

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

July 10, 2025

MCPB No. 25-071
Site Plan No. 820250010
MHP Amherst
Date of Hearing: June 5, 2025

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on October 30, 2024, Montgomery Housing Partnership (“MHP” or “Applicant”) filed an application for approval of a site plan for the construction of up to 272 multifamily units, a 42,000-square-foot Wheaton Arts and Cultural Center, up to 20,000 square feet of office space, a structured parking garage, and 39 townhomes on 6.14 acres of 2.0, C-1.5, R-1.5, H-75 zoned-land, located in Wheaton Downtown, north of Blueridge Avenue, between Georgia Avenue and Elkin Street (“Subject Property”), in the 2012 *Wheaton CBD and Vicinity Sector Plan* (“Sector Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820250010, MHP AMHERST (“Site Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20250080 and Preliminary Plan No. 120250010; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 23, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 5, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of 4-0; Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden voting in favor; Chair Harris recused himself.

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Approved as to
Legal Sufficiency:

/s/ Allison Myers
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820250010 for the construction of up to 272 multifamily units, a 42,000-square-foot Wheaton Arts and Cultural Center, up to 20,000 square feet of office space, a structured parking garage, and 39 townhomes on the Subject Property, subject to the following conditions:¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 485,000 square feet of total development on the Subject Property, including 423,000 square feet of residential uses, for up to 39 townhouses and 272 multifamily dwelling units, and 62,000 square feet of non-residential uses. Nonresidential uses on the site include up to 42,000 square feet for the Wheaton Arts and Cultural Center and up to 20,000 square feet of office space.

2. Height

The development is limited to a maximum height of 75 feet, as measured from the building height measuring point(s), as illustrated on the Certified Site Plan.

Open Space, Facilities, and Amenities

3. Public and Common Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 33,000 square feet of open space (12.4% of the site area) on-site.
- b) Before the issuance of the final use and occupancy for the multifamily development, all public open space areas on the Subject Property must be completed.
- c) Before the issuance of the final inspection for the residential development for the townhouses associated with Parcel 2, all common open space for Parcel 2 on the Subject Property must be completed.
- d) Before the issuance of the final inspection for the residential development for the townhouses associated with Parcel 3, all common open space for Parcel 3 on the Subject Property must be completed.

4. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

a) Diversity of Uses and Activities

i. Affordable Housing/MPDUs

- a. In order to qualify for the Mixed-Income Housing Community (MIHC) use as defined in Section 59.3.3.4.A (which may be relevant for transportation/traffic exemption issues), the development must include at least 150,000 square feet of residential development, 30 dwelling units, and at least 50% of the units must be built under a government regulation or binding agreement that limits the price charged for at least 30 years and affordable to households earning 60 percent or less of Area Median Income (AMI).
- b. The development must provide 25% MPDUs, or MCDHCA-approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c. Before issuance of any above ground building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
- d. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated May 21, 2025 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

5. Common Open Space Covenant

The record plat for the townhouses must reference the Common Open Space Covenant recorded at Book 28045, Page 578.

6. Recreation Facilities

The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP).

7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, the pedestrian walk located between Building 2 and the townhouse, which is used for fire access.

Environment

8. Noise Attenuation

- a. Before the issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b. Before the use and occupancy permit for any residential unit impacted by exterior noise levels projected at or above 65 dBA Ldn, the Applicant must certify to M-NCPPC Staff that the noise-impacted units have been constructed in accordance with the acoustical treatments specified in the building shell analysis.

Transportation & Circulation

9. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated March 20, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).

10. Pedestrian & Bicycle Circulation

- a) The Applicant must provide a minimum of 134 long-term and 11 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room on the ground floor of the multifamily buildings and the short-term spaces must be inverted-U racks (or approved equal) installed along the building frontages in a location convenient to the main entrance. The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one bicycle repair station.
- d) The Applicant must provide the following master planned pedestrian facilities, the exact location, design, and construction of which must comply with the requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations, before right-of-way permit.

