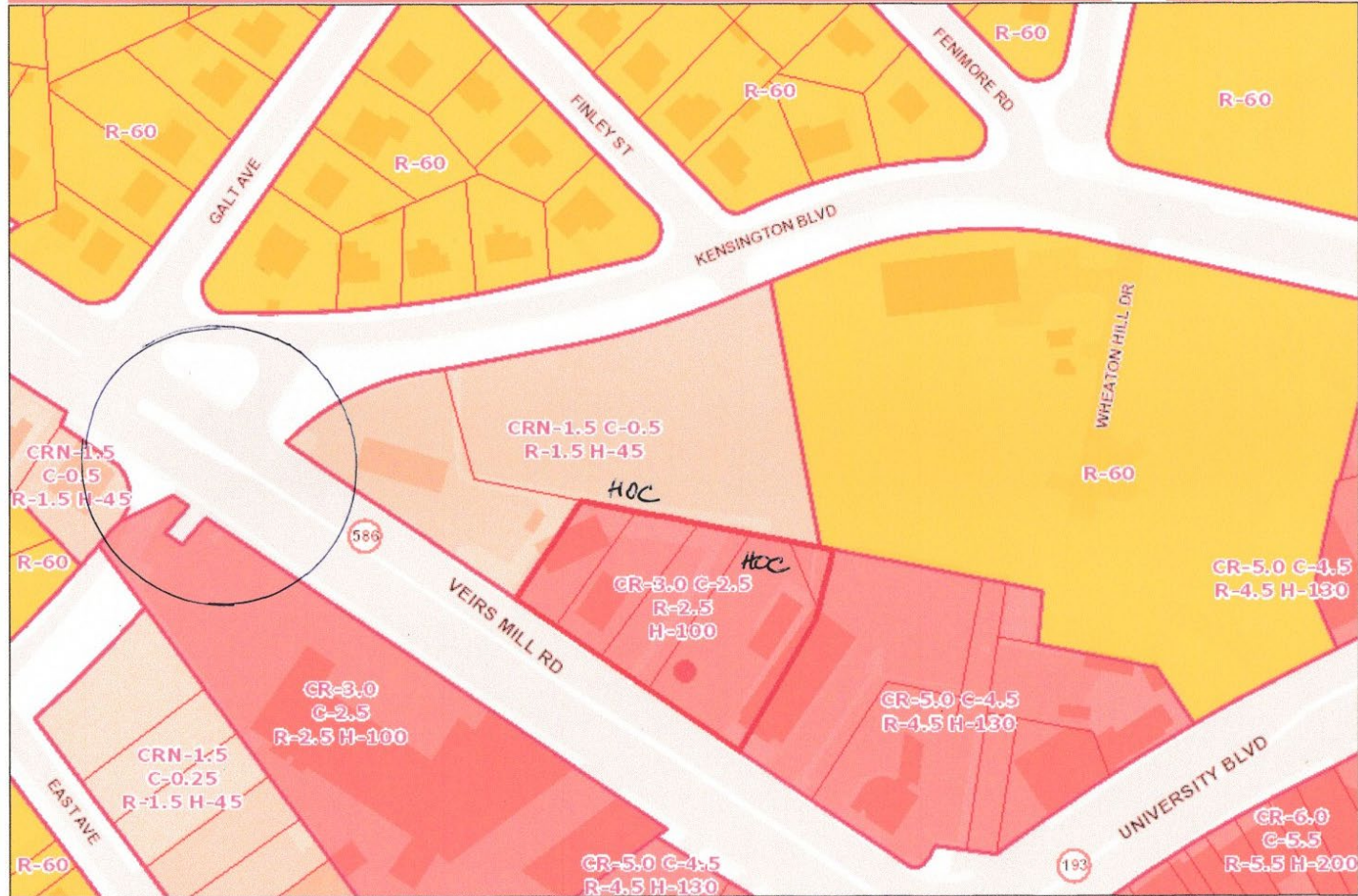


# Montgomery County Zoning

Date: 4/23/2022



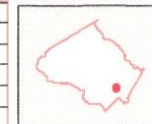
Montgomery County  
Planning Department  
III Division



Account #	01187610
Address	11231 VEIRS MILL RD SILVER SPRING, 20902
Zone	CR-3.0 C-2.5 R-2.5 H-100
Overlay Zone	NA
TDR Overlay Zone	NA
Landuse	Mult-Family
Parcel, Lot, Block	NA, P6, B

