

1                   A meeting in the above-entitled matter was held  
2 on August 15, 2007, commencing at 7:33 p.m., in the MRO  
3 Auditorium at 8787 Georgia Avenue, Silver Spring, Maryland  
4  
5 20910, before:

6   COMMITTEE VICE CHAIRMAN

7   David Rotenstein

8   COMMITTEE MEMBERS

9   Lee Burstyn  
10    Warren Fleming  
11    Timothy Duffy  
12    Nuray Anahtar  
13    Thomas Jester

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19  
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22  
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25

1 ALSO PRESENT:  
 2  
 3 Gwen Wright  
 4 Clare Kelly  
 5 Michele Oaks  
 6 Joshua Silver

7  
 8 APPEARANCES  
 9

<u>STATEMENT OF:</u>	<u>PAGE</u>
12 David Schneider	8
13 Gene Becraft	16
14 David Bortnick	25
15 Susan Bortnick	29
16 Scott Russell	31

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4 MR. ROTENSTEIN: We've concluded the historic  
5 area work permits, and we're running a little bit ahead of  
6 schedule. Clare, are our parties here for at least Case A,  
7 the Falkland Apartments?

8

9 MS. KELLY: Yes, they are.

10

11 MR. ROTENSTEIN: If they can come into the  
12 auditorium, we can proceed with the staff report. Can I  
13 remind everyone here who plans to speak on Case III(A) the  
14 consideration of Locational Atlas Falkland Apartments for  
15 Master Plan Eligibility, if you're planning to speak,  
16 please complete a speaker's form. I would also like to  
17 remind everybody that we will be adhering to the  
18 Commissions regulations regarding time limits. Okay, are  
19 we ready for a staff report?

20

21 MS. KELLY: Okay. The Falkland Apartments are  
22 listed on the Locational Atlas and Index of Historic Sites.  
23 This review of the Falkland Apartments is being conducted  
24 under Chapter 24(a)(10) the moratorium on demolition and  
25 substantial alteration. The property owner, Home  
26 Properties, has submitted a project plan that proposes the  
27 demolition of all existing buildings on the north parcel.

28

29 The apartments are located on three adjacent  
30 parcels located at the intersection of East West Highway  
31 and 16th Street. They're identified here on this map as

1 the north parcel, the south parcel, and the west parcel.  
2 The Glair Family organized Falkland Properties, Inc. named  
3 for the Glair Estate that stood nearby. Falklands was  
4 built in two phases. The first 178 units were built on a  
5 10 acre south parcel in 1936 and 1937. And 301 units were  
6 built on additional 14 acres which are the north and west  
7 parcels in 1937 to 1938.

8 The apartment complex was designed by architect  
9 Louis Justement, a Washington, D.C. area architect who is  
10 active in the Washington, D.C. chapter of the AIA. This  
11 aerial view shows the property and also shows the transit  
12 way to the north, the CSX and Metro rail line, and it  
13 includes the proposed take line of the purple line which  
14 I'll address later.

15 So again, you see the north parcel, south and the  
16 west on the left. One structure within the complex, sorry,  
17 -- the Coppola building, 8305 16th Street has been  
18 individually designated on the Master Plan for Historic  
19 Preservation since 1985. The Falkland Apartments are in  
20 the process of formal evaluation for designation on the  
21 National Register for Historic Places. The Maryland  
22 Historical Trust has determined that the resource is  
23 National Register eligible.

24 And now I just want to take you on a walk around  
25 the site, and you'll see an inset map with a red dot which  
26 shows you where the photo is taken because it's such a

1 complex property, in order to give you an idea. This is  
2 the south parcel, the intersection of East West and 16th  
3 Street. All three of the parcels have anchor buildings  
4 where they intersect 16th Street and East West Highway.  
5 There is distinguished Colonial Revival detailing,  
6 including coining, textured cornice, water table stone work  
7 which is a little bit hard to see with this lighting, it's  
8 Ladian style windows.

9           Going south on 16th Street you see this is the  
10 facade facing 16th Street, a gateway entrance on the right  
11 which goes to the interior greenway on the block. There's  
12 significant street trees including American Elms along 16th  
13 Street. The interior green, this is also continuing along  
14 on the south parcel. There's a natural stream valley which  
15 runs from the south parcel up through the north parcel.  
16 There's mature trees including some which probably predate  
17 the complex, including Oaks, Sycamores and Tulip Poplars.

18           There are two main axis within the complex, and  
19 if you look in the map on the lower right where the red dot  
20 is axis, there's a north south axis which crosses East West  
21 Highway. This is the view looking south into the south  
22 parcel. And this, a part in the south parcel includes  
23 townhouse looking structures that are two stories tall.  
24 It's a smaller scale landscaping on this part of the axis  
25 with a network of walkways that compliment the smaller  
26 scale two story buildings.

1                   And then turning around and looking towards the  
2 north from this axis, this is looking into the north  
3 parcel. The buildings are larger scale, the landscaping is  
4 larger scale and the courtyard itself is a larger scale  
5 courtyard. The two relate back and forth to each other.  
6 These are examples of how the architecture relates to the  
7 outdoors. The screened porches that look out onto the  
8 courtyard.

9                   This is the back of the units that face on East  
10 and West Falkland Lane. West Falkland Lane facade with  
11 again Colonial Revival details and then on the parallel  
12 interior street is East Falkland Lane. These interior  
13 streets are in the north parcel, and again, you see  
14 features including fluted blasters and star detailing  
15 around the front doorways. The stream valley, which I  
16 mentioned earlier, continues from the south parcel into the  
17 north parcel and was a feature that was retained with the  
18 construction of the apartment buildings.

19                   The interior green on the north parcel also  
20 includes many mature specimen trees, including Red Oaks.  
21 As I mentioned before, the north parcel runs along a  
22 transit way. The purple line project affects, has been  
23 found to affect part of one unit which the unit seen here  
24 on the far right. It lies within the take line for the  
25 purple line.

26                   Streetscapes, there's a continuity of the north

1 and south parcels along 16th Street, and here you see the  
2 south parcel 16th Street, and then 16th Street running  
3 along the north. There's a variety in the type of  
4 architecture from flat roofs to gable, side gable roofs,  
5 and stone work and brick work along the exterior streets.

6           The second axis of the two that I mentioned is an  
7 East West axis that crosses 16th Street, and this is  
8 looking into the west parcel. And you see the courtyard  
9 that opens up onto 16th Street. And then the north end of  
10 the west parcel has as green space that runs along the East  
11 West Highway with these specimen trees. So the large  
12 specimen trees are found on each of the three parcels. And  
13 again, a continuity of architectural detail on all three  
14 parcels.

15           The Falkland Apartments have had some alteration.  
16 There was a triangular piece of land, the west, the east  
17 side of Draper Lane which is now the site of the Lennox  
18 Park Apartments seen here in the background. So there were  
19 some buildings that were demolished for the construction of  
20 the apartments. In addition, windows of the original  
21 buildings have been replaced, but we find that given the  
22 size of the apartment complex and its significance, that it  
23 still merits designation on the Master Plan for Historic  
24 Preservation.

25           Staff finds that the apartment complex meets  
26 criteria 1(a) and (d), as well as 2(a) and that an early

1 example of the garden apartment complex, and that they're  
2 significant for their funding by the FHA. That they're  
3 highly representative of the formal and traditional  
4 Colonial Revival style architecture of its era. And we  
5 include in the staff report the National Register  
6 nomination for the property. Are there any questions?

7 MR. ROTENSTEIN: Are there any questions for  
8 staff?

9 MR. BURSTYN: Could you point out where the  
10 Coppola Building is there.

11 MS. KELLY: It's not, I can show it on the map  
12 which is right here in the southern corner of the south  
13 parcel.

14 MR. ROTENSTEIN: Are there any other questions  
15 for staff? I see the applicants have, well actually, the  
16 property owners, I'm sorry, have come up. Can I get some  
17 clarification on the time limits, please. The property  
18 owner has?

19 MS. KELLY: The property owner has three minutes.

20 MR. ROTENSTEIN: I'd like to remind everybody  
21 that we are adhering to the time limits.

22 MS. WRIGHT: Well typically we've also, just to  
23 be clear, we've allowed the ceding of time, so it's not  
24 three minutes in total, it would be three minutes for each  
25 of the, they can cede time. So if there are, I guess we  
26 would probably need to hear from the property owner how

1 many people they have ceding time, and so how much time  
2 they think they're going to need.