- i. Provide Wheaton Streetscape Standards on Georgia Avenue.
- ii. Georgia Avenue: 16-foot-wide sidewalk with 8.5-foot-wide buffer from traffic.
- iii. Elkin Street: 6-foot-wide sidewalk with 6-foot-wide buffer from traffic.

11. Fire and Rescue

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated May 7, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan, or as amended.
- c) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

Site Plan

12. Site Design

- d) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A201-A206 of the submitted architectural drawings, as determined by M-NCPPC Staff.
- e) The exterior architectural character, proportion, materials, and articulation of the townhouse MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

13. Lighting

- a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way and the southern boundary open space lighting approved through the Alternative Compliance provisions of Section 59.6.8.1 of the Zoning Ordinance.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

14. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements only for facilities located on the Property (not in the public r.o.w.), including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon

inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

15. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

16. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided, subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan, along with any subsequent amendments, is required to be on-site at all times.”
- c) Include approved Fire Department Access Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Show noise-impacted units.
- g) Show all private road sections/profiles including curb and gutter, apron, and handicap ramp details.
- h) Applicant must provide townhouse elevations substantially similar to the precedent images shown on sheet A011Z, as determined by Planning Staff.

- i) Applicant must provide changes associated with the offsite open space on the southern boundary, as determined by Planning Staff.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 820250010, MHP Amherst, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

The findings herein apply only to the Subject Property.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

- i. **Development Standards**

The Subject Property includes approximately 6.14 acres zoned CR-2.0, C-1.5, R-1.5, H-75 Zone. The Application satisfies the applicable development standards as shown in the following data table:

Table 1: MHP Amherst Site Plan Data Table for CR-2.0, C-1.5, R-1.5, H-75 Zone, Optional Method, Section 59.4.5

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	300,917 SF (6.91 acres)
Tract Area - Prior Dedication	n/a	29,575 SF
Tract Area - Proposed Dedication	n/a	4,570 SF
Site Area	n/a	266,772 SF (6.12 acres)
Mapped Density CR-2.0, C-1.5, R-1.5, H-75		
Residential (GFA/ FAR)	1.5 (451,376 SF)	1.41 (423,000 SF)
Commercial (GFA/FAR)	1.5 (451,376 SF)	0.21 (62,000 SF)
Total Mapped Density (GFA/FAR)	2.0 (601,834 SF)	1.61 (485,000 SF)
MPDU Requirement	12.5%	25% ²³
Building Height	75 ft	75 ft ⁴
Public Open Space (min s.f.)	10% (26,678 SF)	16.2% (43,300 SF)
Minimum Setbacks (ft) - Front	0	0
Minimum Setbacks (ft) – Front Side	0	0

² DHCA will determine location and distribution of MPDUs.

³ Per Section 59.3.3.4.A, the Subject Property must meet the qualification for a MIHC.

⁴ Per Section 59.4.1.8.B. Height Compatibility, the Subject Property abuts a property zoned RT-15 (Residential Townhouse) on the northern property line and must meet height compatibility.

Table 2: Parking Requirements, Section 59.6.2.4

Type of Parking	Required /Allowed	Proposed
Vehicle (Section 59.6.2.4.B)		
Multifamily (# dus)	199 min/410 max	528 spaces
Townhomes (# dus)	39 min/78 max	
Office	32 min/60 max	
Cultural Institution	67.20 min/210 max	
Total⁵	338 min/758 max	
Bicycle (Section 59.6.2.4.C)	134 long-term, 11 short-term	135 long-term, 12 short-term

ii. ***Division 4.7 Optional Method Public Benefits***

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes 150 public benefit points in one category to satisfy the requirements.

Diversity of Uses and Activities

Moderately Priced Dwelling Units

The Planning Board approves 150 public benefit points for providing 25 percent MPDUs. Twelve (12) points are allowed for every percentage point over 12.5 percent MPDUs. The Planning Board approves the category based on the following calculation:

*Formula: $(P-R)*12 + W*2 + T*5$*

P (percentage MPDUs provided)

R (percentage MPDUs required)

W (percentage 2-bedroom MPDUs provided, not otherwise required)

T (percentage 3-bedroom MPDUs provided)

⁵ Per Section 59.6.2.3.I, vehicle parking minimums reduced by 50% for MPDUs and 20% for NADMS. Final unit count and parking to be determined at building permit.

