

**Weiss, Piera**

**From:** Evan A. Goldman [EGoldman@federalrealty.com]  
**Sent:** Wednesday, June 17, 2009 8:41 PM  
**To:** Hanson, Royce; Presley, Amy; Cryor, Jean; 'Joe Alfandre'; 'john.robinson@mncppc-mc.org'  
**Cc:** Weiss, Piera; Stanley, Rollin; Yearwood, Nkosi  
**Subject:** FW: Suggested modifications to White Flint Sector Plan Staff Draft

Dear Chairman Hanson,

On behalf of the White Flint Partnership I would like to submit the following email with some minor final comments in regards to the White Flint Sector Plan Staff Draft. Thank you very much for the amount of time and effort you and the other Planning Board members have put into the White Flint Sector Plan. The revised draft is the culmination of over 3 years of work and the first step towards creating a new model for development in Montgomery County. Below is an email which we sent to Piera Weiss outlining some final modifications we hope the Planning Board will consider before final adoption of the plan. We appreciate all of your work to date and look forward to working with you in the coming months as the Sector Plan is introduced to the County Executive and County Council.

Best Regards,

The White Flint Partnership

**From:** Evan A. Goldman  
**Sent:** Wednesday, June 17, 2009 8:28 PM  
**To:** Weiss, Piera  
**Cc:** 'Yearwood, Nkosi'; Rollin Stanley (rollin.stanley@mncppc-mc.org)  
**Subject:** Suggested modifications to White Flint Sector Plan Staff Draft

Dear Piera,

Thank you very much for all of your work on the White Flint Sector Plan revised Staff Draft. The plan does an excellent job of resolving most of the issues that have been raised by the various stakeholders over the past 6 months and creates a plan that is very close to the vision expressed by the White Flint Advisory Board. We appreciate the key role you played in making this happen. The White Flint Partnership is in support of the Sector Plan and look forward to its approval in the coming weeks by the Planning Board. There are a few outstanding issues which we wanted to bring to your attention prior to finalizing the draft. It is our assumption that discussion of the Staff Draft won't occur until the July 9th work-session, but just in case it is brought up tomorrow, below is the list which the White Flint Partnership compiled late this afternoon.

Best regards,

The White Flint Partnership

1. Page 21:
  - a. Strengthen language about below grade utilities so that it reads, "*All primary service utilities to be located within the Right-of-way.*"
  - b. Add the Glatting Jackson section to this page as an alternate.
2. Page 25:
  - a. Remove requirement for "private outdoor spaces for each unit." The White Flint Sector Plan is about creating a community. We agree with the CR zone requirements for shared outdoor and

indoor community spaces for residential buildings. The phrase, "Private outdoor space for each unit," unnecessarily adds construction costs, limits architectural design, reduces flexibility in planning, and does not encourage community interaction.

3. Page 28:

- a. Remove following language, "this plan recommends that proposed development should include vertical integration of uses, so that there are few single use vertical buildings." The WFP does not agree that there is a need to mix residential and office in the same specific building but we do agree that it is beneficial when these uses are adjacent or in close proximity to one another as a mixed use project. Please modify language to read, "*this plan recommends that proposed development plans integrate a mix of uses so that neighborhoods have a balance of uses. This plan also encourages integration of retail at the base of both residential and commercial buildings where feasible and practical.*"

4. Page 29:

- a. The plan proposes, "9,800 new units of which at least 12.5% will be MPDU's and 10% WFHU's." We continue to disagree with this policy for the following reasons:
  - i. Providing affordable units is a public amenity. It is counterproductive to include these units under the cap for development because this creates a disincentive to provide any additional affordable units above the minimum requirement because they simply reduce the total number of market rate residential units that can ever be built in the sector plan area.
  - ii. Since the CR zone allows for additional density bonuses for affordable units, these units should not be included under the staging cap.
  - iii. Finally, given that the CR zone reduces parking for MPDU's to zero and WFHU's to .5 spaces per unit, there will be less of a transportation impact from affordable units than from market rate units and they should be excluded from the staging cap.
- b. Modify language requiring that, "all new residential development should include different unit types and sizes" to "because of the number of varied residential buildings that will be constructed within the White Flint Sector Plan the plan will produce residential development with different unit types and sizes."

5. Page 49:

- a. In regards to the sustainability recommendations under the second bullet, delete the specifics and keep the main point, but allow flexibility in the future as technologies change to address these issues in the most appropriate manner.

6. Page 54:

- a. Chart has 150' instead of 162' for ROW. A footnote should be added to the chart that states, "Based upon the outcome of the design study for Rockville Pike and the potential Bus Rapid Transit system, the ROW can be increased to 162' to accommodate a BRT system in the center lanes."

7. Page 68 – 73:

- a. The WFP has concerns about the phasing and staging plan as drafted. We will comment separately after the worksession on this topic.

**Weiss, Piera**

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**From:** The Goldbergs [nmgold@verizon.net]  
**Sent:** Wednesday, June 17, 2009 10:03 PM  
**To:** Weiss, Piera; Hardy, Dan  
**Cc:** Glenn Adler; Suzanne Hudson  
**Subject:** Nebel Street Extended

I urge you to watch the video of the May 4th Planning Board worksession, specifically from 1:54 through 1:55:17. At this session and at this point in the session, the Planning Board agrees to an 80 foot ROW for Nebel Street Extended and specifically indicates that the 3rd lane would not be a through traffic lane, but would be used for left turns.

The new Sector Plan draft is supporting a 90 foot ROW with three lanes of traffic. I'd like to see this corrected.

Thanks

Natalie Goldberg

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**Weiss, Piera**

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**From:** danhoffman123@aol.com  
**Sent:** Thursday, June 18, 2009 1:45 AM  
**To:** MCP-Chair  
**Cc:** Kenneth.Hartman@montgomerycountymd.gov; Yearwood, Nkosi; Weiss, Piera; Councilmember.Berliner@montgomerycountymd.gov; cindy.gibson@montgomerycountymd.gov; Councilmember.floreen@montgomerycountymd.gov; councilmember.leventhal@montgomerycountymd.gov; Councilmember.Elrich@montgomerycountymd.gov  
**Subject:** Randolph Hills Civic Association Comments on White Flint Planning Board Draft  
**Attachments:** Sector\_Plan\_Feedback\_Letter\_FINAL.pdf

Please read the attached letter to the Montgomery County Planning Board from the Randolph Hills Civic Association regarding the Planning Board draft of the White Flint Sector Plan. Thank you for your time.

Dan Hoffman  
Randolph Hills Civic Association  
[www.randolphcivic.org](http://www.randolphcivic.org)

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Dell Days of Deals! June 15-24 - A New Deal Everyday!

Montgomery County Planning Board  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

June 17th, 2009

Chairman and Commissioners:

The Randolph Hills Civic Association (RCA) would like to express its overall approval of the White Flint Sector Plan draft that was released earlier this week. Although we have a list of comments and suggestions to strengthen the document, provided as an attachment to this letter, we feel that the Plan stays true to the vision of the Advisory Group and Steering Committee. We understand that there will be pockets of concern among residents and developers within the boundaries and in the surrounding community, but the plan as a whole provides a strong blueprint for a redeveloped White Flint. Our civic association, representing over 1300 homes, will support this plan, but are seeking some minor clarifications.

