

# Citizens Coordinating Committee on Friendship Heights

December 11, 2017

Chairman Casey Anderson and Members of the Board  
Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, Maryland 20910

Re: Westbard Self Storage Preliminary Plan No. 12017020280 and Site Plan No. 820170110  
Planning Board Agenda for December 14, 2017 item # 6

Dear Chair Anderson and Commissioners:

The Citizens Coordinating Committee on Friendship Heights (CCCFH), which represents 16 neighborhood associations in and around the Westbard sector, submits these comments on the Westbard Self Storage Preliminary Plan and Site Plan and on the staff report of December 4, 2017.

Before turning to our specific comments, we would like to thank your staff for the significant progress made in convincing the applicant to modify its initial submission and withdraw the proposed storage building from the stream valley buffer.

## SUMMARY OF CCCFH'S COMMENTS

- The proposed storage building's northern wall should be located further to the south so that the Outlet Road path between the McDonald's property and the storage building is sufficiently wide.
- New Parcel 1, to be created on the western side of the Site and dedicated to M-NCPPC, should be wider.
- Open space requirements should be satisfied in part on the parcel where the storage building would be built.
- Stormwater controls should be examined by M-NCPPC and enhanced on Outlet Road.

## INTRODUCTION

There are no parks in the area encompassed by the Westbard Sector Plan. (Sector Plan p. 48). There are 1134 residential units in the Westbard sector. (Westbard Sector Plan, p. 24) and under the Westbard Sector Plan, 1366 potential new units may be added. *Ibid.*

The Sector Plan recognized the need for parks and provided for the naturalization of the Willett Branch stream, which runs through the area, and the creation of the Willett Branch Greenway along the stream. As recognized in the Sector Plan, this should be viewed as a jewel for area residents, users of the Capital Crescent Trail and the environment (*see* Sector Plan pp. 100, 75-76). The proposed parks and trails are shown below (p. 52 of the Sector Plan):

**Representing the Citizens Associations of Brookdale, Drummond, Chevy Chase Village, Chevy Chase West, Friendship Heights, Glen Echo Heights, Kenwood, Kenwood Condominium, Kenwood House Cooperative, Somerset, Springfield, Sumner Village Condominium, Westmoreland, Westbard Mews, Westwood Mews, and Wood Acres**

Figure 2.5.2: Proposed Parks, Trails and Open Spaces



## **CCCFH'S CONCERNS**

We have remaining unresolved concerns about elements of the proposed design that have a significantly negative impact on the current and future residents.

### **Background: Implications of Building Height**

To understand our comments, below, the scale of the proposed gargantuan storage building should be understood.

Facing Willett Branch and the Willett Branch Greenway: At the west side of the project facing toward Willett Branch, the building would be about 70' above the ground level due in part to the downward slope of the land from the point the height (50', not counting rooftop equipment) is measured near the east side. See staff report pp. 21, 23. As a result, to the west of the proposed storage building, since the distance between the future park land and the proposed structure is comparatively narrow the structure will be a looming presence that will overshadow users of the Willett Branch Greenway.

Access Path – Outlet Road: On the north side of the proposed storage building, the structure forms one wall on the access path, from River Road to the Willett Branch. The other wall is a high retaining wall of the McDonald's Site. The two walls together create a deep alley. While that alley may be decorated to provide pleasing facades, the psychological impact on pedestrians and bicyclists will be entrapment – a long, narrow passage with a very high wall enclosing one side and a retaining wall on the other. There is a negative sense of openness.

### **Connectivity to Willett Branch – Outlet Road, Planned Shared Use Path**

The staff report concludes that the project will provide part of a recommended safe and inviting pedestrian route across Willett Branch for people who want to walk from Westbard Ave. to River Road (p. 38). We strongly disagree. It is anything but inviting and even with lighting will not be viewed as safe. A 195' long alley in an industrial sector with high walls on both sides is a setting that provides a sense of apprehension and entrapment.

Westbard Sector Plan connectivity objective: The Sector Plan contemplated connectivity from the Capital Crescent Trail near River Road, to the Willett Branch, to the major local shopping center on the other side of Westbard Ave (see Sector Plan p. 70 Site 1 & the purple arrow to the east in the Westbard Sector Plan p. 52, reproduced above). In the staff report this very important connectivity path is called Outlet Road or the Outlet Road shared-use path.