Parking District	Wheaton
CBD	NA
Special Protection Area	NA
Urban District	WHEATON
Enterprise Zone	NA
Arts & Ent. District	Wheaton Arts and Entertainment District
Special Tax District	NA
Legal Description	PT LT 7 TRIANGLE PAR K

Bike/Ped Priority Area	Wheaton CBD
Urban Renewal Area	NA
Metro Station Policy Area	Wheaton CBD
Priority Funding Area	Yes
Septic Tier	Tier 1: Sewer existing
Municipality	NA
Master Plan	WHEATON SECTOR PLAN 2010
Historic Site/District	NA



1 inch = 172 feet

**From:** [Jared Hautamaki](#)  
**To:** [MCP-Chair](#)  
**Subject:** Opposition to Wheaton Gateway  
**Date:** Tuesday, May 24, 2022 12:56:47 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear Members of the Planning Board,

I write in opposition to the Wheaton Gateway project. I am very aware of the need for additional housing in the county but I am also aware that these additional units have not been contemplated for the effect they will have on an already overburdened Highland Elementary School. Highland is a Title I school which is already overburdened in terms of class size and teacher resources. The local schools are not large enough to handle an additional 800 units of families. Until additional resources are directed to the neighborhood schools by MCPS I would request that a development of this size be significantly reduced in scope.

Sincerely,

Jared Hautamaki  
3002 Blueridge Ave, Silver Spring, MD 20902

**From:** [sheldon fishman \(gmail\)](#)  
**To:** [MCP-Chair](#); [sheldon fishman](#)  
**Subject:** testimony for 5/26/2022 #6  
**Date:** Wednesday, May 25, 2022 12:30:57 PM  
**Attachments:** [Wheaton Gateway Project 5-26-2022- sheldon fishman .pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Thank you for signing up to testify before the Montgomery County Planning Board. Invitations and dial-in information will be sent out the day preceding the Planning Board meeting. If you have any questions, please email [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org).

attached please find my written testimony which i would like to be displayed while i testify

thank you  
sheldon

Sheldon Fishman  
(301) 681-6986  
Silver Spring, MD 20902  
[sheldon.fishman@gmail.com](mailto:sheldon.fishman@gmail.com)

5/26/2022 PUBLIC HEARING -  
Montgomery Planning Board – Wheaton Gateway Project  
Sheldon Fishman

Thank you for the opportunity to address the proposed Wheaton Gateway project. My name is Sheldon Fishman. We have lived in Montgomery County since 1974 and raised our four children here. Tip O'Neil said, "all politics is local". My wife grew up at 2929 University Boulevard about 100 yards from the front entrance of Wheaton Gateway and graduated from Pleasant View Elementary School about 100 yards from the back of Wheaton Gateway

I see the Wheaton Gateway as two projects

Project 1 is 4 acres of pavement and impervious surfaces that are proposed to be developed into multi use housing that is across the street from a mall and easily served by Metro and buses.

Please look out your window to see Westfield Wheaton (when my wife walked out her front door and crossed the street it was Wheaton Plaza) I will sum up my enthusiastic support for project 1 with two softball questions

1. How much new fossil fuel will the buildings in this project be burning for HVAC and appliances?
2. How many car trips will be avoided because residents can take public transit to work every day and walk to other activities?

Alas Project 2 is one acre of living grass and trees that will be paved over to make low rise housing and impervious surfaces. Please look out your window facing North and you may be able to the living grass you plan to pave over and make into a brand new urban heat island.

Attached are a few pictures to illustrate the current carbon sequestering grass that you are propose to pave over to a parking lot (pun intended) and new impervious urban heat island in Wheaton.

Image 7719 is the view from the South (Kensington Boulevard) showing large trees, stumps of large trees, grass and vehicles parked on the grass.

Image 7722 is the same view from the North (Lindsey Ford). Crossways Day Care and public housing is beyond the back fence

I have two suggestions

Plan A don't chop down the trees and pave over the grass of low rise townhouses

Plan B convert that green area to the state of the art green space that is good for the residents of the new housing, good for the children in Crossways and good for the environment.







<https://montgomeryplanningboard.org/wp-content/uploads/2022/05/320210060-Wheaton-Gateway-220516-Publication.pdf>

Thank you,  
Sheldon

Sheldon Fishman  
(301) 681-6986  
9913 Dameron Dr  
Silver Spring, MD 20902  
Sheldon.Fishman@gmail.com