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Council approves Aspen Hill rezoning *by [Kevin James Shay](#) Staff writer*

In what supporters hope will result in “quality development” for a large building that has been vacant for five years, the Montgomery County Council on Tuesday approved a minor amendment to the Aspen Hill master plan by a 7-2 vote.

A 265,000-square-foot building on Connecticut Avenue near Aspen Hill Road has been vacant since 2010, when defense and aerospace contractor BAE Systems moved out. The amendment changes the zoning on the property from office to commercial residential town, which allows a mixture of uses, including retail.

Developer Bruce H. Lee said he has tried for several years to find suitable office tenants for that site without success. He said Tuesday he was “very happy” with the council’s decision.

“The ability to move forward with retail was key, since that is where the market is,” Lee said.

Council President George L. Leventhal (D-At Large) of Takoma Park and Marc Elrich (D-At Large) of Takoma Park cast the dissenting votes. Leventhal said he was concerned about “smart growth” in the area and objected to the “manner in which this issue was brought up.”

Moreover, the county is “near saturation” for retail in many areas, with new developments such as Crown in Gaithersburg attracting shoppers who ordinarily spend money at nearby older centers, he said.

“There is only so much appetite ... to spend and shop,” Leventhal said.

Elrich said officials should look at a more comprehensive approach with all of the shopping centers in the Aspen Hill area, not focus on one development.

In a 5-4 vote two years ago, the council limited the review to mostly the former BAE site, rejecting a council committee’s recommendation to include other Aspen Hill commercial and retail areas.

The Planning Board recommended rezoning the property to neighborhood retail. Many residents preferred commercial residential neighborhood, which they said would not allow such big retailers.

Most council members have listened to and worked with residents, said Judy Fink, a board member of the Aspen Hill Civic Association and steering committee member of Aspen Hill Homeowners Group. She said the groups have more than 2,000 signatures on a petition from residents who opposed the neighborhood retail zoning.

Officials listened to developers and residents, and the council’s CRT decision restricts some of the “big box” potential for the site while providing flexibility for future retail and possibly residential uses, said

Councilwoman Nancy Floreen (D-At Large) of Garrett Park. She chairs the council's Planning, Housing and Economic Development Committee that reviewed the proposal.

"We changed [the Planning Board's recommendations] some, but that's what we do," Floreen said.

Some council members expressed concern over smaller retailers being hurt by larger ones. But Councilman Craig L. Rice (D-Dist. 2) of Germantown said "big box" stores worked well with smaller ones in the Milestone shopping center in Germantown, which features Wal-Mart, Home Depot, Target, Kohl's, Giant, Big Lots and more.

"The larger stores bring in traffic that helps to support the smaller businesses," Rice said. "But that may not be the right fit for [the Aspen Hill] property."

Some said the issue was being reviewed to mostly benefit one developer, but Councilwoman Nancy Navarro (D-Dist. 4) of Silver Spring said that was not the case. She said it was important to enhance development in the area since she heard from residents who traveled to Howard County to find "better quality retail."

"We need to change the perception and turn around that area in terms of quality amenities for every single resident," Navarro said. She added that she hopes for better retail development in sections of Silver Spring such as Colesville.

The CRT zone has a greater focus on design and pedestrian use. Building heights can be up to 60 feet and have to taper down near existing residential development, said Marlene Michaelson, a council senior legislative analyst. The zone allows for about 200,000 square feet of retail and commercial development, plus residential uses, but it's rare that property owners develop near the limit, she said.

The plan requires the developer to provide public amenities. The council added language that could minimize traffic on Aspen Hill Road and more clearly preserve trees, as well as a zoning text amendment to provide more flexibility for uses such as grocery stores.

Wal-Mart expressed interest in the property if the zoning were changed, but withdrew last year due to uncertainty in the county's zoning processes. Before that, Costco was interested in Aspen Hill, but opened a store in Wheaton in 2013 after the county offered a \$4 million subsidy.

At nearby Northgate Plaza Shopping Center, Lee's company spent millions in upgrades and added a roughly 60,000-square-foot Kohl's Department Store in 2012.

The former BAE building was first occupied by Vitro Corp., which started in the 1950s as a manufacturing company of mostly slide transparencies for overhead projectors and eventually became part of BAE. Vitro once had two other buildings in a campus there, but they were torn down in the 1990s to make way for Home Depot.

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