



# Greater Olney Civic Association

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[www.goca.org](http://www.goca.org)

## MINUTES – April 14, 2004

Prior to the meeting being called to order, Arnie Gordon noted the growing support for the Civic Federation effort to get a question on the ballot in November to change all the seats of the County Council to district seats with no at-large seats. He encouraged everyone to both sign the petitions and help with the effort to collect signatures.

The meeting was then called to order by President Stephen Smet. Following introductions, the March minutes were approved with one corrections reflect that the Christie Estates development were concerned about the Tung development proposed in their development and did not support the preliminary plan that was submitted for this site, and additions. The agenda was approved with no corrections and one addition.

### OFFICERS/COMMITTEE REPORTS

**President's Report** – Steve Smet reported that the next worksession for the Olney Master Plan will be May 20<sup>th</sup>. According to a conversation he had with Khalid, the staff recommendation is that Heritage Hills will be downgraded to a primary road, that the south portion of Cashell below Hines be downgraded to a primary road, that the Silo Inn property be rezoned to R-200, and that the 32-acre Bowie Mill site be R-200 which would allow for affordable housing. He noted as well that he had received a reply from Sharon Cox that indicated that he was incorrect about that disposal process, but he would be talking to her more about it. Mike Knapp will be writing a letter to the County Executive to delay any action on the disposal of the Bowie Mill site until the master plan process is completed. There had been some thought about the Council considering the Shady Grove Sector Plan ahead of the Olney Master Plan unless it would have some negative impact on the 32-acre site. However, Steve Silverman is not inclined to reverse them. No decision has been made, but if they were, the delay would only be a couple of months.

**Treasurer's Report** - Roy Peck reported that the current balance is \$5,902.67 including a payment of \$2,200 towards fireworks, with a balance of \$2,200 being due for them.

**Olney Chamber of Commerce Report** – There was no report from Joe Buffington who was unable to attend the meeting because he was home with his new born daughter. Congratulations were extended to Joe and his family. It was noted that all the permits are in place to provide the restroom facilities they are adding and the contractors are waiting for better weather.

**Membership Committee Report** – John Lyons reported that he mailed the 2004 dues notices out and they are beginning to receive forms and dues checks, 18 to date.

**Land Use Committee Report** – John Lyons reported that:

- The staff report for the last Olney Master Plan worksession on land use provides good information about what Park & Planning staff is proposing. Staff recommended that the Special Protection Area (SPA) in the Upper Rock Creek planning area not be extended below Rte. 108 in the Olney planning area because there would only be marginal gain in the environmental conditions. Susan Petrocci mentioned that Fred Boyd is willing to meet with anyone interested in discussing the Rural Neighborhood Cluster zone on Wednesday, April 14<sup>th</sup>. A number of people from the Upper Rock Creek area, the Olney Coalition, and the Sandy Spring Master Plan area are attending. A key question is maintenance of open space.

**Correspondence Report** – Martha Cunningham noted that we have received a note from Chuck Kahanov thanking GOCA for the Contribution to Community Award he received.

### PUBLIC COMMENTS

- Anne Kaiser stopped by briefly after completing the legislative session at midnight the night before the meeting. She noted that the Appropriations Committee that she sits on had voted the day before to defeat the slots legislation. The tax package also did not go through. She indicated that the problem is that they are trying to solve structural deficiencies in the budget and even slots would not fix that. She noted that the Olney Skateboard Park, the Our House Residential Job Training facility, and the Trolley Car Museum all received some capital funds. There is a task force studying the issue of creating a paper trail for the State's new computerized voting machines.

## SPECIAL PRESENTATION

**Proposed Development Plans for the Silo Inn Property** – Steve introduced Marc Soloman and David Fink, owners of Finmarc, Inc. and current property owners and developers of the Silo Inn Property. Mr. Soloman began by noting that they had developed the Shoppes of Olney, and at the time, he had a vision of the Olney today and he had to convince lots of merchants to come to Olney. After the CVS moved from the rear of the Olney Village Mart to their center, their business tripled. Starbucks came hesitantly, but is now one of their best stores in the DC area. They will be refreshing the property façade and the parking lot soon. They noted that they own and operate 3 million sq. feet of retail, office, and commercial space in the Potomac, Silver Spring, and Northern Virginia area. He indicated that he felt that Olney was underserved from a retail point of view. Per capita, the area has 1/3<sup>rd</sup> less retail development than other areas; and commercial development is limited to the downtown area. So, when the Silo Inn property became available, they jumped at the opportunity to purchase it for development commercially.