3 MS. SEARS: Good evening. My name is Barbara  
4 Sears, and I'm representing Home Properties. Seated with  
5 me is Nelson Leenhouts who is the co-founder and President  
6 of Home Properties. He has come down from Rochester. We  
7 don't really have here people to cede time, but we would  
8 hope that the commission would indulge us with a few extra  
9 minutes to cover what is an extensive property and some  
10 fairly large plans and information that we would like to  
11 share with you.

12 MR. ROTENSTEIN: Do you think you can accomplish  
13 this in 12 minutes?

14 MS. SEARS: Yes, I would think so. We will make  
15 it a point to do so. Thank you very much.

16 MR. ROTENSTEIN: Pardon me for one moment. Can  
17 we reset the timer? I'm sorry, please continue.

18 MS. SEARS: Thank you. With that, you know, we  
19 have worked closely with your staff. We respect your staff  
20 and we respect this commission. However, we find ourselves  
21 in a position of respectfully disagreeing with the staff  
22 recommendation. And we'd like first to have Mr. Leenhouts,  
23 and there are specific reasons, and they are summarized in  
24 the letter that I sent. I apologize again for the lateness  
25 of the letter, and materials, but not really knowing what  
26 the staff would attach to its report.

1           We wanted to not submit new information but  
2 submit information that was prepared. Some extensive  
3 inventories on each of the parcels prepared for the owner  
4 in 2005, and then some prior historical reports that have  
5 been in the various proceedings that dealt with this  
6 property that we thought were very relevant for this  
7 commission to have.

8           So there are some points I'd like to make when  
9 Mr. Leenhouts finishes, but I'm going to turn that over to  
10 him now.

11           MR. LEENHOUTS: This is an aerial of course  
12 property. Our plan as mentioned is to redevelop the north  
13 parcel and then to invest extensively in preserving the  
14 remaining two parcels in the east and west.

15           MR. ROTENSTEIN: I'm sorry, can we have a  
16 microphone.

17           MR. LEENHOUTS: Just a couple of comments.  
18 There's condition two, the Draper Triangle did replace the  
19 Lennox Apartments. There are several other changes. Two  
20 garages were removed here. A garage removed here, and the  
21 parking has been completely rearranged and expanded since  
22 the original development. However, I'd like to make this  
23 that the report that you have from the MTA Transit  
24 Authority concerning the purple line is in accurate.

25           The site plan in that report is not accurate. It  
26 indicates that there's only one building would be impacted.

1 The truth is, there's two buildings that will be impacted  
2 substantially. This is the area where the MTA would go,  
3 that would be approximately at the height of the roof of  
4 these buildings, though the 45 units in these two buildings  
5 plus a significant amount of parking would be impacted.  
6 Much more significant than I think was indicated in the  
7 report.

8 The plan we have for the north parcel is to build  
9 rental apartments that include 1,069 rental apartments,  
10 include 133 MPDUs. The buildings along East West Highway  
11 will be four story. We think the four story buildings in  
12 this park will relate well to the property across the  
13 street. The high rise building we think will relate well  
14 to the high rise buildings on the east, north and west of  
15 us. In addition, we plan to make substantial improvements  
16 to the stream valley that exists in the south parcel. This  
17 is the only water way that's a waterway of the U.S. There  
18 is a ravine on the north parcel, but it only gets water in  
19 it when it rains for a very short period of time.

20 Additional improvements include correcting safety  
21 problems at this intersection, and improving the median on  
22 16th Street. Here is a rendering of the East West,  
23 frontage on East West Highway looking from 16th Street  
24 looking to the east where the Harris Peter Grocery on the  
25 corner. And here is another view looking to the west along  
26 East West Highway.

1           We think the, sort of to summarize, we think that  
2 the financial opportunities that the development of the  
3 north parcel creates for us would allow us to make a  
4 significant investment in rehabilitating the east and west  
5 parcels, and in effect turning the clock and restoring them  
6 for a long period of time.

7           We believe our plan is completely consistent with  
8 the intent and goals of the Master Plan. We believe that  
9 this nine acre parcel on the north, the north parcel is an  
10 extraordinary opportunity to do a transit oriented smart  
11 growth development. Just to say once again, we think  
12 accommodating the purple line is a significant advantage.

13           MS. SEARS: Just to clarify a couple of facts here.  
14 There are three parcels, the north, the south and the west.  
15 The north is the parcel that the project plan is filed for.  
16 It has currently 182 units, and the south has 147 units,  
17 and the west 121 units. The property was looked at for  
18 inclusion in the Master Plan for historic designation in  
19 '85 by the County Council, and was not included except for  
20 the Coppola Building, which is on the south, and is a  
21 gateway into Montgomery County from the District.

22           That will remain on the Master Plan. The County  
23 Council then looked at it again when they did the Silver  
24 Spring Sector Plans for inclusion on the Master Plan. And  
25 they looked at it in '93 and 2000, and both times they  
26 reaffirmed not including the balance of the property or any

1 of the parcels beyond the Coppola Building in the Master  
2 Plan.

3           Then, you know, I want to point out to you that I  
4 think that what has occurred here in the National Register  
5 nomination is a basis of that is a 1980 inventory. And  
6 that 1980 inventory was based on certain errors of fact.  
7 And those errors seem to continue. And that's why I  
8 pointed out in the letter that we feel that the basic  
9 factual errors that the staff has continued to make and  
10 have been highlighted in Mr. Walston's 1985 very thorough  
11 memorandum are there, number one, this property was built  
12 at separate times. Each one of the parcels was built at  
13 separate times. And that's important. And they were all  
14 financed separately. And that's important. And the  
15 questions of when they were built is, the south was built  
16 first in 1936 and 1937. And they used FHA mortgage, but it  
17 was not the first apartment project in Maryland to use an  
18 FHA insurance backed mortgage.

19           And so that's not accurate, and that's detailed  
20 in the letter in the attachments. And the north was built  
21 in '38 and '39, and it was also separately financed and the  
22 west was built in '39. So they were built as separate  
23 projects. And they were built at different times. And the  
24 first one built was the south, but it was not the first  
25 apartment project, garden apartment project in Montgomery  
26 County, and it was not the first or one of the first

1 federally insured under the multi-family program of FHA.

2           It was indicated to be 10th or 11th, I believe,  
3 in that program, and that identified were many other  
4 apartment projects in the county that were built before  
5 Falklands. So those are pretty, you know, big factual  
6 differences to contend with.

7           And lastly, the staff bases its recommendation on  
8 the fact that this is an excellent example of the Colonial  
9 Revival style. And I think if you look at the MHT  
10 inventories from 2005 and just, you know, carefully review  
11 the photographs and the commentary under those photographs,  
12 you will see that it is really a mix of styles. It has  
13 Colonial, it has International style. It has the Colonial  
14 Revival International style, it has the modern style, and  
15 there are a few others interspersed in there. So it's not  
16 a clear example of Colonial Revival style. It has certain  
17 elements of it, but they're not of such a high character as  
18 to require this property to be designated under the  
19 criterion of being a prime example of Colonial Revival  
20 styling.

21           There are several indications in the materials as  
22 to why the property does not meet the bases under which the  
23 staff has recommended to this commission that it be  
24 identified on the Master Plan. So we would ask this  
25 commission to consider the prospects of the project that we  
26 are proposing which is perfectly consistent with the Master

1 Plan. That again and again call for high density  
2 residential within 800 feet of Metro to use that resource  
3 on the north parcel.

4 On the south parcel, which is also in the Silver  
5 Spring CBD, it recommended that it remain R-20, which is a  
6 garden apartment style. And this proposal would maintain,  
7 and not only maintain, but enhance that south parcel. And  
8 the Coppola would remain obviously on the Master Plan. So  
9 everybody seems to have a win here in terms of maintaining  
10 and improving the south and the west parcels, and then  
11 implementing the plans to use the resources we have in  
12 transit by having the north parcel be developed as always  
13 intended.

14 This is not a surprise to anybody if they have  
15 participated in the Master Plan, read the Master Plan for  
16 over almost now 16, 18 years, they would see that  
17 redevelopment was called for in this fashion. So we would  
18 ask this commission not to recommend inclusion of the  
19 properties on the Master Plan. Thank you.

20 MR. ROTENSTEIN: Thank you. We have quite a few  
21 speakers here tonight. I think what we'll go ahead and do  
22 is, I have one question regarding one of the speakers who  
23 indicates three are additional members to be ceded, to  
24 other people, David Paris. Well, they're ceding, so I have  
25 one form indicating that two people are ceding time to him,  
26 yet I only have one form. Just one person, okay.