The positives in the plan include the improved network of streets and MARC station on Nicholson Court. If developed properly, with a safe pedestrian crossing over the railroad tracks, these improvements will help to better integrate our community with the sector. We also support the expansion of White Flint Neighborhood Park. Our community is fortunate to have ample parkland, and we seek this for our neighbors to the south as well.

One basic community need we do not currently have is ample classroom space. On May 4th, 2009, Commissioner Joe Alfandre voted along with Commissioners Pressley and Cryor to recommend the 18 acres of Rocking Horse Center as the ideal site for a new elementary school. Although this new version of the plan does finally acknowledge Rocking Horse as a possibility, it does not accurately reflect the decision reached by the Planning Board. Our suggested language is provided in the attachment to this document.

A general sentiment among our community is that we too often are forgotten on the east side of the railroad tracks. Regardless of whether or not this is true, our perception is our reality. Undoubtedly unintentional, some sections of the Plan reinforce this perception. We agree that individually they are minor, but in aggregate we feel they convey the wrong message. We respectfully ask that you honor the time and commitment we have shown during the development of this Plan and will continue to demonstrate as partners in the successful transformation of White Flint.

Sincerely,

Daniel Hoffman  
Randolph Civic Association  
White Flint Sector Plan Steering Committee

## **Randolph Civic Association Suggestions for the White Flint Planning Board Draft**

Page 15, Figure 5 - Please center this map to accurately depict the surrounding communities. The Sector does not face west. The communities to the east are not shown, but are equidistant from the White Flint core. These communities have just as much at stake. You could then also show the largest park in the area, Rock Creek Park.

Pages 26 and 27, Figures 13 and 14 - We ask not to be cut from maps that we feel are relevant to our community. We are the largest single collection of workforce housing in the form of single family homes adjacent to White Flint. Although we have a narrow industrial buffer, we have an equal, if not greater, impact on the sector due to our size. In the case of Figure 13, we feel it might be helpful to point out the 40 acres of park space approximately one mile to the east of the sector, Randolph Hills local park.

Page 29, Subsection titled "Industrial" - We assume this refers primarily to the swath of land between the sector boundary and Randolph Hills. We question the assumption that redevelopment in this area is "questionable", especially given the proposed MARC station. We feel the station will also have a positive impact on the property on the east side of the tracks owned by Kronstadt Realty. Chairman Hanson has referred to a "White Flint Phase II" that would include this area. We encourage this and look forward to participating.

Page 59, Figure 29 - Similar to previous suggestions, please properly center White Flint on this map. By doing this you could include Randolph Hills local park as we previously suggested. Also, we feel it very important to label the landmarks in our neighborhood as you do others. With that in mind, please label the school site recommended by the Planning Board. The school site is also not listed in the legend under, "Proposed Facilities." Please do this and assign the proper icon to the site.

Page 62, Public Schools section - Please strike this section beginning with the second paragraph and replace with this alternative language that we feel is more accurate:

*There is no site large enough for a typical 10-12 acre elementary school within the Plan area. As a result of this, it is recommended that MCPS consider utilizing Rocking Horse Center, a closed elementary school on 18 acres of land located approximately .5 miles from center of the sector on Macon Road.*

*Currently the center is used as an international student admission office and for other administrative functions. Personnel could be relocated to transit-accessible office space within the sector plan. Providing these services closer to a Metro station would benefit the people using these services and the staff by giving them the option to use mass transit. It would also alleviate current capacity problems at Viers Mill Elementary by providing a neighborhood adjacent to the sector with a neighborhood school. MCPS staff has voiced the possibility of using this site as a middle*

*school in the future; however, there is sufficient space on the property for both uses.*

This revised section is preferred because:

- It corrects and clarifies several items such as the location and name of the school.
- It removes irrelevant locations that MCPS dismissed in their testimony and are not endorsed by the Planning Board.
- It accurately describes the decision of the Planning Board.

Page 65, Amenity Fund subsection - It may be appropriate to include school modernization here as part of the CIP in support of the sector.

Page 71, Phase 2b - Given the current capacity of surrounding elementary schools, we strongly encourage evaluations to begin immediately. An evaluation in Phase 1 will allow for better planning in later phases and will set the stage for new school construction/modernization sooner if the need is identified. Also, the bullet regarding a new school should strike "within the cluster." This not only goes against the Planning Board decision, but we feel it has been established that this is not part of the criteria planning staff should be using. The White Flint sector impacts more than one cluster and boundary decisions should be left to the School Board.

Page 71, Phase Three - The RCA would like to see infrastructure precede development, not the other way around. We feel it is better to have a new Rockville Pike, MARC station, and new Metro entrance well before the later stages.

**MCP-CTRACK**

**From:** BZall@aol.com  
**Sent:** Wednesday, June 17, 2009 1:21 PM  
**To:** MCP-Chair  
**Subject:** Letter supporting Draft White Flint Sector Plan  
**Attachments:** Ltr to Planning Brd on 6-18-09 Draft Plan.pdf

**RECEIVED**  
JUN 17 2009

OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Chairman Hanson:

Attached please find a letter from Friends of White Flint in support of the Draft White Flint Plan to be discussed at tomorrow's Board worksession.

Thank you for your hard work on this matter.

Barnaby Zall  
Of Counsel  
Weinberg & Jacobs, LLP  
11300 Rockville Pike, Suite 1200  
Rockville, MD 20852  
301-231-6943 (direct dial)  
301-984-1200 (personal fax)  
[bzall@aol.com](mailto:bzall@aol.com)

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**Dell Days of Deals! June 15-24 - A New Deal Everyday!**



# Friends of White Flint

Promoting a Sustainable, Walkable, and Engaging Community

P.O. Box 2222, White Flint Station, Kensington, MD 20891-2222 301-984-1200

June 17, 2009

Montgomery County Planning Board  
The Hon. Royce Hanson  
Chairman  
8787 Georgia Ave.  
Silver Spring, MD 20910

**RE: Support for June 2009 Staff Draft of White Flint Sector Plan**

Dear Mr. Chairman and Members of the Board:

I am writing to express our support for the Draft Planning Board Draft White Flint Sector Plan, released June 15, 2009 ("Draft Plan").

As you know, Friends of White Flint is a nonprofit organization dedicated to achieving the Goal and Vision described in the 2008 White Flint Advisory Group Final Report to the Planning Board. Our members, including the largest community organizations, businesses, employers, and property owners in the White Flint area, represent thousands of White Flint residents and workers. We have actively promoted the revitalization of White Flint.

We have reviewed the Draft Plan, and believe that, if implemented, it will help achieve the Advisory Group's Vision. We therefore strongly support the enactment of the Draft Plan.

We also believe the Draft Plan can be improved, and we will have specific comments on a few parts of the Draft Plan by July 2, 2009. We are particularly concerned about the staging and implementation portion of the Draft Plan, and will review the Board's decisions after the June 18 worksession.

Thank you for your hard work and dedication to this long and complex process.