$(25 \text{ (percentage of MPDUs provided)} - 12.5 \text{ (percentage required)}) * 12 + 0 \text{ (percentage of 2-bedroom MPDUs not required)} * 2 + 15 \text{ (percentage of 3-bedroom MPDUs)} * 5 = \mathbf{150 \text{ points}^6}$

iii. **General Requirements**

(1) Division 6.1 Site Access

The Property features an east-west private street, enhancing vehicular and pedestrian circulation and connecting the Project to the neighborhood. This street, consistent with the 2018 Complete Streets Design Guide, includes a lay-by at Building 1 for drop-offs for the Wheaton Art and Cultural Center, a 21-foot-wide paving section, and a six-foot wide sidewalk with a landscape buffer.

The existing mid-block connection to the south is narrow, poorly lit, and prone to illegal activities. AVA (property to the south) added gates to restrict access after-hours. This Project aims to improve safety by removing fences, adding lighting, landscaping, windows, and balconies. Additionally, a pedestrian walk between Building 2 and the townhouses will provide a north-south crosswalk that will cross the private street and enhance pedestrian activity and allow for a future connection to the Leesborough community.

The overall streetscape improvements include wide sidewalks and landscape buffers along Georgia Avenue and Elkin Street, with a painted crosswalk to a future park, the location of which will be finalized as part of the land exchange with Montgomery Parks. The Project will have vehicular access along Georgia Avenue and Elkin Street.

(2) Division 6.2 Parking, Queuing and Loading

Section 6.2.4 of the Zoning Ordinance requires a minimum of 338 parking spaces and allows for a maximum of 759 parking spaces. The Project will provide 528 parking spaces, with 441 of the spaces located in the structured parking garage, two spaces provided at each townhouse (for a total of 78 spaces), five (5) surface spaces provided on-site along the private road adjacent to the townhouses and an additional four (4) surface spaces provided along the drive aisle leading to the loading dock along the southeastern portion of the Property.

⁶ Per Section 4.7.3.D.6.e: A project that provides a minimum of 20% MPDUs does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2.

Section 6.2.4.C of the Zoning Ordinance requires that 0.5 bicycle spaces be provided per multi-family dwelling unit, up to a maximum of 100 spaces per building. Of the residential bicycle parking spaces required, 95 percent must be provided as long-term spaces. Building 1 with 173 units requires 83 long-term parking spaces, and 83 spaces will be provided. Building 2 with 99 units requires 51 long-term spaces, and 52 spaces will be provided. The Project will provide 12 short-term bicycle spaces with eight (8) spaces provided at the entrance along the northern façade to Building 1 adjacent to the private street, and four (4) spaces provided at the entrance along the eastern façade of Building 2.

The loading and service operations for the Project will be accessed from the southern curb cut along Elkin Street that will lead to the loading dock service area for Buildings 1 and 2.

(3) Division 6.3 Open Space and Recreation

The Project will meet the Open Space and Recreation requirement by providing onsite public and common open space a total of 16 percent, exceeding the 10 percent requirement. The recreation requirements are being met by providing an onsite rooftop amenity, urban plaza, interior courtyard, fitness room, community spaces, and resident lounges.

(4) Division 6.4 General Landscaping and Outdoor Lighting

There are no particular screening and landscaping requirements per Chapter 59 for this Project. The Project provides adequate landscaping and lighting (through alternative compliance), as well as other site amenities, to ensure that the development will be safe, adequate, and efficient for residents and visitors.