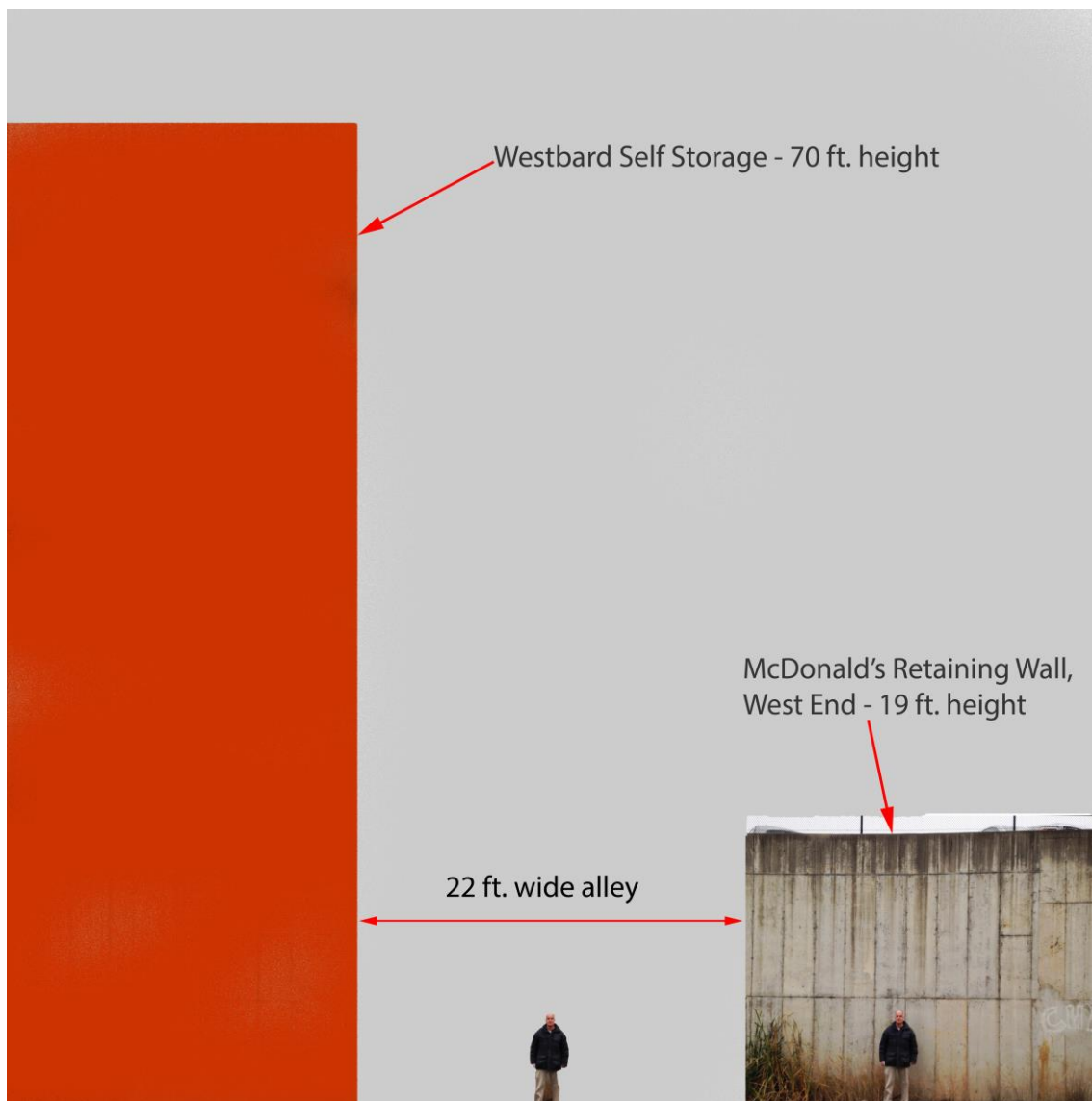
This connectivity would be provided in part by an improved and rebuilt path behind commercial properties facing on River Road (see Staff Report pp. 4, 17). There is now a hardscrabble pathway there that is used infrequently by pedestrians and cyclists to travel between River Road and Westbard Ave. (see staff report p. 22). The Outlet Road path is sandwiched between the McDonald's property and proposed storage building.