Sincerely,



Barnaby W. Zall  
Co-Chair

**MCP-CTRACK**

**From:** Michael J. Smith [MSmith@lcor.com]  
**Sent:** Wednesday, June 17, 2009 11:01 AM  
**To:** MCP-Chair  
**Cc:** Weiss, Piera; Elmendorf, Stephen P. - SPE  
**Subject:** FW: White Flint Sector Plan - Grandfathering

**Sensitivity:** Confidential

**RECEIVED**

JUN 17 2009

OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Mr. Chairman:

At the suggestion of staff, I am writing to request the addition of the following clarifying sentence to the staging and phasing sections of the White Flint Master Plan:

"Preliminary Plan approved projects within the White Flint district are exempt from staging or phasing."

Given all of the approvals North Bethesda Center has received and the extensive commitments LCOR has made to fund and install infrastructure, we would like the proposed Master Plan to acknowledge that projects with Preliminary Plan approval are not subject to the phasing and staging tests to be imposed in the district. I hope that you and the Board can support this request.

I would be happy to discuss this request with you if you have any questions. I will also be available throughout Thursday's hearing.

Regards,

Mike Smith  
Project Executive  
North Bethesda Center

301-581-1215

**Addendum #1**

**To:** Montgomery County Planning Board

**From:** Nkosi Yearwood  
South Central Transit Corridor Team

**Date:** June 17, 2009

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Attached are letters requesting language modifications to the draft plan. The letters are from the following individuals:

- Mike Smith, LCOR-North Bethesda Center ①
- Greg Trimmer, JBG Companies ② - ⑥
- Evan Goldman, Federal Realty Investment Trust, Mid-Pike Shopping Center ⑦ - ⑫
- Natalie Goldberg, White Flint Park-Garrett Park Estates ⑬
- Pamela Lindstrom, Housing Opportunities Commission ⑭
- White Flint Partnership ⑮ - ⑰

**Weiss, Piera**

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**From:** Michael J. Smith [MSmith@lcor.com]  
**Sent:** Wednesday, June 17, 2009 11:01 AM  
**To:** MCP-Chair  
**Cc:** Weiss, Piera; Elmendorf, Stephen P. - SPE  
**Subject:** FW: White Flint Sector Plan - Grandfathering

**Sensitivity:** Confidential

Mr. Chairman:

At the suggestion of staff, I am writing to request the addition of the following clarifying sentence to the staging and phasing sections of the White Flint Master Plan:

"Preliminary Plan approved projects within the White Flint district are exempt from staging or phasing."

Given all of the approvals North Bethesda Center has received and the extensive commitments LCOR has made to fund and install infrastructure, we would like the proposed Master Plan to acknowledge that projects with Preliminary Plan approval are not subject to the phasing and staging tests to be imposed in the district. I hope that you and the Board can support this request.

I would be happy to discuss this request with you if you have any questions. I will also be available throughout Thursday's hearing.