1           If we could get, at least come up in groups.  
2 First, the applicant, they can come up. The people  
3 representing the application for designation.

4           MS. SEARS: If I could just make a statement for  
5 the record on that. This is not being handled as a  
6 nomination. We've been advised this is being handled as a  
7 review pursuant to the project plan, and preliminary plan  
8 of subdivision which have been filed, and that it's being  
9 handled under 24A-10, and not as a Master Plan nomination.

10          MR. ROTENSTEIN: It's a work session, if I am  
11 correct.

12          MS. KELLY: In this case the resource is already  
13 on the Locational Atlas so there is no nomination to  
14 designate it.

15          MR. ROTENSTEIN: So with that, Mary Reardon who  
16 will be speaking on behalf of the Silver Spring Historical  
17 Society.

18          MS. REARDON: My name is Mary Reardon, I'm  
19 Preservation Chair of the Silver Spring Historical Society,  
20 and we are the nominators of the National Register  
21 designation, but not of the Master Plan designation. If  
22 the commissioners were to find compelling the voluminous  
23 materials the owner of Falkland submitted at the last  
24 minute, including that letter they referred to, then unless  
25 we have time to gather our own evidence to respond, I would  
26 say that there wasn't ample opportunity for a full review

1 of Falkland which Master Plan listing calls for.

2 For instance, Richard Longsteth, who has studied  
3 the FHA, could very easily answer a number of the  
4 challenges. But as the commissioners probably know,  
5 virtually all of these challenges were addressed in 2005  
6 and in 2003 by preservationist and by HPC staff, apparently  
7 to the satisfaction of the Planning Board which put it on  
8 the Atlas.

9 So I'll submit detailed responses in a written  
10 statement because I do have detailed responses for what was  
11 just said. But I will say that, not the first in Maryland  
12 to be underwritten by the FHA, we need proof of that. And  
13 11th on that list, I'd like to see that. We haven't had a  
14 chance to see that. Richard Longstreth has told us it's  
15 the second in the nation to be underwritten by FHA, second  
16 large scale multi-family housing complex.

17 The key question is why to save all of Falkland.  
18 Prominent architectural historian, Richard Longstreth,  
19 makes a compelling argument for designating all sectors of  
20 Falkland in his recent letter to the Planning Board which  
21 you have. Professor Longstreth and our other expert allies  
22 are not paid to render opinions. Because of the design and  
23 planning, -- oh, I want to add too that, I just want to add  
24 one thing that, the fact that the failure to recommend the  
25 property on a sector plan or Master Plan, or a Master Plan  
26 amendment, sector plan amendment, doesn't constitute a

1 review and rejection for historic designation as was  
2 implied earlier.

3           And also, the 2002 CBD Sector Plan actually  
4 encouraged adding townhouses and garden apartments rather  
5 than high rise construction to the new mix of housing.  
6 Because the design and planning follow the topography,  
7 every sector of Falkland is unique. And all the sectors  
8 together tell a compelling story which I'll illustrate in  
9 the side presentation. If there's any property in this  
10 county that deserves designation and preservation, it's the  
11 Falkland Apartments.

12           We have boxes of evidence of the significance of  
13 Falkland, probably enough to write a book about it. I want  
14 to point out that the owner knew when he purchased Falkland  
15 that there was a county inventory underway, a 50 plus year  
16 old buildings in Silver Springs including Falkland, and  
17 Falkland was the most likely of these to be designated as a  
18 result. You can see how large the endangered north sector.

19           The Maryland Historical Trust is well aware of  
20 the loss of 34 of the 4845 units on the Draper Triangle,  
21 yet they have indicated that the property is eligible for  
22 the National Register and reiterated this opinion after we  
23 filed the nomination in 2004. And the Parsons Rinkerhauf  
24 report was arguing that loss of the Draper Triangle  
25 structures made Falkland ineligible for designation. They  
26 were actually arguing that taking out another piece of

1 Falkland and maintaining it would not affect the integrity.  
2 That was in the letter.

3           There are three reasons for Falkland  
4 significance, both historically and architecturally versus  
5 connection with the new deal. We now know from Richard  
6 Longstreth who has written about the Federal Housing  
7 Administration, that Falkland was the second apartment  
8 complex in the country to be underwritten by the new deals  
9 FHA. Eleanor Roosevelt cut the ribbon when Falkland opened  
10 in 1937. That's how significant the social experiment was.  
11 The owner of Falkland likes to point out that she cut the  
12 ribbon on the south parcel, not the north parcel, but the  
13 north and west parcels are a key part of the story.

14           They were able to proceed without FHA support  
15 because the first sector was so successful. They  
16 demonstrate that the garden apartment idea had really taken  
17 hold. Falkland Colonial Village and Arlington were among  
18 the D.C. area models for middle income apartments  
19 naturally, and over the following generation. This is from  
20 the Washington Post 1937, Falkland is at the top. Brooklyn  
21 was a prototype.

22           The second reason for Falkland's significance and  
23 a key to its success was that it's a part of a line of  
24 early multi-family projects that adopted the English garden  
25 city principles as imported by Stein and Wright. Generous  
26 green space and low rise construction were key components.

1 Sunny Side Gardens in Queens was the first such Stein  
2 Wright project. It's on the National Register.

3 All of these projects have since made allowances  
4 for cars before being placed on the National Register.  
5 Radburn New Jersey was an advance from Sunny Side and Stein  
6 Wright did not confine the design to a speed grid. It's on  
7 the National Register. All of these early Stein Wright  
8 projects were built in stages, in phases, just as Falkland  
9 was. But nobody considers that any parts of these are less  
10 important than others, nor would suggest that the parts are  
11 separate properties.

12 Chatham Village topography dominated the plan  
13 more than the other two Stein Wright projects. It's more  
14 like Falkland actually. The site plan for Chatham Village.  
15 Chatham is on the National Register. Close to home we have  
16 Colonial Village also on the National Register and  
17 sandwiched between two metro stops. Definitely influenced  
18 by the work of Stein Wright. This was the first large  
19 scale rental housing project in the U.S. to be backed by  
20 FHA mortgage insurance.

21 Falkland's site plan is similar but not identical  
22 to Chatham Village. The design was dictated by the  
23 topography. Justement said for example, that he  
24 deliberately retained the Y shaped valley in the north and  
25 south sectors where the stream bed is located. And by the  
26 way, Falkland was widely celebrated in contemporary

1 architecture journals during and after construction of all  
2 three sectors.

3           This is from the Architectural Record, 1941. The  
4 photo -- in 1937 Architectural Record, 16th Street  
5 townhouses and duplexes is little different from a recent  
6 photo. The shutters were original feature. The third  
7 reason for Falkland's significance, other than it's New  
8 Deal and garden city's connection, is now also part of its  
9 history and that is, literally generations of Silver Spring  
10 and county activists joined up to defend the site whenever  
11 it was threatened. Late Senator Idna Garrett was among  
12 them.

13           Here's a photo in the Evening Star from 1972.  
14 Their reasons for defending Falkland were to preserve  
15 affordable housing and because of its architectural and  
16 historic merit. The green space in Falklands is of major  
17 value. This aerial view is from 1955. But the same  
18 abundant green space exists today. John Parrish of the  
19 Maryland Native Plant Society, who couldn't be here  
20 tonight, did an extensive inventory of the trees at  
21 Falkland that Clare talked about.

22           He says Falkland and Jessup Blair Park together  
23 comprise the last significant stands of native trees and  
24 green space in downtown Silver Spring. The north sector  
25 has numerous trees from original plantings, including  
26 specimen trees. Wherever you live at Falkland you can look

1 out and see trees. And even the addresses along major  
2 streets are set back with grassy frontage and some of the  
3 staff photos showed that.

4 At left is a stream bed on the north parcel. The  
5 architect has a Master. The architect of Falkland, Louis  
6 Justement designed several landmark buildings in D.C.  
7 Harvard Hall and 2120 Kallorama Road are in James M.  
8 Goode's book, Best Addresses. The federal courthouse is  
9 National Register eligible. The Longworth Building is  
10 called one of the best examples of neoclassical revival in  
11 Washington.

12 Justement's Harris and Ewing Photographic Studio  
13 on F Street is on the National Register, and Justement, by  
14 the way, was part of a 1946 Princeton symposium that  
15 included Mees Vanderroe, Frank LeRoy, Walter Groupias,  
16 Robert Moses, and Bill Johnson. That's the company he was  
17 in.