Proposed Storage Building: To the south of the path, there would be a 58 to 70 feet high building (building of 50' + 8 feet of equipment on the roof (staff report p. 23) + 12 foot of "below ground" level area due to the slope of the property (pp. 3, 16). See generally, staff report page 21 figure 12. To the north of the path there would be the McDonald's wall which reaches 19 feet high not counting

the tall fence on the top of it. To make matters worse, the upper floors of the proposed storage building extend outward of the ground floor (staff report pp. 23, 24). This is the opposite of the design approach in other contexts where above a specified height, buildings are set back at 45 degrees for compatibility and towers are stepped back. The proposal creates a very problematic entrapping/confining perceptual concern.

McDonald's retaining wall: To the rear of the McDonald's building, on the McDonald's property, is a 195-foot-long concrete wall that is remarkable in two respects. First, it is not on or even close to the edge of the McDonald's - Westbard Self Storage property line; it is about 8 feet on the McDonald's side of the property line. Second, it is very high. As the path to the park slopes down from east to west, the wall is about 9 -12 feet high for about the first (eastern) quarter of its length, then becomes 17- 18 feet high then 19 feet high.

Relative dimensions showing a 22 ft. wide path, vertical storage building wall and McDonald's retaining wall are provided in the image below:



Easement to be obtained from McDonald's property owner: The Applicant's Preliminary and Site Plans are very telling. They say "*Proposed Willett Branch Greenway Public Access Easement to be Granted **By Others***" as to part of Outlet Road, along its length (emphasis added). The "others" refers to the owners of the McDonald's property, between the property line and wall.

We believe an easement procured by the applicant from the McDonald's property owner prior to the Applicant's proceeding would be an essential element in assuring that important improvements to the path will be realized. Secondly, absent an easement, there is no control over the treatment of the McDonald's portion of the path in the event of future construction of a large structure on the McDonald's Site.

The staff report first says that Applicant must provide a minimum 12-foot-wide Outlet Road (p. 11 item 15). Later, hoping for a combined 12' storage property plus 8' McDonald's property pathway, the report refers to a pathway that is a minimum of 20' wide. The staff report then backs off the 20 feet width that the pathway "will be." It recognizes coordination required between the Applicant and McDonald's property owner to enable implementation of the full path. "However, should the Applicant be unable within the necessary timeframe to secure approval from the abutting property owner to make improvements on their Site, the Applicant will make improvements on their Site consistent with the intent of the Sector Plan" (p. 22). Later, however, the path is referred to as a minimum 12-foot-wide shared path to connect the existing Capital Crescent Trail and River Road sidewalk to the Site and Willett Branch Greenway (pp. 26, 27).

Therefore the Outlet Road path – from the proposed storage building to the storage tract property line - would be only 12 feet wide. An unspecified part of that strip would have landscaping, benches and signs (Staff report p. 22 and figure 14). Another part of the twelve-foot strip would be for pedestrians and bicyclists (Figure 18, p. 26). Absent an easement the 8-foot strip of the McDonalds' property cannot be improved for the new path because that would be trespass.

Even if there were a time limited easement on the McDonald's property, at some stage it is highly probable that the McDonald's building could be demolished and the property more fully built back. Indeed, it is zoned to allow redevelopment, CTR -0.75, C-0.75, R-0.5, H-40.

The proposed Outlet Road path would not realize the improved connectivity use envisioned by the Sector Plan. Its use would provide an unpleasant experience and notwithstanding lighting, would be viewed as dangerous at night. Its potential would not be realized due to limited use.

We request the following changes:

1. The path should be a minimum of 22'8" wide. That is the width in the sections in the staff report, pp. 23 and 24.
2. The 22'8" should be measured from the building to the further of (1) the property line or (2) the extent of permanent easements for the pathway on the property occupied by McDonald's. In other words, if the Applicant works out easements, its building may be 14'8" feet from the property line. If not, its building is 22'8" from the property line.
3. The upper floors shall not extent over the first above ground floor.

## **Willett Branch Greenway**

The Willett Branch Greenway called for by the Sector Plan is illustrated along the Willett Branch as shown in the Sector Plan pp. 52, 59.