Regards,

Mike Smith  
Project Executive  
North Bethesda Center

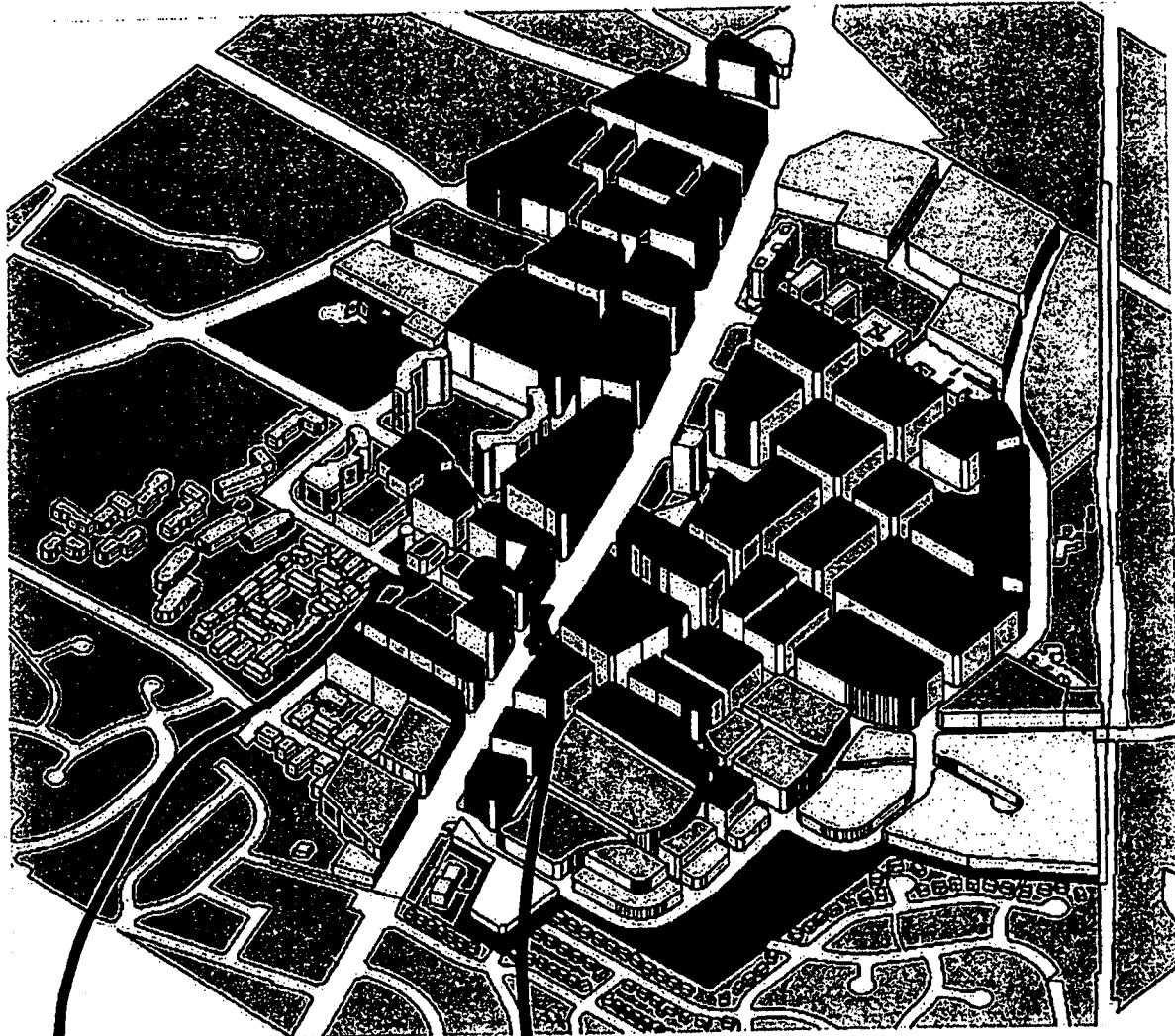
301-581-1215

①

**The JBG Companies - Recommended Edits for  
The White Flint Sector Plan Planning Board Final Draft  
June 16, 2009**

- P.24 – The Proposed Building Height Plan needs to be corrected to match up with the Density/Height Plan. For example, the Building Height should show the Chili’s site at 300’. *See* attached mark-up of the Plan.
- P.27 – Figure 14: Height and Density Plan does not reflect the recommendations contained in the Plan for JBG sites in the North Bethesda Market District. The Chili’s site needs to reflect a 4.0 FAR and 300’ height. The NoBe site correctly shows the 300’ but needs to show the FAR 4.0 in the development closest to Rockville Pike. The Rockwall property also should show the FAR 4.0. *See* the attached mark-up of the Plan.
- P. 37: On Block 2, the third sentence in bullet #2 should be deleted. As discussed, maximum densities, as achieved through the CR zone incentive standards, should be an option.
- P. 38: The Height/Density Map at the top of the page needs to be revised to reflect the FARs and heights as recommended in the Plan. The Chili’s site needs to be modified to show FAR 4.0 for most of the site with the southwest portion at a 3.0 FAR for a transition (as we discussed). The height for the Chili’s site needs to reflect the 300’. The NoBe site needs to reflect a FAR 4.0 for the portion of the property east of the Paseo and 3.0 FAR west of the Paseo (which it does). The Height is correctly depicted for this area. The Rockwall property needs to reflect the FAR 4.0 and 300’ height. *See* the attached mark-up of the Plan.
- P. 51 – The Existing and Proposed Street Classification Plan should show Executive Boulevard on the NoBe site as existing and not proposed since it presently is being built as part of the development. Also, while we generally agree with the location of the “private streets,” the illustration should make clear that the “proposed streets” listed as “Public/Private/Alley” should be treated as illustrative. Flexibility is needed for the location and design of the improvement. We want to make sure that by showing these private streets, they are set in stone and cannot be adjusted/modified at a later date based on conditions at that time.
- P. 67 – The Draft CR Zone – White Flint Sector Plan Area needs to be modified for the Chili’s site to reflect the changes made on p. 24, p. 27 and p. 38. *See* the attached mark-up of the Plan.

White Flint Planning Board Draft Plan



Recommended Building Heights

	300'
	250'
	200'
	150'
	100'
	70'
	50'
	Existing

*The Chili's site show H 300  
and the shaded area shall be  
included in the H300 area.*

Figure 12: Proposed Building Height Plan

*Consider 150' for  
NobE + Chili's site  
closer to Woodglen.*



**Compatibility**

White Flint Park, Garrett Park Estates, Crest of Wickford, Old Georgetown Village and Luxmanor are single-family and town house communities not within the Sector Plan area but surround it. These neighborhoods have differing densities and scales. New development at the edges must be compatible with respect to building height, scale and density, and should accommodate pedestrian and bicycle access from existing neighborhoods. Landscaped buffers, compatible uses, and buildings of appropriate bulk and height should be located adjacent to existing communities.

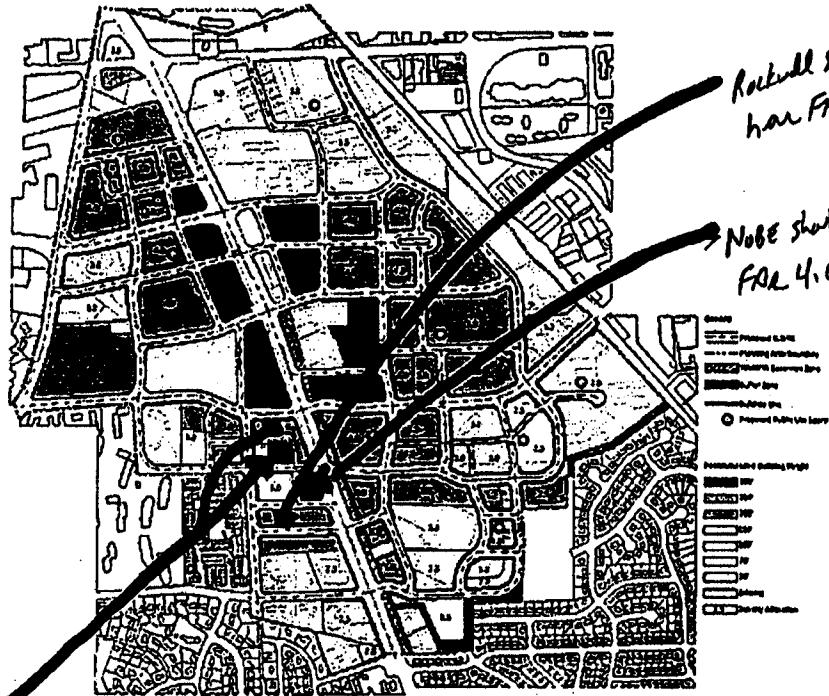


Figure 14: Height and Density

*Chili's site should be FAR 4.0 and the shaded area shall be included in FAR 4.0. That area should be 300'*

*Rockwell should have FAR 4.0*

*Nobe should have FAR 4.0*

The proposed density and height map indicate the areas where heights and density transition to the surrounding neighborhoods.

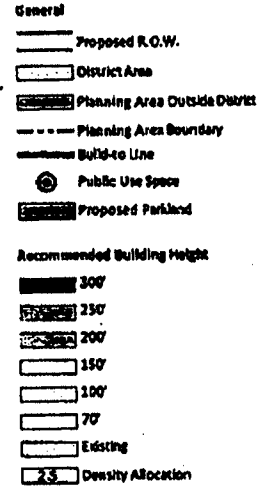
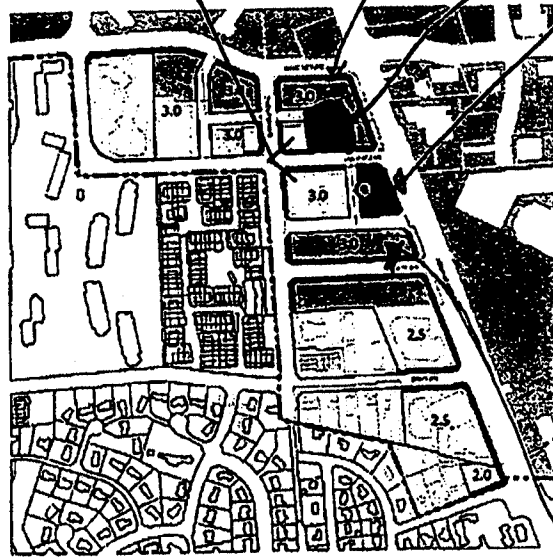
*\* Consider 150' for Chili's and Nobe site closest to Woodglens.*

**Sustainability**

An urban pattern with local services in walking distance reduces the dependency on the automobile. Proximity to transit increases the potential for residents use transit. Energy conservation, on-site energy generation or renewable energy sources reduces the costs of energy transmission. On-site storm water management improves water quality and quantity. Energy efficient building design reduces environmental impact and carbon emissions. Street trees add to the tree canopy and reduce the heat island effect.

White Flint Planning Board Draft Plan

- Rezone the OM south of Edson Lane to CR 2.5, C2, R1.25, and H 150 feet to transition to the CT zone and residential uses to the south.
- Rezone the property zoned C2 to CR 2.5, C2, R1.25, and H150 feet to continue the transition to the less dense and residential uses at the southern boundary of the Sector Plan.



Rockwell should be FAR 4.0.

Block 5: Hillery Way

- Recommend RT 12.5 Zone as suitable for the R-90 properties.
- Rezone the C-2 Zone to CR1.5, C 0.75, and R 1.5 and H 50 feet to complete the density transition in the District. This zone allows for all residential development if desirable.