18 Our supporters for Master Plan designation  
19 include local preservation organizations, civic groups,  
20 state and local preservation organizations, and  
21 environmentalists. And leading experts on architecture and  
22 architectural history are supporting us and are calling for  
23 Master Plan designation of Falkland. Richard Longstreth  
24 past, present the Society of Architectural Historians,  
25 Ralph Bennett, and Isabel Gournay, professors of  
26 architecture and architectural history at Maryland. James

1 M. Goode, author of Best Addresses and Capital Losses,  
2 those coffee table books you probably see a lot in Borders.

3 Don McGrath, urban planner from George Washington  
4 University was involved in other Silver Spring preservation  
5 issues. And in discussions of both Falkland and Perpetual  
6 developers usually bring up the need for housing in the  
7 CBD. We have found that there are nearly 3600 units  
8 recently approved, under construction or recently completed  
9 since 2003. And there are nearly 1500 units proposed. Not  
10 counting Falkland and Perpetual. This agreement total  
11 since 2003 to over 5000 units. We're not desperate for  
12 housing in the CBD.

13 And I think we've done a lot for smart growth in  
14 Silver Spring. A lot of large buildings. Large apartment  
15 complexes. I hope you'll agree that if we don't include  
16 Falkland on the Master Plan we'll be turning our backs on  
17 our own history. Thank you.

18 MR. ROTENSTEIN: Sorry, I was handed an  
19 additional speaker form who ceded some time, so you  
20 actually have about five minutes left.

21 MS. REARDON: I'm not going to take it. Unless  
22 you want to hear what I have to say about some of the  
23 points they made in the letter.

24 MR. ROTENSTEIN: Do they go directly to the issue  
25 of significance?

26 MS. REARDON: Not significance of the buildings.

1 It's more to do with whether it was already reviewed for  
2 Master Plan listing, you know. What's different now? Why  
3 should it be reviewed now? If you want to hear all that.  
4 I can go into that.

5 MR. ROTENSTEIN: Briefly.

6 MS. REARDON: Okay, it was turned down for Master  
7 Plan listing in the '80's, we know that. Falkland was last  
8 reviewed for Master Plan listing in '84, '85. I said  
9 earlier, failure to recommend a property in a sector plan  
10 for sector plan, does not constitute review and rejection  
11 for historic designation. That's not a review. The  
12 significance of any one property can't possibly be  
13 carefully evaluated as a sector plan moves forward. Nor  
14 does zoning affect a property's eligibility for  
15 designation.

16 What's different now than in the '80s? Falkland  
17 is now over 50 years old, threshold age for designation are  
18 not required in this county. Two, the inventory of  
19 downtown Silver Spring buildings open the door to review of  
20 all buildings 50 years and older for potential designation  
21 and listing on the Master Plan. That's why we're here  
22 tonight.

23 Silver Spring has undergone its long awaited  
24 revitalization. It's not desperate for revitalization. In  
25 the '80s the Falkland site was being eyed for redevelopment  
26 as a spur to revitalization. That did set the tone for the

1 appointments of preservation back then. It wasn't really  
2 about the architecture or historic merits. We've read the  
3 transcripts. It was about the fact that we wanted this  
4 site for Silver Spring revitalization to occur. Big mixed  
5 use project.

6 At the 1983 public hearing, for example, one of  
7 several hearings, the county's Office of Economic  
8 Development proposed designation claiming that  
9 redevelopment of the property was vital to the Silver  
10 Spring CBD citing the need to develop desirable commercial  
11 facilities there among other things. That's just one. But  
12 that was the tone. They really weren't looking very  
13 careful at the merits back then.

14 As for the need for housing in the CBD, well, we  
15 showed you that slide. Also, there's an abundance of new  
16 information on Falkland now. Just compare the MHT form  
17 filed in 1983 with the National Register nomination of  
18 2004. Look at the footnotes and the relatively recent  
19 dates of many of the citations. We know about the  
20 architect now. We have Ralph Bennett and Isadale Gournay  
21 having done a thorough study of area housing. We have  
22 Richard Longstreth who's done more and more research on FHA  
23 and on multi-family housing. There's just a lot more  
24 recent information. A lot more information coming to the  
25 fore since the 1980s.

26 MR. ROTENSTEIN: Thank you, Mary. Wayne

1 Goldstein will be speaking for Montgomery Preservation.

2 MR. GOLDSTEIN: I believe some time has been  
3 ceded to me.

4 MR. ROTENSTEIN: Right, I believe you have eight  
5 minutes. Does that sound about right?

6 MR. GOLDSTEIN: Yes. I'm Wayne Goldstein,  
7 President of Montgomery Preservation, Inc., MPI. MPI is  
8 here for the third time before the HPC to comment on new  
9 information related to the Falkland Apartments. Since the  
10 HPC and the Planning Board have already thoroughly reviewed  
11 this historic resource twice before placing it on the  
12 Locational Atlas.

13 The new information is that the Maryland  
14 Historical Trust has determined that the entire Falkland  
15 apartment complex is eligible for listing on the National  
16 Register of Historic Places. Although actually that was  
17 determined in 2004. This further settles the issue of  
18 historic designation for this important historic resource.

19 The applicant has resubmitted the same material  
20 it provided in 2005, although it waited until today to do  
21 so. This may put new commissioners who have not previously  
22 seen the information at a disadvantage. However, they  
23 should feel no obligation to consider it as the applicant  
24 waited so long to provide it, and both the HPC and the  
25 Planning Board previously considered this information but  
26 chose to place the entire property on the Locational Atlas

1 nonetheless.

2           As before, the applicant's attorneys insist on  
3 the significance of the work done on the designation after  
4 almost 24 years ago, as if time, public policy and Silver  
5 Spring have stood still for a quarter of a century.  
6 Arguments that this part of Silver Spring must be  
7 redeveloped to ensure that every possible opportunity to  
8 create dense development near Metro rings more hollow today  
9 than it did in 2005 and 2003.

10           With even more new construction along nearby  
11 sections of East West Highway and elsewhere. Although a  
12 number of architectural historians and architects propose  
13 designation of the Falklands between 1981 and 1983, when  
14 the garden apartment complex was about 45 years old, no  
15 professional in the field save the one hired by the owner,  
16 now opposes placing it on the Master Plan for Historic  
17 Preservation.

18           Whereas at least a dozen local county, state and  
19 national organizations and professionals, along with a  
20 number community members support the designate. Twenty  
21 years ago the arguments in opposition were long emotion and  
22 short on fact. This is still the case, but very few people  
23 are now saying them. The scholarship in support of  
24 placement is better than it has ever been.

25           In looking through Dr. Kosi-Correll's submission,  
26 rather looking at it again, I am very impressed at his

1 talent as a photographer because his pictorial essay so  
2 effectively proves the architectural significance of this  
3 complex of buildings by showcasing the details that make  
4 this place unique to Montgomery County. The attention to  
5 detail that inadvertently serves the supporters of  
6 designation so well, should become an embarrassment to this  
7 terrestrial and underwater archeologist when he applies it  
8 to architectural history.

9           For example, the good doctor states that it is  
10 both incorrect and untrue that porches are supported by  
11 wooden ionic order columns, when in fact they are all  
12 examples of the door border, and then dismissing almost all  
13 of the Falkland Apartments architecture as "a banal  
14 hodgepodge of circa 1930 to 1950 international style with  
15 Colonial Revival, Classical Revival and modern styling  
16 elements."

17           Furthermore, it is uninspiring and "not  
18 distinctive in an attention grabbing sense." It is not  
19 pure Colonial Revival nor is it a pure example of the  
20 Garden City ideal. But even if we're both, the doctor  
21 would surely argue that there are either many other  
22 examples or much better examples elsewhere in the nation or  
23 the world. Since Colonial Revival, Classical Revival,  
24 Tudor Revival and Gothic Revival, all reintroduce  
25 architectural styles and materials in new ways, a more  
26 objective observer would likely conclude that the so-called

1 banal hodgepodge of Colonia and Classical Revival and  
2 modern styling was in fact the creation of a newer  
3 variation on other new variations.

4           As it was a collaboration of the architect and  
5 federal housing officials in a more idealistic time. This  
6 quiet attention to detail on almost every building was an  
7 additional amenity along with the park like setting for  
8 those needing decent affordable housing. Dr. Kosi-Correll  
9 has also set himself apart from architectural historians,  
10 architects and many employees and others who supported the  
11 designation of the Comsat Laboratories Building in  
12 Clarksburg by insisting that Cesar Pelli did not design it,  
13 even though the AIA Gold Medal Winning architect insists  
14 that he held the position that determined who received  
15 credit for the design.