They are proposing a 27,000 sq. ft. strip shopping center. The property is 3 acres, with 2 acres zoned C-1 and 1 acre zoned R-200. They are proposing to put parking on the residentially-zoned portion. Their main tenant is Roots, in 1,700 sq. foot space. In terms of size, they are between a Trader Joe's and a Whole Foods. They are a natural food store that is a higher-end store than Giant Food. In addition, there will be 7-1,600 sq. foot bays. They are talking to Starbucks about putting in a second store, Chico's and several other national retailers. They noted that a number of uses had been proposed, but had not happened. There is no access from northbound Georgia Avenue. They are working with State Highway Administration to get approval of a light at Emory Church Rd. They plan to extend the service road south of the property to the entrance to the center. They will also be widening Georgia Avenue in front of the center which will help improved traffic on Georgia and will improve things for the church north of them, and the site for the proposed synagogue south of their site. They are proposing to landscape along the rear of the property, adding to the existing landscaping on the berm between their property and the houses behind it. The land slopes away from Georgia Avenue. The top of the building will be a little higher than the top of the berm. They are also planning to put in a fence along the back of the property, so that people cannot walk into the property from the rear and to keep trash from going from their property into the residential area. They do not know what type of fencing they will use yet. Victoria Springs Homeowners Association has asked that the walkway through the berm. It will be replaced with pedestrian access on Silo Inn Road. Mr. Soloman indicated that the historic house on the property was designated as historic through an agreement that also addressed the grandfathered use of the property.

The following points were made during the question and answers following the presentation:

- Art Brodsky commended Mr. Soloman for the Shoppes of Olney, but noted that those people in the community who have worked on the master plan would like to limit commercial development to the town center and return the use of this property to a residential use.
- Mr. Soloman does not think it's possible to get the density in the town center area proposed in the master plan. He does not think it is a realistic proposal. So, he believes it is good for the community to develop this property as retail.
- There will be a right in for southbound Georgia Avenue traffic and a right out. They will close the northern most entrance. They will be putting a break in the median and will be extending the service road so that cars can turn left into the property at Emory Church Rd. There is an 8 ft. bike trail along the south frontage that they plan to extend. With respect to the traffic light they want to have put in at Emory Church, they have a signed warrant request in process based on a warrant study, but it has not been approved. They have also applied for building permits.
- They are proposing approximately 150 parking spaces, of which 33 are on the residential acre. Mr. Soloman did not want to discuss options if they cannot use the residential acre for parking. He is sure it is economically feasible and does not expect to walk away from this property. He closed on the property last October and has a \$2.5 million investment.
- Mr. Soloman has talked to some independent book stores, but there are not many and the bays are too small for stores like Borders or Barnes and Noble.
- The lighting will primarily be in the front. Trash bins will be on the side of the building. There will also be lighting mounted on the wall by each rear door of the stores with the light directed down.
- They have several ideas for the historic house, such as an ice cream store. However, they may only fix the exterior for now because the building is very rundown.
- There was concern raised about people making right turns out of the site with no access lane.
- They expect to build before the master plan process is complete.
- The building height is about 20', with a peaked ornamental structure that goes higher, but is open work. The building height will be visible from Georgia Avenue. With the grade of land away from Georgia Avenue, only about 15' of the building will be visible. The fronts of the stores are about 160' back from Georgia Avenue. The space between the rear of the building and the berm is about the same width of the berm. The building is 80' from front to back and 340' long.

## OLD BUSINESS

**Olney Coalition Report on the Bowie Mill site and the Olney Master Plan worksessions** – Members of the Olney Coalition noted that:

With respect to the former Bowie Mill school site, the Olney Coalition noted that they met with Mike Cassidy, Dept. of Public Works and Transportation (DPWT) and with the Dept. of Permitting Services (DEP) regarding the Bowie Mill site. Scott Reilly will be