NOBE District - Existing and Proposed Zoning

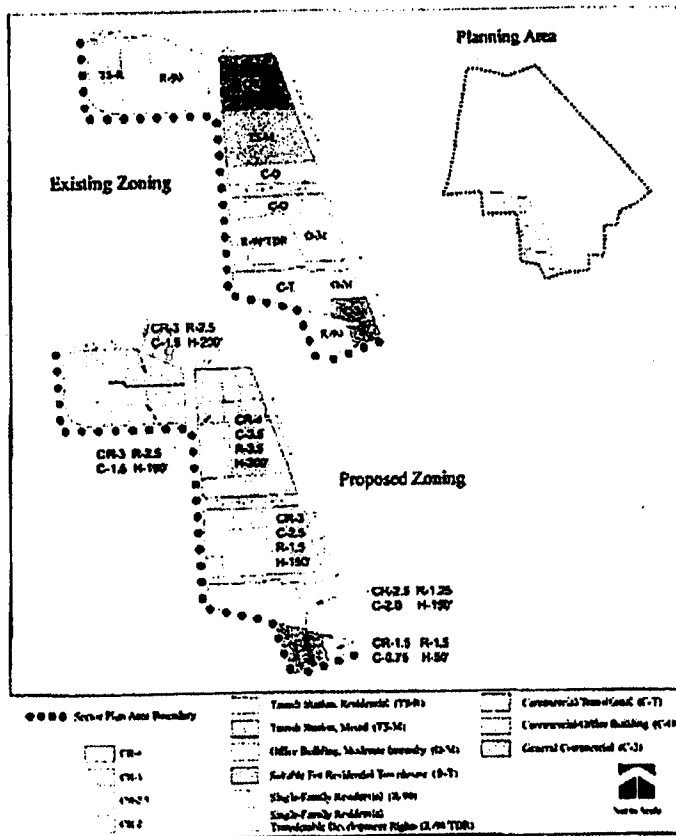
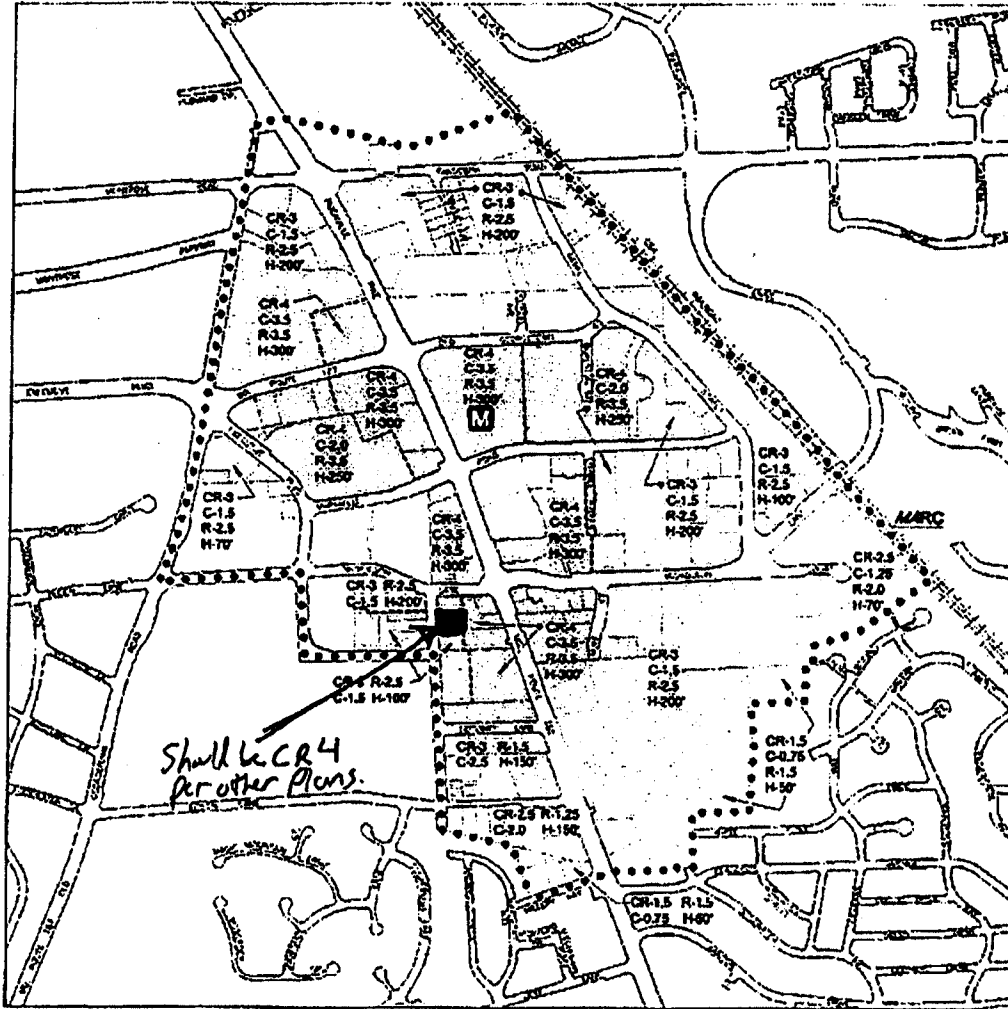




Figure31: Proposed CR Zones

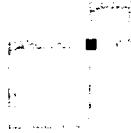
Draft CR Zone - White Flint Sector Plan Area



- Sector Plan Area Boundary
- M** White Flint Metro Station
- MARC** Proposed MARC Train Station

- CR-1
- CR-3
- CR-2.5
- CR-1.5





June 2, 2009

1626 East Jefferson Street  
Rockville, MD 20852-4041  
PH 301.998.8100

Dr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Chairman Hanson:

This letter is to describe three outstanding issues that are of concern to Federal Realty in regards to the Mid-Pike Plaza neighborhood recommendations.

1. Recommended Building Heights
2. Retail Requirement at the Corner of Old Georgetown Road and Executive Boulevard
3. Fire Station Location

**ITEM 1: Recommended Building Heights:**

At the Planning Board worksession on March 30, 2009, Federal Realty presented a design scheme for the redevelopment of Mid-Pike Plaza with corresponding height limits (See attached **Exhibit A**). At the worksession on May 11th Federal Realty learned that Staff was recommending height limits that were not consistent with the design that we presented in March. On May 13th, 2009, Chris Weber of Federal Realty, our attorney, Barbara Sears, and I met with John Carter, Nkosi Yearwood and Luis Estrada to discuss the differences. We were advised that Staff found the heights we had proposed at the northern edge of our property to be too high. In response, Federal Realty indicated that we were open to lower heights in some locations if additional height was recommended elsewhere on the Property, so that the overall program of uses could be achieved while respecting Staff's desire to lower the building heights in specific areas.

To accomplish this goal, John Carter recommended that the 300' height shown on our property at the southeast corner be extended along the entire frontage of our property along Rockville Pike. Luis recommended that instead the height step down from the 300' at the corner to 250' on both the blocks to the north and west. The remainder of the property would remain 200' in height per the May 11th Staff draft. We agreed to compromise and accept lower heights in the northern portion of the Mid-Pike block in return for the step down in height from the corner of Rockville Pike and Old Georgetown Road described by Luis. (See attached **Exhibit B** for Staff's recommended heights, and **Exhibit C** for the agreed-upon heights in the May 13th meeting).