16           The doctor also goes into great detail to show  
17 that the architect was not working on the building at a  
18 certain period of time even as he dismisses the  
19 architectural value of the building and dismissing the body  
20 of work of Mr. Pelli, considered to be one of the greatest  
21 living architects. As not being exemplary of high tech  
22 architecture. Furthermore, the learned doctor claims that  
23 the 1964 book, *Machine in the Garden*, which is considered  
24 the seminal book that inspired much of the cutting edge  
25 architecture of the last 40 years, is not what these  
26 architects seem to think it is.

1                   He stated on March 9, 2005 that the Machine in  
2 the Garden, "is a choo choo train. The book that they cite  
3 as the design esthetic, the architectural concept of  
4 Machine in the Garden, this is a book about American  
5 literature. When I read this book I tried to find how many  
6 times is the word architecture mentioned in this book. Not  
7 once. The word architecture is not even listed in the  
8 index. It has nothing to do with architecture."

9                   I encourage you to recommend Falkland Apartments  
10 for the Master Plan for Historic Preservation and send that  
11 recommendation to the Planning Board. Thank you.

12                   MR. ROTENSTEIN: thank you, Wayne. Next is Jim  
13 Humphrey of the Montgomery County Civic Federation. And I  
14 don't believe anyone has ceded time to you, so you have  
15 five minutes.

16                   MR. HUMPHREY: That's correct. Hi. I'm Jim  
17 Humphrey, Chairman of the Montgomery County Civic  
18 Federation Planning and Land Use Committee. At the March  
19 2005 meeting of the Civic Federation, the delegates  
20 approved a resolution in support of placing Falkland  
21 Apartments in Silver Spring on the Locational Atlas and  
22 Index of Historic Sites. I will submit a copy of that  
23 resolution to you for the record.

24                   Because we believed then as we do today that the  
25 Falklands are a jewel of architectural history to be  
26 cherished and preserved. At a time when communities

1 nationwide are realizing the economic, psychological and  
2 environmental benefit of day lighting streams that have  
3 been relegated to underground pipe systems for decades, and  
4 preserving trees, and green space in increasingly urbanized  
5 areas.

6           It is critical that we act to preserve the  
7 Falkland Apartment complex as a premier example of how best  
8 to blend the built environment with the natural  
9 environment. We recommend that you make a recommendation  
10 to the Planning Board to give the Falklands designation.  
11 And with that, I'm through. Thank you.

12           MR. ROTENSTEIN: Thank you. Am I correct in my  
13 reading that there are no other groups here to speak?

14           MS. MORIARTY: Megan Moriarity.

15           MR. ROTENSTEIN: I'm getting to individuals.  
16 There are no more groups? Okay. I have ceded time to  
17 David Paris. And Mr. Paris is an individual so he will  
18 have six minutes. He's speaking for one other person.

19           MR. PARIS: I'm David Paris. I'm a resident of  
20 Takoma Park, a long time area resident. I want to address  
21 the 2005 contentions of Mr. Kosi-Correll or doctor, which  
22 are again being cited by the Falkland owner and his  
23 attorneys, I understand.

24           First, I wish to take issue with the contention  
25 that the Falklands are not a prototype Montgomery County  
26 garden apartment. He seems to rely on a 1984 work of park

1 historian Mark Rolston, who claimed that a four flat  
2 structure in Takoma Park was the first county garden  
3 apartment. However, Rolston appears to have based his  
4 conclusion on a 1931 atlas that erroneously labeled as  
5 garden apartments the Takoma Park building lacking green  
6 space.

7           Additionally, the Washington Post article  
8 accompanying the slide presentation identifies Falkland as  
9 among prototype garden apartments nationally. I believe  
10 that additional evidence has been placed in the record.

11           Second, the Falkland design is historically  
12 significant because it represents an early application of  
13 garden city principles to a large garden apartment  
14 development. Although Henry Wright and Clarence Stein did  
15 not build garden cities, their designs reflect an important  
16 evolution of the garden city concept.

17           Three, it was never claimed that Falkland was one  
18 of the first three of any and all projects backed by the  
19 Federal Housing Administration in Maryland. I believe the  
20 discussion was about large scale garden apartments, and  
21 Falkland was the first in Maryland, and possibly the second  
22 or third in the nation to have FHA backing. According to  
23 architectural historian, Richard Longstreth, who has done  
24 extensive study of the FHA's role.

25           Falkland and Colonial Village were among the  
26 projects marking the launch of a major new role for the

1 federal government in housing. And why did FHA end up  
2 backing only a small percentage of large scale garden  
3 apartment projects built by 1941? That's because the  
4 program was a success. Falkland needed FHA backing for the  
5 first sector in 1937, but didn't need it for the rest  
6 because by then private investors saw that the concept was  
7 successful.

8 That renters were eager to live in these large  
9 scale apartment communities. And that was the idea all  
10 along. Making it possible to pilot the projects and  
11 encourage private investment. Falkland was one of those  
12 very important pilots, and Eleanor Roosevelt cut the ribbon  
13 for the sector that the FHA supported.

14 As for the north and the west sectors, they are  
15 significant historically because they demonstrated that  
16 private investors could be confident in developing these  
17 large scale garden apartment complexes without FHA backing.

18 Point four. There's no dearth of evidence that  
19 Justement was a master architect and planner. More  
20 information is being uncovered on a daily basis about his  
21 career. He was among the 50 luminaries who attended a 1946  
22 planning symposium at Princeton that included Frank Lloyd  
23 Wright, Gropius, Phillip Johnson and Robert Moses. That  
24 same year he was one of only eight architects selected a  
25 Fellow of the American Institute of Architects, the highest  
26 honor the profession can bestow on its peers. Falkland

1 demonstrates that his professional reputation was well  
2 deserved.

3           Five. Falkland was built in stages as were the  
4 other pioneering and prominent garden apartment projects  
5 that are listed on the National Register. Sunny Side  
6 Gardens, Radburn, Chatham. These projects seemed to have  
7 been conceptualized in their totalities and divided up only  
8 for purposes of construction staging and financing.  
9 Moreover, each of these apartment complexes has been  
10 altered to accommodate modern parking space needs. Most of  
11 such alterations were performed before the projects were  
12 listed on the National Register.

13           Finally, every older builder has undergone normal  
14 required maintenance, yet the integrity of Falkland  
15 endures. Citizens advocating preservation status for the  
16 apartment have been joined by a number of preservation  
17 entities public and private, and a number of architectural  
18 historians. Today, the Falkland Apartments is eminently  
19 worthy of protecting and listing in the Master Plan for  
20 Historic Preservation. Thank you.

21           MR. ROTENSTEIN: Thank you. Megan Moriarity.  
22 Please state your name for the record and you have three  
23 minutes.

24           MS. MORIARITY: Thank you. Good evening. My  
25 name is Megan Moriarity; I'm a resident of Falkland Chase.  
26 I live in the infamous north parcel in one of those 182

1 units. I'm also a student at the University of Maryland's  
2 Graduate Community Planning Program. I understand the  
3 rationale for higher density development close to transit.  
4 That, however, is not the only principle that planners or  
5 communities must keep in mind.

6 Communities also need green space and historic  
7 buildings. No one wants their city to be all high rises  
8 with no character. Community assets like trees, open space  
9 and historic structures help create a sense of place and  
10 belonging as we hurry along with our daily lives. The tree  
11 is the natural parks at Falkland Chase are where residents  
12 relax, meet, walk their dogs together, share meals and  
13 truly become neighbors.

14 Living at Falkland Chase offers me a quality of  
15 life not available in a high rise building surrounding by  
16 concrete. As I walk around Silver Spring looking at the  
17 other housing options, I can feel only grateful for the  
18 opportunity to live where I do now. And after spending  
19 this summer working in many apartments in the area, I can  
20 honestly say that there is no other place like it.

21 I can read outside in the shade, but then go and  
22 walk to the Metro or any number of restaurants or grocery  
23 stores. My apartment has hardwood floors and a sunny  
24 dining room. I know my neighbors and feel safe there.  
25 Fifty nine percent of Silver Spring residents are renters.  
26 And we also deserve to have affordable housing choices and

1 real open space.

2           There are plenty of high rise buildings for us to  
3 live in, but a diminishing number of garden style  
4 apartments. I urge you today to protect Falkland Chase and  
5 by doing so save the best example of garden style  
6 apartments we have in Silver Spring.