conducting a hearing for DPWT on May 5<sup>th</sup> on the proposed disposal of the property by the County. The proposal being considered is a plan to transfer the property to the Dept of Housing and Community Affairs, who would then evaluate interest expressed by any County agencies in the site. If it determined that it is not in the County's best interest to turn it over to another agency, then bids would be solicited from private developers. The Housing Opportunities Commission has expressed some interest in the property. There will be a notice in the Gazette on Wednesday advertising the hearing. GOCA and the Olney Coalition are asking County Executive Duncan to defer action on the disposal of this property so that the master plan process which will be looking at the best use of this site in the context of the whole planning area can run its course. Mr. Genetti, DPWT Director indicated that the request would be part of the record of the hearing. There is a precedent for deferring such action in Potomac. In a situation similar to ours, DPWT was considering the disposal of a former school site in the midst of their master plan being reviewed and the disposal action was deferred until the master plan review was completed. Council member Knapp has indicated that he will write a letter asking that the action be deferred till the Olney Master Plan review is completed. There are three other sites being considered in the hearing, one in Glenmont, one in Gaithersburg, and one in Laytonsville. The hope is that we can get the Bowie Mill site removed from the hearing agenda. Failing that, it will be necessary to present arguments at the hearing that might convince the hearing examiner that it is in the County's best interest and most fair to the community to defer action. It was noted that the draft master plan is currently recommending that the site be used for affordable housing if it is not used for a school, and that Ms. Davison, Director, Dept of Housing and Community Affairs had indicated at the March GOCA meeting that they are considering "work force" housing for this site.

The Coalition met with P&P staff, and later with Councilmember Mike Knapp regarding the population forecasting in the master plan which they feel is under-forecasted. Olney has the highest density of communities in the development wedges. Olney has 6 TDR receiving which developed well beyond P&P staff expectations once the TDR program was opened up to the whole County so transfer rights could be acquired from any part of the County, not just from the sending areas in the Olney planning area as originally conceived. The proposed affordable housing on the 32 acre Bowie Mill site will result in additional extra density, as will the site at the intersection of Georgia Ave and Norbeck Rd, east of Georgia Ave. While it was suggested that work force housing be developed there, there is no real policy for this, just a staff report. The Coalition also met with several professors from the University of Maryland including the one that worked on developing the TDR program and the one the Housing Opportunities Commission (HOC) is working with to develop the vision they are considering for the Bowie Mill site and as a model for other HOC sites and one, in Baltimore, looking at smart growth policies and the effects of their implementation.

The P&P Planning Board has completed 2 work session on the Olney master Plan and have a third one the following Thursday. One concern is that the estimates of the amount of parks needed in the planning area is based on old population data. The current Census data that the Coalition has looked at shows that the current population in Olney has already exceeded the population predictions for 2025 in the master plan. At the March 18<sup>th</sup> work session the Executive Director of the HOC indicated that if they were able to develop the Bowie Mill site, they would want more density than the R-200 zone would yield, but, Ms. Perdue, one of the Planning Board Commissioners, noted the long-standing expectation of the surrounding residents that the property would be developed in the R-200 zone just as the surrounding zoning which would not support retail development. The other Commissioners seemed to agree.

With respect to the town center area, the staff is now recommending 5-story building heights along the streets within the core area and 4-stories back from the edges of the roads. This is a big change from their earlier recommendation for 4-stories at the street edges and 3-stories behind that. They are also now saying that the 300 additional units they are suggesting for the town center area is just their expectations for growth during the next 20 years, the life of this master plan. Their long-term expectation is that there will ultimately be 1,500 dwelling units and 3.5 million sq. ft of commercial development in the town center area. Also, it is difficult to apply county household size to the Olney area because Olney is 72% single-family units. Another concern the Coalition has is that at the last work session, the correspondence received in connection with the items being discussed at the session were not included with the staff report released prior to the session, as had been done with the other sessions, so it was difficult to know what we needed to responded to.

With respect to the proposed disposal of the Bowie Mill former school site, a question was asked if anything was being done about the fact that the site had originally been disposed of by the Board of Education in a closed door session along with 3 other properties in exchange for the property the County gave to MCPS to build Forest Oak Middle School. It was suggested that that happened 8 years ago and would unlikely be revisited. It was also noted that the hearing will also include a discussion of recommendation for its use, so GOCA's testimony should include (1) a statement that the site not be disposed of prior to the completion of the Olney Master Plan review, and (2) suggested uses. We need to look at what is the best use for the County. GOCA strongly opposes moving forward with this disposal action.

Proposed Development of the Winchester School – Steve Smet noted that we had seen a presentation for a proposal to expand the stone house on Rock Hill Ln on a pipe stem lot. Rock Hill Ln is the narrow, steeply inclined street on the west side of Georgia Ave between Cherry Valley Ln and Hines Rd. They are proposing a 15,000 sq. ft. building and parking lot that will cover 90% of the site. They are proposing a school for 150 K-6 grade students. Jackie Benn moved that:

**GOCA OPPOSE THE SPECIAL EXCEPTION APPLICATION FOR THE WINCHESTER SCHOOL ON THE SITE ON ROCK HILL LANE AND GEORGIA AVENUE.**

The motion was seconded by Arnie Gordon, and passed unanimously.