7

At the worksession on May 18th we realized that the plans showing the proposed heights on the Mid-Pike block had not been updated to reflect the agreed modifications. We submitted an email (see attached **Exhibit D**) that afternoon and the issue was raised at the worksession that evening. The May 13th meeting between Staff and Federal Realty was alluded to at the worksession but unfortunately a clear articulation of the agreed modifications was not presented and to our understanding the heights were not modified.

While we understand there are numerous minor issues remaining in the Staff draft, this is an important matter for Federal Realty. The decision has an impact on the value of and ability to redevelop the property effectively. Contextually, in every other area in the Sector Plan where staff recommended a height of 300', it is bordered by an area with 250' followed by 200'. This is a logical step down that will create the type of tenting that has been described by both Staff and Board members. The Mid-Pike property is the only location where the step-down is from 300' directly to 200'. In addition, with the opening of the second north Metro entrance directly across from our southeast corner, the two parcels on which we are asking for additional height will be within 300' of a Metro entrance. There are properties 700' to the south of the southern Metro entrance with a proposed height of 250', and the 200' recommendation does not begin until you are 1100' south of the southern Metro entrance along Rockville Pike. A distance of 300' from the northern entrance seems close enough to warrant at least 250' if not 300' in height. We, therefore, respectfully ask the Planning Board to revisit this issue and recommend this slight modification to the height recommendations for Mid-Pike to reflect the drawing attached as **Exhibit B**.

## **ITEM 2: Retail Requirement**

The design guidelines recommend street retail at the corner of Old Georgetown Road and Executive Boulevard. While we agree with the other 11 recommended retail locations within our site, we do not believe that this corner is appropriate for retail or will be economically viable. Federal Realty is one of the most successful street retail developers in the Country. It has been our experience that retail that is not integrated into a well planned Main Street District often struggles to find tenants and in fact dilutes the power of well-focused synergistic retail streets. While the location at the corner of Old Georgetown Road and Executive has good auto traffic, once visitors park and exit the garage onto the primary retail streets, it is unlikely that they will make a trip around the corner to an isolated retail location. Given our experience with retail and building Main Streets throughout the Country we have every intention of maximizing the use of retail at the ground level of our proposed buildings within the Mid-Pike neighborhood, however we do not feel that this is the appropriate location for mandatory retail. We request that the Board modify this recommendation so that we do not have to deal with the prospect of vacant retail space in the future which will be a detriment for the community.

**ITEM 3: Fire Station Location**

At the worksession on May 18th, it was brought to our attention that Staff was recommending a fire station along the Mid-Pike block Main Street at the entry to our new development. We understand the access concerns that the fire department may have and believe there are other locations within the State Highway property that can serve the needs of the fire department without endangering the lives of our customers and the character of our Main Street. We are particularly concerned about the fire truck movement if there is a fire to the west or southwest of Mid-Pike in which case the fire trucks would drive the entire length of our Main Street to get access to Old Georgetown Road. See attached **Exhibit E** for a plan for a fire station on the northern SHA property. By modifying the intersection of Old Georgetown Road and Rockville Pike or by continuing Montrose Road to the Pike with an emergency-only traffic light, we believe a fire station would have even better access to the three main arterial roads in White Flint (Rockville Pike, Old Georgetown Road, and Montrose Parkway). A second option is to move the fire station to the SHA parcel to the southeast corner of the Montrose Parkway /Rockville Pike intersection. This area is industrial and commercial today and has little hope of redevelopment in the short-term.

Thank you for your consideration of these points. Should you have any questions, please feel free to contact us.