Alternative Compliance – Lighting Plan

Section 59.6.4.4.D of the Zoning Code limits lighting illumination to 0.5 footcandles or less at any lot line. The Project complies with this requirement, except in two areas along the southern lot line. This increased lighting is deliberately provided to discourage illegal activities in this area and increase safety. Along the western area where the light levels exceed the 0.5 footcandle requirement, lighting is provided at 0.8 footcandles. This lighting is provided by a three-foot-high bollard light. Along the eastern area of the mid-block connection where the 0.5 footcandles are exceeded, the lighting is provided by a pedestrian light pole that provides house side shields, and the levels exceed the 0.5 footcandles minimally (0.7 footcandles). Importantly, the light levels at both residential building walls for the most part read at 0.0 footcandles, suggesting that the lighting is safely lighting the pedestrian connection without interfering

with the adjacent residential uses. The Planning Board approves the request for the Alternative Method of Compliance for lighting.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on March 13, 2025. The plan will meet stormwater management requirements using micro-bioretenment, green roof, Modular Wetlands, and a Storm Filter for volume unable to be treated in a Chapter 5 practice. A partial Stormwater Management Waiver was requested and granted by DPS for some roadways due to the lack of available space.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F2020250080, which are included in a separately approved resolution and are incorporated herein.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.*

The Project well-integrates parking through a structured garage, townhouse garages, and street parking. The circulation patterns are safe and efficient to service the multifamily, townhouse residents, and visitors of the Wheaton Arts and Cultural Center. The Private Road design includes a layby located approximately 70 feet east of the intersection with Georgia Avenue, adjacent to the proposed Wheaton Arts and Cultural Center to service pickups and drop-offs. The massing of the proposed multi-family buildings adheres to Height Compatibility requirements, per Section 4.1.8.B and aligns with the street wall established on Georgia Avenue. The open spaces and site amenities allow for safe use away from vehicular operations on the site and provide connections to adjacent green areas.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Property is part of the 2012 *Wheaton CBD and Vicinity Sector Plan*. The Sector Plan recommends that future development in this district should include street-oriented businesses along Georgia Avenue and University Boulevard West, along with housing, professional offices, and neighborhood retail. The Sector Plan also recommends a public open space in the vicinity of Parking Lot 14, which is south of the Property. The Site is part of the northern gateway to downtown Wheaton and is within Wheaton's Central Business District (CBD), Wheaton Urban District, and Arts and Entertainment District boundaries. The Application adheres to the 2023 Wheaton Streetscape Standards on Georgia Avenue by incorporating streetscape designed to accommodate pedestrians in a safe and attractive environment, while tying into the existing streetscape north and south of the Subject Project. The Property was rezoned based upon the recommendations of the Sector Plan to encourage mixed-use development and was given the lowest Commercial Residential (CR) density within the district to ensure development scale that would transition adequately to the existing adjacent residential uses. The Sector Plan recommends that the two parcels that make up the Property (referred to as Parcel 920 for the former WMATA, and Parcel A for MHP) should provide appropriate transitions in building heights along the northern edge of Parcel 920 and Parcel A to be compatible with existing townhomes on the adjoining property to the north.

Revitalization Strategy

The Sector Plan's overarching goal is to revitalize Wheaton using public investment in the short term to reawaken interest in future private redevelopment that delivers needed public benefits. The Sector Plan notes that, given the significant amount of existing publicly owned land within the CBD, public investment should be encouraged to spur private investment at other locations. While not a public-private partnership, this application meets this goal by proposing redevelopment on public land that includes a public use as part of mixed-use development. The proposal will provide a mix of housing types that includes affordable units and townhomes, limited office space, and a public arts facility that will bring significant activity to the northern edge of the Central Business District. This development is like other recent public investments along the Georgia Avenue corridor, including the Wheaton Volunteer Rescue Squad, Wheaton Library and Recreation Center, Glenmont Fire Station 18, and headquarters for M-NCPPC, in the center of Wheaton. Besides investing in public property, the Application furthers the following Sector Plan objectives:

- Creates Mixed Use development that helps improve the balance of residential and commercial uses in the CBD;
- Significantly improves the CBD's public realm;
- Provides better pedestrian connectivity and supports safe, secure, and appealing street level activity; and
- Includes uses supportive of nighttime entertainment in walking distance to Metro, beneficial to local restaurant uses.