As recognized in the Sector Plan: *“The Willett Branch Greenway will reveal and naturalize the forgotten Willett Branch stream to create an open space corridor, providing the Westbard community with access to the stream, native wetland plants and forested areas. The Greenway will also create critical pedestrian linkages between River Road and Westbard Avenue, and to the Capital Crescent Trail.”*

*“Because of its connection on both ends to this extremely popular rail-trail, the Willett Branch Greenway is envisioned as a regional gem in the Montgomery County park and trail system. This innovative urban greenway corridor will celebrate Willett Branch as a unique natural feature in the Sector Plan area, connect residents to new and existing park spaces, and improve stormwater runoff into the Little Falls Branch.”* [pp. 100- 101]

As stated in the staff report: The proposed storage building is situated on the Site to preserve the Stream Valley Buffer and future Willett Branch Greenway to the west (p. 19). This would be accomplished by a form of subdivision. The larger tract, where the building would be located (i.e., other than Parcel 177), would be divided, creating a narrow parcel on the western edge of the Site called New Parcel 1 (shown on staff report pp. 4, 17). This new parcel would be dedicated to M-NCPPC. But the specifics on the size of the parcel remain unstated and unresolved: the new boundary of the new parcel will be finalized prior to certification of the Preliminary Plan and approval of the Record Plat (Staff Report pp 4, 17).

### The Applicant would dedicate land that it could not build on:

From what we can tell, it appears that the boundary between the New Parcel 1 and the Site of the proposed storage building, called New Lot 1, would approximate the stream valley buffer (“SVB” on staff report pages 4 and 17). Not only does New Parcel 1 appear to be within the stream valley buffer, but in the northern part of it, WSSC holds a significant easement and right of way for a sanitary sewer that extends to the east of the stream valley buffer line. This is shown on the Preliminary Plan and Site Plan drawings.

In its northern part, New Parcel 1 is far too narrow: Far from being a regional gem, in this area the Willett Branch Greenway would be a parsimonious pathway. It is only 12 feet wide at the northern end, based on the property line and Stream Valley Buffer line on the Applicant’s Preliminary Plan and Site Plan drawings. It should be more than 22 feet wide (see our comment on width of the Outlet Road) at its narrowest. This is based on the fact that the storage building appears to be about 30 feet from the western property line of the existing tract, and the building will be 70 feet above grade in this area. Even twenty-two feet is not much. We would prefer that the western wall of the building be set back further.

## **Open Space**

Parcel 177 would be contributed to the M-NCPPC. In the future it is expected to become a part of the Willett Branch Greenway. This contribution is deemed to satisfy the open space requirement of the proposed development. However, Lot 177 is in the stream valley buffer (staff report pp. 4, 17

and Preliminary Plan and Site Plan drawings) and is unbuildable, and a portion has been said to have been an African American cemetery in the distant past. We believe that a meaningful contribution of open space would consist of that requirement being satisfied not by land that cannot be developed, but by a portion of land on the lot wherein the structure is to be developed.

### **Stormwater Infiltration**

Very rough calculations along the northern perimeter of the building show the “Outlet Road, Shared Use Path” to occupy about 9,000 square feet of land including the McDonald’s portion of the path or excluding McDonald’s roughly 5,400 square feet. We strongly recommend independent consideration of stormwater controls, apart from what the Department of Permitting Services has done. This should include items such as the emplacement of permeable pavers along this path to enable infiltration of Stormwater.

Albeit the amount of water so treated may not be comparatively large, the pollution problem that we all face is an aggregation of countless relatively small contributions which when accumulated become huge. Hence, a small improvement matters. The best time to address these is in new construction, rather than a retrofit.

### **Cellar Space**

While we recognize that the multi-floor cellar space meets code requirements by virtue of the definition of “cellar” we are strongly of the opinion that this violates the spirit of the law. In restricting the size of buildings it cannot be the case that those who drafted the language and approved the restrictions contemplated evasion of such restrictions by burrowing deeply underground. We object vigorously. We suggest and look to amendments to the zoning ordinance to rectify this loophole.

Thank you for considering these comments.

Sincerely,



Harold Pfohl, Chair  
Citizens Coordinating Committee  
on Friendship Heights

c. Robert Kronenberg  
Elza Hisel-McCoy  
Charles Kines  
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Susanne Paul