7           MR. ROTENSTEIN: Thank you. Linda Suzuki. Good  
8 evening, please state your name for the record and you have  
9 three minutes as well.

10           MS. SUZUKI: My name is Linda Suzuki, I'm also a  
11 resident of Falkland Chase. I urge you to act in the best  
12 interest of our community by preserving Falkland Chase  
13 Apartments from destruction. The history at stake here is  
14 not only the history of buildings, it is also the history  
15 of a time when people lived in neighborhoods instead of  
16 developments. Knew their neighbors by name, could walk the  
17 streets at night without fear. What little remains of this  
18 history at Falkland Chase will be destroyed if Home  
19 Properties is allowed to build the high rises of its  
20 stockholders dreams.

21           Home Properties has honed its profit strategy in  
22 dozens of other communities up and down the East Coast,  
23 where it has in its own words, succeeded by acquiring  
24 apartment communities at prices significantly below  
25 replacement costs. Clearly, Home Properties decided to  
26 make Falkland Chase attractive to investors by leaving out

1 of their profit equation replacement cost of the history,  
2 community and neighborhood they intend to destroy.

3 Home Properties, a company based in Rochester,  
4 New York, knows nothing and cares nothing about the history  
5 of Silver Spring, Maryland. They're not from here. They  
6 do not live here. Their only reason for being here is to  
7 strip mine Silver Spring for profit. As a resident of  
8 Falkland Chase, I know firsthand that Home Properties will  
9 not be governed by common sense, common decency or the  
10 common good that must be governed by the decisions of this  
11 commission on behalf of people who have an investment in  
12 this community that goes beyond profit. Thank you.

13 MR. ROTENSTEIN: Thank you. I have one final  
14 speaker representing Historic Takoma, Lorraine Piersall.

15 MS. PIERSALL: I'll be very brief.

16 MR. ROTENSTEIN: Please state your name for the  
17 record.

18 MS. PIERSALL: My name is Lorraine Piersall, I'm  
19 Vice President of Historic Takoma. I am just here tonight  
20 to say that we wholeheartedly support the Silver Spring  
21 Historical Society in this effort, and we urge you to  
22 really recommend the protection of this resource to the  
23 Planning Board and Master Plan nomination. Thank you very  
24 much.

25 MR. ROTENSTEIN: Thank you. Have we heard from  
26 all of the speakers? All right, I guess the next step is

1 for the HPC to discuss. First off, does anybody have any  
2 questions on the commission for the property owner?  
3 Commissioner Burstyn?

4 MR. BURSTYN: I understand that you gave us a  
5 brief proposal of what you plan for the north section. I  
6 was a little unclear of that section which was going to be  
7 the commercial, and which is the high rise. Where would  
8 the low rise be, because the chart that was presented it  
9 was just one large silhouette.

10 MR. ROTENSTEIN: Commissioner Burstyn, may I make  
11 one observation, since it appears we're going to be here  
12 late than most of us would probably like to be. Can we  
13 maybe leave things specifically related to the historical  
14 significance rather than the proposed land uses.

15 MR. LEENHOUTS: If I could just answer that  
16 question.

17 MR. BURSTYN: Well, let me just get to my main  
18 question that I would be leading up to. Did you have any  
19 viable alternatives other than just this one that's  
20 presented when you went through the planning, the  
21 development where you could either retain some of the  
22 buildings or provide for adaptive reuse of the buildings to  
23 meet some of your development and economic gains.

24 MR. LEENHOUTS: We met several times with  
25 historic preservation people, and that was suggested at  
26 that time, and we worked with our architect to attempt to

1 keep some of the buildings on the north parcel, as well as  
2 going forward with new development. The underlying problem  
3 here is that parking has to go underground and that really  
4 prevented the feasibility of that alternative.

5 MS. SEARS: Just to answer your question about  
6 what's happening, this aerial will show you the north  
7 highlighted, and the south, and the west. The proposal is,  
8 of course, of the north and Home Properties would retain  
9 and redevelop, not redevelop, but enhance, you know, just  
10 improve within the existing structure the things that need  
11 to be done like fixing the insulation and things like that.  
12 They'd upgrade the existing trusses for the east and the  
13 west, but they'd maintain and then they'd redevelop on the  
14 north.

15 They would also take the south and while  
16 maintaining those structures, take the area that's this Y  
17 stream valley that has been identified on the NRI FSD as a  
18 stream, and they would upgrade that with nice landscaping  
19 and planting. It's gotten very thin over the years, and  
20 there have been a lot of changes in the landscaping in the  
21 grade, and it filled in parking and things like that. So  
22 what they would do is enhance this and put a public use  
23 easement on it so people could actually enjoy it and use it  
24 in the public sector. So that's the idea here. Otherwise,  
25 they would not change that situation.

26 On the north parcel, the redevelopment parcel,

1 the retail, the Harris Teeter would be in this area as the  
2 street retail. This would be lower rise buildings of about  
3 four and five stories tapering back to the high rise  
4 against the purple line and the railroad tracks and the  
5 metro. And then there'd be street fronting retail in this  
6 area against East West Highway. So this would be the  
7 redevelopment proposal in accordance with the Master Plan,  
8 the zoning, and then the other parcels would be maintained  
9 and upgraded within the existing structures, and the  
10 landscaping would be greatly enhanced to bring it back to  
11 life.

12 MR. BURSTYN: So you could recommend that the  
13 south and west parcels be placed on the Montgomery County  
14 Index and also on the Master Plan for Preservation?

15 MR. LEENHOUTS: We would not object to that.

16 MS. SEARS: If the north would be able to go  
17 forward as proposed, then it would be something that could  
18 be done.

19 MR. LEENHOUTS: We estimate initially we would  
20 need to spend about \$13,000 to maintain the existing units  
21 in the east and west parcels, in the south and west  
22 parcels.

23 MR. BURSTYN: Thank you.

24 MR. ROTENSTEIN: Are there any other  
25 commissioners who have questions for the property owner  
26 related specifically to the criteria for designation under

1 24(a) (3)?

2 I have a few related to your comments and your  
3 letter. You, as some of the other commenters have stated,  
4 rely heavily on the earlier historic preservation work in  
5 order to refute the significant statements prepared for  
6 this property. Why aren't you including in your evaluation  
7 the most recent analyses, including the work done by the  
8 professors at the University of Maryland and Professor  
9 Longstreth?

10 MS. SEARS: Well, Mr. Longstreth's letter came in  
11 today. I just saw it as I sat down and was handed it. So  
12 I don't know what information Mary Reardon is referring to  
13 other than that letter. The information that we did submit  
14 was done in 2005. It wasn't that old. The inventory that  
15 was attached to the staff report was I think 2003. So it  
16 was actually later than that inventory.

17 And it verified, the 2005 verified the Wolston  
18 findings on the key elements that were utilized by staff  
19 for the basic recommendations on the criteria. So we felt  
20 that it was the most current information available, at  
21 least in the record checking the HPC's file before coming  
22 here tonight.

23 MR. ROTENSTEIN: Clare? In terms of the factual  
24 errors cited by the property owner?

25 MS. KELLY: I think that the reference is to Dan  
26 Kosi-Correll's letter which is from 2005, and he's drawing

1 heavily on the 1983 report done by Mark Wolston. The  
2 National Register nomination was done in December of 2003.  
3 So those are the documents that are before you.

4 MS. SEARS: But I think if you look at his  
5 footnotes, they go well beyond just relying on Mark  
6 Wolston. I think it happened to validate Mark Wolston, but  
7 it goes well beyond. There are extensive citations in the  
8 bibliography to that inventory, and there are three  
9 separate inventories, one on each of the parcels. So I  
10 would say that he did very much do the research that is  
11 current, and he did happen to make a point to agree with  
12 Mr. Wolston. That's all.

13 MR. ROTENSTEIN: Nonetheless, there are  
14 recognized experts who would respectfully disagree from  
15 what we've heard. You did present us with a lot of  
16 information regarding proposed land uses for this property.  
17 Again, I think we need to focus here on the actual criteria  
18 for designation, and I find that we've have a fairly  
19 voluminous record. I was part of the first hearings that  
20 we had on this when this was put on the Locational Atlas,  
21 and I don't find the information that you found  
22 particularly, you've provided us with particularly  
23 compelling since it essentially restates what we first saw  
24 a couple of years ago. Any other comments?

25 MR. DUFFY: I just have a simple question. Is it  
26 your position that the Falkland Apartments are of no

1 architectural or historical significance?