Public Open Space

The Sector Plan recognizes the lack of public open space in downtown Wheaton and recommends temporary strategies to expand public space availability. This Application will provide permanent open spaces, including a plaza along the development's frontage on Georgia Avenue, and other spaces spread through the residential portions of the Project. In addition, the construction of this Project and the associated land exchange will make possible the construction of a future Montgomery Parks Urban Park of approximately 3.3 acres, on MHP property immediately adjacent to the Site, between Elkin Street and Amherst Avenue. The Project will provide accessible public spaces and activate the plaza on Georgia Avenue with a ground floor lobby for the residents and Arts Center entrance ways.

Connectivity

The Sector Plan includes specific connectivity recommendations on this property. A north-south pedestrian connection is shown on this Property (Map 17, p. 61). The Sector Plan states this connection should "be designed as a safe and pleasant, direct passage, open to the public, with ample width, height and adequate lighting between Blueridge Avenue and future pedestrian connection provided on the Leesborough development site to the north. Pedestrians should be able to travel from Blueridge Avenue to points north, including any future development at the undeveloped WMATA site, the Leesborough community, the Wheaton Library, and the Wheaton Recreation Center, without obstacles and in an inviting and safe manner. This connection may also be provided as a private street" (p. 50). This connection would also allow direct access from communities north to the proposed Arts Center, and to the future Urban Park at Elkin Street and Amherst Avenue. The Application's proposed circulation system supports this recommendation.

As recommended in the Sector Plan, the Application will provide a pedestrian walk from the future park through the Subject Property and will allow for the Leesborough community to connect with pedestrian connection. Furthermore, the Applicant provided an exhibit showing how this connection could be enhanced in the future with better alignment to the green area located on Leesborough property.

Streetscape Standards

The Application adheres to the 2023 Wheaton Streetscape Standards on Georgia Avenue by incorporating streetscape designed to accommodate pedestrians in a safe and attractive environment, while tying into the existing streetscape north and south of the Subject Project. The Project aligns with Montgomery County's Vision Zero policies and ensuring the integration of Wheaton's unique character into the urban design framework for both Georgia Avenue and Elkin Street.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The proposed development will be served by public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, including police stations and health care, will continue to be sufficient following the construction of the Project. Electric, gas, and telecommunications services will also be available. Schools and roads will be adequate as well.

With the related Preliminary Plan, reviewed and approved concurrently with this Site Plan, the Planning Board analyzed the impact of the proposed development on surrounding schools and transportation infrastructure and found that the Project will be served by adequate public facilities. As discussed in the resolution approving Preliminary Plan No. 120250010, the Project meets the requirements of a Mixed-Income Housing Community (“MIHC”) and was therefore not required to make a Tier 2 elementary school Utilization Premium Payment. Also as discussed in the Preliminary Plan approval, the requirement for Local Area Transportation Review (“LATR”) is satisfied with a transportation exemption statement, as the project meets the definition of a MIHC. The Planning Board approved an APF Validity Period of eight (8) years and a plan validity of six (6) years with the following phasing of plat recordation:

- a) Phase 1- Applicant must obtain building permits for all of the 272 multifamily units and 62,000 square feet of non-residential uses within five (5) years of the initiation date.
 - b) Phase 2- Applicant must obtain the remaining 39 building permits for the townhouse units within eight (8) years of the initiation date.
9. *The development is compatible with existing and approved or pending adjacent development.*

The Property is compatible with adjacent properties to the north and south by providing frontage along Georgia Avenue and Elkin Street East. It will improve the presence along Georgia Avenue by locating the highest density near the corridor and scaling the density down to the townhouse phase as the development reaches Elkin Street. Sidewalk, landscape buffer, and enhanced lighting along Elkin Street will be provided in compliance with the Complete Streets Design Guide and MCDOT’s standards. The new private street serves a dual purpose by providing a Sector Plan connection and a buffer between the existing Leesborough Community, which ensures the project meets its height compatibility, per Section 59.4.1.8.B.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

July 10, 2025


(which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of 3-0-1; Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, Chair Harris abstaining and Vice Chair Pedoeem being necessarily absent at its regular meeting held on Thursday, June 26, 2025, in Wheaton, Maryland and via video conference. Vice Chair Pedoeem reviewed the video recording of the June 26 public meeting in order to certify the resolution.


Mitra Pedoeem, Vice Chair/Presiding Officer
Montgomery County Planning Board