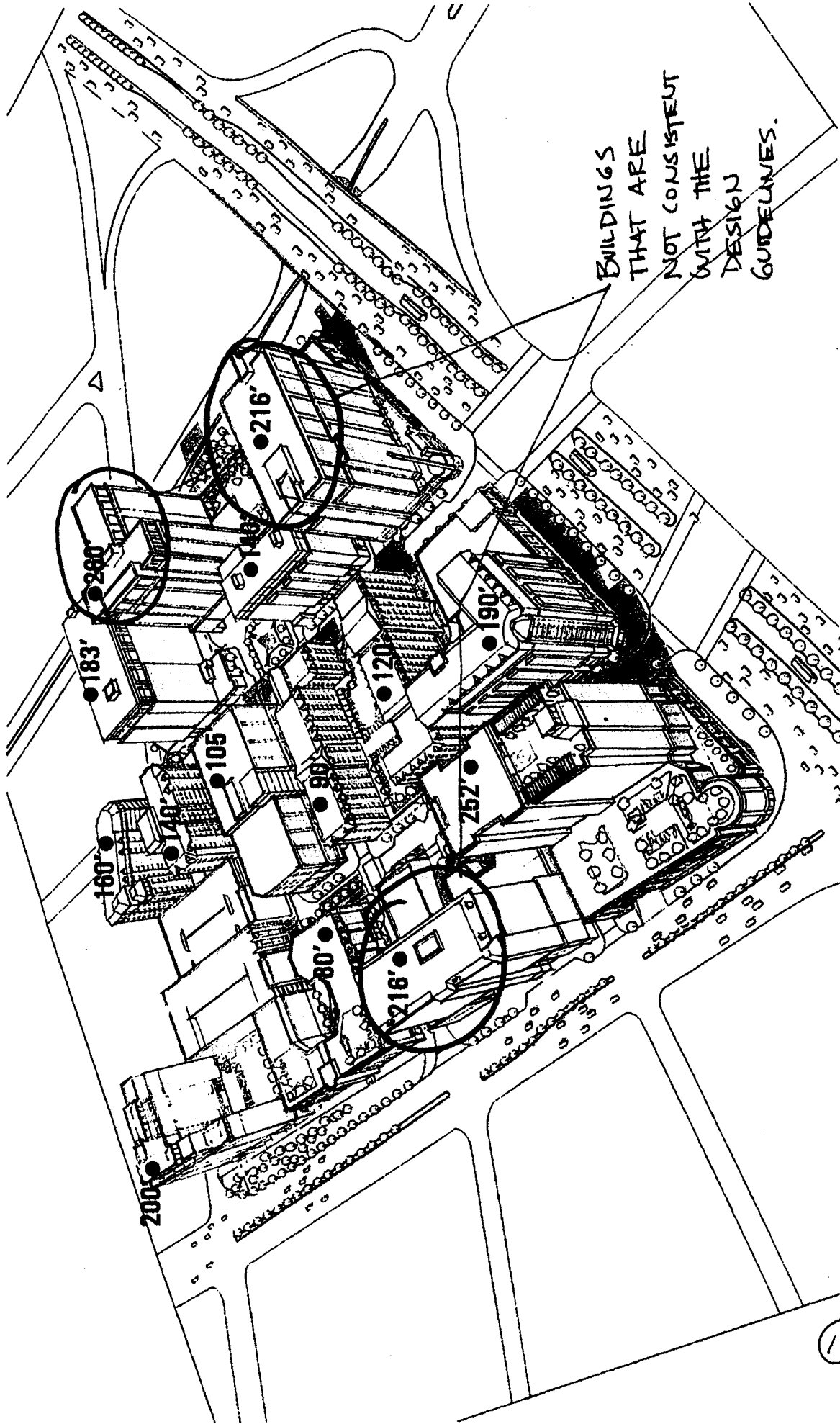
Best regards,



Evan Goldman  
Director, Development

Attachments

# EXHIBIT A



# EXHIBIT B

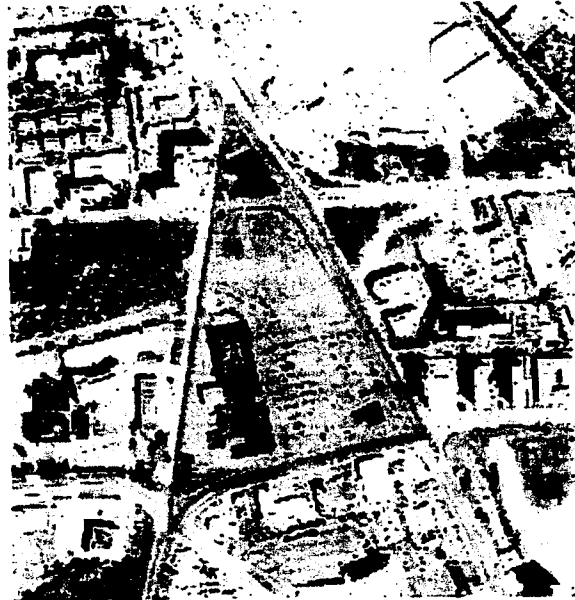
## MID-PIKE DISTRICT

### Planning Board Changes

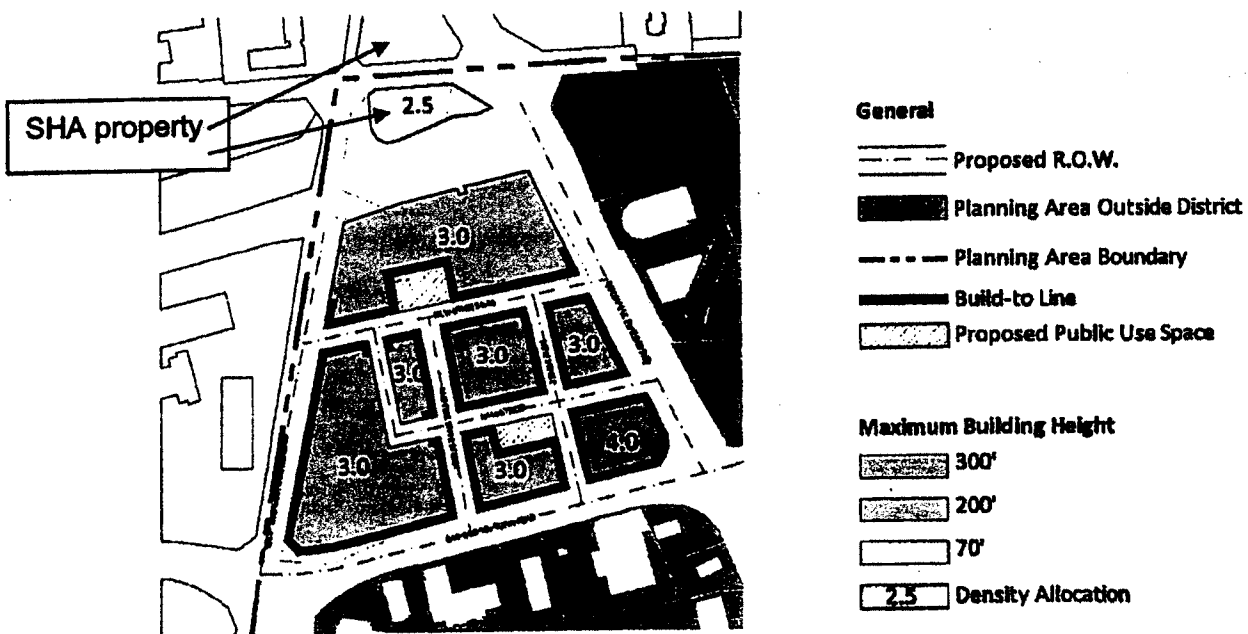
- Realignment of B-15

### Issues to be Resolved

- FAR Density using CR zoning (Table 1)
- Property owners wants 53/47 residential/non-residential use mix
- Public uses on SHA property



MAP OF MAXIMUM FAR AND HEIGHT - CR ZONING





11111 Jolly Way  
Kensington, Md. 20895  
June 5, 2009

Dr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Zoning and Land Use, White Flint Sector Plan

Dear Chairman Hanson and Member of the Planning Board:

I am concerned that the land use and zoning decisions made at yesterday's Planning Board meeting on the White Flint Mall property contradicted the Design Guidelines and the decisions made at the 9:15 session on May 21<sup>st</sup>. I refer specifically to the parcel of land south of Edson Lane (Nebel Street Extended), north of the Medical Center building, and adjacent to Rockville Pike.

This small parcel of land is shown in the Design Guidelines to be a continuation of the CR 1.5 zone and that was consistent with the decision reached on May 21<sup>st</sup>. On June 4<sup>th</sup>, however, the detailing zoning alternative showed this parcel as a continuation of the CR 1.5 zone but the broader zoning alternative did not. We are concerned that the zoning adopted now allows higher density and height up to 100 feet.

I ask that a correction be made to show this parcel of land as a continuum of the CR1.5 zone.

Thank you for considering this.

Sincerely,

Natalie Goldberg

Cc: Piera Weiss

13



Pamela Lindstrom  
17 June 2009

### Treatment of Housing in the Planning Board Draft White Flint Plan

The Housing Opportunities Commission proposed significant changes to the draft plan in public hearing testimony. This memo reviews the response to these housing issues.

1. The new draft makes a stronger statement on the importance of White Flint as a housing resource for the workforce in the lower I 270 Corridor and Bethesda. The improved table of jobs and housing shows that the recommended land use does not fully live up to the goals stated on page 8. Though the job/housing ratio improves, a simple calculation shows that the gap between jobs and housing for the workforce would continue to grow (assuming 1.5 workers living in the average household). Currently, the number of workers who could not be housed, even in theory, is about 16,500. At buildout, the excess of jobs over housing for the workforce would be 27,000.

Furthermore, the housing shortfall would increase at each of the plan's stages. This continues to be a concern since the staging plan still has the flaw we noted in the staff draft. If you truly mean to meet the goal set out in the Vision on p. 8-9, then housing should not be held up because commercial construction has not built up to the limit of a stage!

2. I do not understand how the job and housing estimates were calculated. The CR zone for each property allows considerable flexibility in the land use of most properties; few are actually zoned to produce housing. The actual housing yield from this plan could fall even farther behind the stated goal, depending on the stage in the development cycle at which a property develops.

3. In the section on Area Wide Land Use and Zoning, the part labeled "Housing" should probably be labeled Affordable and Special Needs Housing since that is what's addressed. The suggestions for affordable housing beyond MPDUs and workforce housing are appreciated. We will continue to support stronger incentives for projects with a high share of affordable housing.