2 MS. SEARS: It's our position that they do not  
3 rise to the level of being included in the Master Plan  
4 based on the criteria that had been cited for inclusion.  
5 As I started out, we respectfully disagree with the staff  
6 for the reasons stated that there are, that it is not the  
7 first garden apartment in Montgomery County, nor was it --

8 MR. DUFFY: I recall that. My question was, is  
9 it your position that the Falkland Apartments are of no  
10 architectural or historical significance?

11 MS. SEARS: Well again, they have elements in the  
12 architecture, but the elements taken together based upon  
13 the criteria, they don't rise to the level of designation,  
14 and that's our position with reference to this --

15 MR. DUFFY: Okay, I understand your position.

16 MR. ROTENSTEIN: Anyone else care to comment?

17 MR. BURSTYN: Could I ask you to comment on your  
18 position regarding the Coppola Building?

19 MS. SEARS: You know, that has, that is on the  
20 Master Plan and we have no objection to that remaining on  
21 the Master Plan. Again, I think we said previously and we  
22 say here tonight that, of anything, that represents  
23 probably somewhat of a landmark to the county.

24 MR. LEENHOUTS: That building and its  
25 surroundings. And it's immediate surroundings.

26 MS. SEARS: But that's the south parcel.

1           MR. BURSTYN: How do you distinguish that from  
2 the rest of it?

3           MS. SEARS: Well that in and of itself, the  
4 Coppola Building would be the landmark. I don't think you  
5 have to have 25 acres in terms of three parcels for the  
6 reasons that the staff has stated that, you know the FHA,  
7 the first apartment building, and so forth. That, to the  
8 extent it's on the Master Plan, the owner understands that,  
9 does not object to that, and would continue to honor that.  
10 We're not here arguing that that should be taken off or it  
11 should be destroyed in any way. That's not what this is  
12 about. So to that, I think it's a perfectly logical  
13 argument that the same criteria don't apply to that as  
14 apply to the other portions of the property.

15           MR. BURSTYN: Well to continue with a point that  
16 you made, if the Coppola Building does have historic  
17 significance for various factors, should it also have as an  
18 important factor its environmental setting and so, if you  
19 would describe that environmental setting you would include  
20 in that what, a number of acres?

21           MR. SEARS: I think the owner --

22           MR. BURSTYN: The water, trees, what?

23           MR. LEENHOUTS: The density. The north parcel is  
24 entirely different than the parcel where the Coppola  
25 Building is. The north parcel has a road that runs through  
26 it. It's much higher density. It doesn't have the green

1 space the south parcel has.

2 MR. BURSTYN: Could I ask you, do you think that  
3 if you could go ahead with the north parcel as planned,  
4 what would be the impact on the remaining parcels with  
5 respect to its setting?

6 MR. LEENHOUTS: I think from the point of view of  
7 the residents, and we've had two residents meetings,  
8 described this to them. I don't think from their point of  
9 view it would be a major issue for a vast majority of  
10 residents.

11 MS. SEARS: That was the last of the parcels to  
12 be built. It was built, the design is different. The  
13 green space is different.

14 MR. BURSTYN: Well, it was only two years, right?

15 MR. SEARS: There's two years but, you know, for  
16 the reasons that are being advanced for the designation,  
17 they just don't exist for the, even if you were to assume  
18 for the sake of argument that exist in the south parcel,  
19 they wouldn't exist for the north parcel.

20 MR. LEENHOUTS: They may not have required the  
21 FHA financing because they were more profitable, higher  
22 density.

23 MS. SEARS: I think that's been testified here  
24 tonight.

25 MR. ROTENSTEIN: A point of order for what we do  
26 next, since we have no more testimony being taken, and we

1 have no more questions from the commission? Discussion?

2 MR. BURSTYN: I have a question for staff. In  
3 reviewing the information, I keep looking over the Park and  
4 Planning memo of November 14, '93, and also the County  
5 Council Resolution adopted June 11, 1985. I guess my  
6 question would be, given your recommendation now, what  
7 changed in the interim to jump from, were the decisions in  
8 the past clearly erroneous or did the environment change  
9 which affected certainly the buildings. I don't really  
10 think changed.

11 MS. KELLY: There's been a significant amount of  
12 research that's been done since 1985. There was a survey  
13 done of garden apartments in Montgomery County by Andrea  
14 Rebeck. There was a survey of buildings in the Silver  
15 Spring CBD, and there was extensive research done for the  
16 National Register nomination. All of this happened since  
17 1985. So that's what we're basing our recommendation on  
18 now.

19 MR. BURSTYN: So I was just thinking to follow up  
20 on that, you have three distinct parcels. So other than  
21 the Coppola, which is obviously different and that  
22 differentiation was previously recognized by the county.  
23 What ties the parcels together or what keeps them separate?  
24 It just seems to me that if you did lose one, you would  
25 still have historic elements and the importance of  
26 preserving the others. So how are the three tied in as one

1 whole or are they actually segmented into three different  
2 pieces?

3 MS. KELLY: The significance of the property is  
4 in its scale. And the scale of it is found in the three  
5 parcels. And it's because of the large scale design of  
6 this complex that makes it significant in the history of  
7 garden apartments and in Montgomery County. And if you  
8 lose one third of the property, if you lose one of the  
9 parcels, you don't have the sense of scale that you have  
10 with the entire complex.

11 MR. BURSTYN: Well, it seems to me that when you  
12 look at this and putting aside any action that, or approach  
13 that we could take to this commission, in dealing with the  
14 advent of the purple line and its options, and trying to  
15 preserve all three parcels under a Section 106 review, in  
16 trying to make an argument that a portion of the north  
17 parcel that could possibly be taken by the purple line,  
18 whether you could make it, whether you would have to make a  
19 distinct argument that there are elements in that  
20 particular section that would go into the purple line right  
21 of way that meet certain 106 criteria that have to be  
22 preserved, that those elements are not met by the remaining  
23 parcels.

24 MS. WRIGHT: Well let me just comment briefly on  
25 the purple line. First of all, I want to be clear that no  
26 alignment for the purple line has been approved. There are

1 several alignments that are under consideration. One of  
2 the alignments that is being seriously considered and that  
3 may be selected, although it hasn't been selected, is the  
4 alignment that would affect this complex. It is not a done  
5 deal absolute, but that's where the alignment for the  
6 purple line is going to go. That is still being studied.

7           Although I again will say, this is a good  
8 candidate for one of the locations for the alignment.  
9 Secondly, I think if the purple line does get selected  
10 along this alignment, it will have to go through Section  
11 106. That effort has been initiated by the consultants for  
12 MTA, Parsons Brinkehoff, and the consultants for MTA have  
13 found that the whole property is National Register  
14 eligible, including the north parcel, and that the purple  
15 line alignment along this particular area would have  
16 affects on portions of that north parcel, but would not  
17 require demolition of the entire north parcel. And that  
18 they are again, as consultants to MTA, making their  
19 comments about why they think that adverse impact might be  
20 acceptable and how to be litigated.

21           None of this has been decided. None of this has  
22 been decided in terms of alignment or whether that, you  
23 know, will be officially considered an adverse impact, or  
24 what litigation would be or any of that. So I think the  
25 purple line and its discussion may not necessarily be that  
26 productive a course to keep. You know, I think it may be a

1 tangent.

2 MR. ROTENSTEIN: I agree. Gwen makes some very  
3 significant points. First of all, the entire property has  
4 gone through the first stages of Section 106 consultation,  
5 and it has been determined eligible for listing in the  
6 National Register. Second of all, it has been determined  
7 by the proponents for the federal undertaking that there  
8 will be an adverse affect to the National Register  
9 property.

10 And also it is an ongoing consultation. There  
11 has been no agreement, nor formalized memorandum of  
12 agreement, memorializing what resolutions the adverse  
13 affects might be, if in fact this alignment is selected as  
14 a preferred alternative. So again, Gwen is correct that we  
15 should probably not dwell too much on the purple line.

16 But I do have some comments on some of the issues  
17 that Commissioner Burstyn raised. The fact that we have  
18 three separate parcels, or seemingly separate parcels is  
19 misleading because very often you have large scale  
20 development projects like this that are carried out in  
21 phases where you have at the initial phase some public  
22 subsidy or public assistance that then opens the flood gate  
23 for private sector investment.

24 So your funding screens for each of the phases  
25 are not going to be identical. One is going to be building  
26 off of the earlier phases. So I think it's somewhat

1 disingenuous to try and break these up into three separate  
2 parcels when in fact we're dealing with one large scale  
3 property as Clare has pointed out.