**Olney Skateboard Park** – Helene Rosenheim reported that the State Legislature approved a \$350,000 appropriation for the skateboard park. The supporters are now hoping that the County will approve the matching funds needed to complete the project and that it will be approved for expenditure earlier in the 6-year budget cycle than recommended by the County Executive. P&P had asked for the funds in the 2005-2006 cycle so it could possibly be built by next summer. The community still needs to raise \$50,000 for either of the funding sources to be provided.

**Olney Days 2004** – Helene Rosenheim reported that plans are progressing well for the weekend which is May 14<sup>th</sup> - 16<sup>th</sup>. The Friends of the Olney Skateboard Park (FOOS) had hoped to have an event or activity sometime during the weekend as a fund raiser, but they are operating with a fairly small number of volunteers and were not able to find someone to head up the effort. Cold Stone Ice Cream has agreed to sponsor an Ice Cream Eating Contest that will take place as part of the activities at Olney Manor Park on Saturday. Helene will be sending out a request for volunteers to GOCA delegates and asks those who are not available themselves, line up other friends or people from their developments. (A schedule of events is attached.)

## NEW BUSINESS

### Discussion of Special Presentations

**Proposed Development Plans for the Silo Inn Property** – Sandy Shulman indicated that Victoria Spring residents continue to be concerned that if they do not support this proposal which they are comfortable with, with some conditions, they will get something they will not like. They believe that the developer who has paid \$2 million for the site will build something there. And, they feel that he can build a better development if he is able to use the full 3 acres. So they are prepared to support the Finmarc proposal as long as Finmarc agrees to meet a list of conditions Victoria Springs has. They include: (1) adding landscaping to the berm at the rear of the commercial property including trees, (2) building a 6-9' fence to prevent people from passing through across the berm, (3) paying adequate attention to lighting that does not negatively affect the houses behind the property, (4) developing rear elements to the building so that if it is visible from the houses it will be an attractive, quality building, (5) providing new signage and lighting with an easement so that their agreement will continue, (6) providing a written list of prospective tenants, (7) providing a covenant that there will not be a connection from the site to Silo Inn Drive, (8) building fencing around all trash dumpsters, (9) not putting any coin-operated vending machines on the outsides of the building, (10) providing comparable security to the Shoppes of Olney, and ( 11) providing attractive tenant signs in keeping with the development such as the signage at Leisure World Plaza with no list of the stores on the main sign. Mr. Soloman indicated that he could agree to these terms, except that he would provide security if it became necessary, but not initially.

There were concerns expressed by residents from Emory Church Rd and others that the design of the building was not at all in keeping with a rural entryway. While the design may have been done by an award-winning architect, it was too modern and abstract and needs to have a more rural, residential feel to it in terms of design and construction materials. There were some concerns raised as well about people loitering behind the building. Several people noted that the community and GOCA have worked for the past two years on revising the Olney Master Plan and have, throughout that process supported the idea of rezoning this property to a residential zone, that we had opposed the medical office proposed by the Mosses at Old Baltimore because it was outside of the town center and inconsistent with the recommendations in the plan to limit commercial development to the core of the town center area, and that it was not necessarily the case that if this proposal isn't built that we will get something worse. Mr. Maisel had indicated that he had a lot invested in the property and would not walk away and he did. There was also a question raised about the legality of the Board of Appeals granting the relief the applicant is requesting. The consensus of the discussion was that GOCA has always supported the goals of the master plan and should continue to do so in this master plan review process and should continue to support the P&P recommendations with respect to this site and limiting commercial development to Mr. Soloman indicated that he did intend to develop this site commercially, even if it is only on the 2 acre commercially-zoned portion in order to get some return on his investment, and he would do it before the master plan process was completed. The consensus, too, was to continue participating in the Board of Appeals process on this site.

Following this discussion the meeting was adjourned.

Respectfully submitted,

**Helene Rosenheim**

Helene Rosenheim  
Recording Secretary

**People in attendance:** Jackie Benn, Ron Berger, Art Brodsky, Joe Buffington, Rick Coburn, Martha Cunningham, Brenda Egeland, Dave Eskenazi, Barbara Falcigno, Jay Feinberg, David Fine, Arnold Gordon, Chuck Graefe, Stephen Harris, Joe and Marilyn Hess, Terri Hogan (Gazette), Kathy Hughes, Claire Isli (Marilyn Praisner's office), Del Anne Kaiser, Brian Long, John Lyons, Astrid Pages, Roy Peck, Susan Petrocci, Helene Rosenheim, Don Schmelter, Sandy Shulman, Steve Smet, Marc Soloman, Dan Walsh, Nancy Wendt