4 MR. DUFFY: I have a number of comments I'd like  
5 to make. I've been familiar with Falkland Apartments for  
6 perhaps 20 years. I used to know some people who lived  
7 there. And I've long considered them to be one of the  
8 finest examples of the garden city movement architecture  
9 and planning in this region, possibly the finest that I  
10 know of in this region. I think the green ways and  
11 courtyards are especially fine. Very well done. It's  
12 unusual how well the existing natural features were  
13 incorporated into the planning of the development at that  
14 time.

15 I also think that another feature that's  
16 unusually well done is the way the buildings are designed  
17 in relationship to the green ways and courtyards. I also  
18 think that the detailing of the buildings and the use of  
19 materials is particularly well done for buildings of these  
20 type. In addition, I'd like to say that I think that the  
21 rather subtle and successful mix of styles is one of the  
22 positives in the Falkland Apartments that makes the spaces  
23 so successful. It's not all one style. There's variety  
24 and that tends to humanize and diversity the spaces and the  
25 experiences of the space.

26 I do see the three parcels as an integrated

1 whole. I think if the north parcel were lost, you'd lose  
2 instead of having these buildings on three sides of the  
3 intersection, you'd have them on only two. Right now the  
4 north and the south parcels create common streetscape which  
5 would be lost on the north street. There are other aspects  
6 and which are integrated.

7 For example, there's a north south axis that runs  
8 in the plan from the north parcel to the south parcel. In  
9 a nutshell, in essence, my view is that as downtown Silver  
10 Spring continues to be redeveloped, it would be a real  
11 shame to lose this unique part of our environment.

12 MR. JESTER: I was not part of the, on the  
13 commission at the time of the initial hearings, but have  
14 obviously reviewed the information that was provided for  
15 this meeting, and I just want to echo a couple of comments  
16 that Commissioner Duffy made. I do, I agree that some of  
17 the arguments about not being a pure example are a bit  
18 hollow. I think, and again, the variety is important and  
19 that variation is, can be just as significant as a pure  
20 example of a particular style.

21 I'm also not as concerned about whether the  
22 property is the first FHA one or the second or the third.  
23 This is clearly an early example. It's an important local  
24 example, and I think that for those reasons it rises to the  
25 level of being eligible under the criteria that the staff  
26 stated in their report.

1           And I also want to point out that I feel that the  
2 current scholarship is very important. We can't just not  
3 take into account the current scholarship. What may have  
4 occurred in the past was a certain time and place, but the  
5 work that's been done, the information that's been gleaned  
6 since that time does help inform the eligibility of  
7 properties at this current time. So I think that's  
8 important.

9           MR. ANAHTAR: Yeah, I would like to remind you  
10 all of the fact that we are, what we are discussing tonight  
11 is whether the Falkland Apartments are eligible for  
12 designation or not. And I think we have enough information  
13 to determine that. This commission in the future can  
14 always review a new proposal by the applicant that would be  
15 more human scale and that would preserve the existing  
16 buildings, enhance the historic character, historic setting  
17 of this development, but what we are trying to determine  
18 tonight is whether they're eligible for designation or not.

19           And I think we have enough information to vote on  
20 that and determine whether it is or not.

21           MR. FLEMING: In listening to all of the  
22 discussion, I have to echo what you brought here tonight,  
23 and it's gorgeous to me. I really like what you are  
24 attempting to do. But the need is what we're trying to  
25 access tonight. The need of what the people here in  
26 Montgomery County. The need of what we need in this

1 particular area. What you have here, if you circle the  
2 four corners of D.C., you will find similar type of  
3 infrastructure here.

4           If you look at the need at Falkland site, it's  
5 probably the only place in D.C. that's like that. So we've  
6 got to see what the need is for the people economically can  
7 afford, and can live in a place where they can really enjoy  
8 something that's been here for a number of years. Even  
9 though your new infrastructure is needed, but I don't think  
10 it overrides what we have now.

11           MR. ROTENSTEIN: In adding my two cents to the  
12 comments, I also agree that the staff report has summarized  
13 the voluminous amount of information we have regarding the  
14 significance of this property. I also recall very well the  
15 2005 discussion that we had. And the testimony we've had  
16 in the interim, and the testimony that we've had this  
17 evening only underscores the significance of this property.  
18 Not only the historic preservation to history and to  
19 architecture, but to the community itself. And I am not  
20 swayed by any of the information provided by the property  
21 owner that this is anything but a significant property.

22           I guess the next step would be for us to  
23 entertain a motion to recommend this to the Planning Board.

24           MS. KELLY: Yes, and the issue is about whether  
25 the property is eligible for designation to the Master  
26 Plan.

1 MR. ROTENSTEIN: Do we need a formal motion on  
2 that?

3 MS. KELLY: Yes.

4 MR. ROTENSTEIN: Would somebody care to --

5 MR. DUFFY: I move that we recommend to the  
6 Planning Board that the Falkland Apartments, all three  
7 parcels, are eligible for designation to the Master Plan  
8 for Historic Preservation.

9 MS. ANAHTAR: Second.

10 MR. ROTENSTEIN: Is there any discussion? All in  
11 favor?

12 VOTE.

13 MR. ROTENSTEIN: We have Commissioners Jester,  
14 Anahtar, Duffy and Fleming and Rotenstein voting in favor.  
15 One opposed. Commissioner Burstyn. Would you care to  
16 state your reason?

17 MR. BURSTYN: I have actually various reasons. I  
18 really don't like this either or it seems. And I'm also  
19 very bothered by that in the county we don't seem to be  
20 going forward preserving the elements that we consider  
21 important until somebody wants to change them. I'd like to  
22 know how come if the Falkland Apartments were significantly  
23 historically, that a move wasn't pushed forward before the  
24 owner/developer came forward. And I think, and this has  
25 happened before Up County. And so we have to start looking  
26 at our resources and making hard decisions on what we want

1 to do, and if we want to preserve these things, I think we  
2 should begin to inventory and preserve them before we get  
3 into these crunch situations.

4           And also, I am confronted with the element here  
5 of three distinct parcels. And when you look at the  
6 characteristics of why it should go forward as a National  
7 Register site, those elements still exist for the west and  
8 south parcel. Nothing is happening to those elements thus  
9 splitting the one. And so, and when I look at it, when I  
10 look at the history of what happened in the past, there  
11 used to be more to the Falkland Apartments, but decision  
12 makers let that go. They let windows be changed. There  
13 were decisions by the Planning Board that said that it's of  
14 marginal historic significance, and our come back for this  
15 is now that we possibly have new information, but the new  
16 information could be such things as architecturally  
17 significant in the time period we recognize as a garden  
18 apartment of the '30s and first financing by FHA, which are  
19 all commendable elements, but those elements still apply to  
20 the remaining parcels.

21           And then you also look at the decision in the  
22 past where they mention here that there should be weighing  
23 of the economic benefits to the Silver Spring CBD versus  
24 preserving the entire site. And this is what the council  
25 looked at in 1985. So again, going back is, in thinking  
26 about the, it shouldn't be an either or situation. You

1 could take the north parcel and require some type of  
2 preservation of the front so the south parcel looking at  
3 the north parcel, you're not going to look at an entirely  
4 new development. You're going to have a buffer so to  
5 speak, at least on the East West Highway portion that kind  
6 of separates the two.

7           But, I mean, I'm just brainstorming here. I'm  
8 not throwing out real solutions.

9           MS. ANAHTAR: Lee, I think you're confused here.

10          MR. ROTENSTEIN: Well, we closed the discussion.

MS. ANAHTAR: Well, you have to remember that this designation does not mean that we will not allow any future development on this site. But this will allow us to have the opportunity to review any future developments that will be more historic friendly and that would preserve in my methods.

MR. BURSTYN: All right, well I've said enough then.

MR. ROTENSTEIN: Thank you. So the next step is the staff sends a letter?

MS. WRIGHT: Well, the next step is that your recommendation will be sent in the form of a letter to the Planning Board. We had the anticipation that this would come up before the Planning Board in early September. At this point that date has changed, and it will come up, I believe the current date is October 18th. And it will come up at the Planning Board as another public hearing. Citizens can certainly testify. We probably should have a commissioner representative testify. So we'll make sure you're aware of that date once it gets finalized.

MR. ROTENSTEIN: Thank you. Thank you all for coming in, and thank you to the concerned parties for attending. We have one more Master Plan Designation work session to discuss. We'll reconvene at 10:30.