# THE WHITE FLINT PARTNERSHIP

June 9, 2009

The Honorable Royce Hanson, Chair  
Members of the Montgomery County Planning Board  
Maryland-National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Dear Dr. Hanson and Members of the Planning Board:

We appreciate the Planning Board's recognition of the potential opportunities created by the new White Flint Sector Plan and its commitment to solving many of the complex issues necessary to turn the plan into reality. Resolving the staging portion of the Sector Plan is one of the last major tasks and one of its thorniest issues. Crafting appropriate staging triggers is critical to the success of the White Flint Sector Plan.

The White Flint Partnership endorses the comments and strategic direction that you proposed at the outset of the Planning Board's discussion related to staging during the work session on June 4. We endorse the following principles for the White Flint staging plan:

- Designating appropriate transportation and life safety improvements that generate the necessary future development capacity as the comprehensive list of staging projects.
- The staging requirements should be deemed satisfied if either the pre-determined set of projects has been fully funded or the appropriate mode share split within the District has been achieved. If either requirement is satisfied then development can proceed to the next stage.
- The Stage 1 density threshold should be increased to 5,400 market rate units (average unit size is 1,000 gsf) and 3.6 million square feet of commercial development.
- The designation of the fire and EMS facility as a stage requirement should be contingent upon a determination of need made by the Department of Fire and Rescue Services. If a determination of need is made then the staging requirement should be satisfied upon the funding of this facility by the County. If there is no determination of need made then this element should be moved to the subsequent stage.

A public-private partnership to fund transportation infrastructure has been proposed in the Sector Plan to deliver (a) greater certainty to the community that adequate transportation capacity will be implemented timely and holistically as necessary to support new development and (b) to deliver greater certainty to the property owners that development will have the capacity to proceed. There are several key issues at stake regarding the proposed staging plan:

# THE WHITE FLINT PARTNERSHIP

- The community must have certainty that adequate transportation and life safety capacity is completed timely to support new development.
- If tax increment financing or other public funding mechanisms that rely on future revenues created by new development are used to finance the public's portion of infrastructure investments, then there must be certainty that future development will proceed so that the future tax increment is actually realized.
- If the private property owner community subjects itself to a voluntary special assessment, then they must be given certainty that property owners can proceed with new development if identified transportation projects are funded.
- The community desires certainty that certain public amenities are completed.

The major point of debate among the Board members at the work session on June 4 was whether or not to include funding or completion of certain public amenities as staging triggers. The White Flint Partnership endorses incorporation of the public amenities as necessary elements within the plan that will improve the quality of life and create a better community. We also recognize that the intent of the Board by incorporating them as staging triggers is to ensure that they are actually implemented. The negative implication of incorporating them into the staging plan is that it puts at risk the very funding necessary to implement the transportation improvements that create necessary development capacity.

Both the public and private portions of the funding mechanism rely on future revenues generated by future growth to pay for current capital improvements. Incorporating as staging triggers these public amenities which have separate funding sources, diverse governing authorities, and independent approval processes places the necessary future growth at risk without providing the control necessary to implement the elements. We recommend that the Board explore alternative means of providing certainty that the public amenities will be implemented and we recommend exploration of the following strategies to achieve this goal:

- Adequately identify and locate the desired public amenities in the Sector Plan so that as those identified properties come forward with redevelopment plans they are required to enter into a dialogue with the Planning Board as to how provision of those amenities may occur.
- Provide adequate FAR incentives for the provision of the various amenities. A more detailed analysis of each specific amenity should be undertaken and specific FAR benefits calculated to properly incentivize their provision.
- Provide an FAR benefit for payment into an amenity fund that can be used to provide both offsite green space and offsite public facilities.

Finally, we have identified several issues within the staging mechanism that merit further consideration by the Board and offer the following comments and recommendations for your review:

# THE WHITE FLINT PARTNERSHIP

1. The staging mechanism needs to provide flexibility to respond to changing transportation dynamics in future stages.
  - a. Stage 1 development may not be complete for seven to ten years and Stage 2 development for fifteen to twenty years. The list of identified improvements for Stage 2 completion may not adequately address the transportation needs identified fifteen to twenty years from now. Inherent flexibility to shift resources and priorities to address unforeseen deficiencies in the future needs to be built into the staging plan.
  - b. The District may in fact perform better than expected. Once a critical mass of density is built and a true mixed-use walkable environment is created, mode splits may increase higher and more quickly than projected. Additional "people trip" capacity may become available to support additional development. The staging plan must be flexible enough to allow for additional development to proceed ahead of schedule if performance targets are achieved.

Recommendation:

Permit movement from one stage to the next if performance thresholds based on mode shares that calculate both resident and employee trips or on a methodology that evaluates "people trips" are achieved. If a 50% mode share split is achieved than development to the full zoning envelope should be permitted.

2. Stage 1 development capacity is not adequate to facilitate the development of a larger network of streets.
  - a. The mobility provisions of the Sector Plan recommend the implementation of a network of streets in order to create transportation capacity. This network is largely implemented through the redevelopment of large suburban tracts into smaller scale urban blocks. This is primarily accomplished on private land with private capital when these properties redevelop at higher densities. In order to construct the core components of the street network 12 to 13 million sf of additional density must be added to the district. This assumes that the properties through which the network of streets is built redevelop up to the permitted FAR.
  - b. A critical mass of development must occur in order to create the basic fabric of a walkable district. The proposed Stage 1 density may not be sufficient to catalyze the creation of this fabric.
  - c. Per the planning staff's draft report dated 8/28/08, under the TSM/TSR zone the likely build out would be an additional 11.1 million square feet with a 50%/50% split between commercial and residential.

Recommendation:

Increase Stage 1 residential capacity to 5,400 market rate units (average unit size is 1,000 gsf) and 3.6 million square feet of commercial development.

3. A determination of need should be made by the Department of Fire & Rescue Services as a pre-requisite to any staging threshold for the Fire/EMS station.

# THE WHITE FLINT PARTNERSHIP

Recommendation:

Modify the language to read "If a determination of need is made by the Department of Fire & Rescue Services for facilities in the White Flint Sector Plan prior to commitment of 75% of the density of any stage then the new facilities must be funded prior to triggering any subsequent phase."

A tremendous amount of work has been invested to create a new paradigm for development in Montgomery County. As you bring this process to conclusion at the Planning Board, we need to be diligent in our efforts to ensure that the implementation strategies recommended in the Sector Plan succeed. They must establish a framework that is reasonable, achievable, and supports the goals of the Sector Plan. We appreciate the continued dialogue with the Planning Board, staff, and the community and look forward to the completion of a new sector plan that will create the framework for future growth in White Flint.

Best regards,

The White Flint Partnership

**Combined Properties**

**Federal Realty Investment Trust**

**Gables Residential**

**Lerner Enterprises**

**The Holladay Corporation**

**The JBG Companies**

**The Tower Companies**

6/18/07  
Item # 5  
White Flint  
Gate Plan

## STAGING PLAN

### **Pre-Requisites**

Before any additional development can be approved, the following actions must be taken:

- Approval and Adoption of the Sector Plan.
- Approval of Sectional Map Amendment.
- Council resolution to expand the Metro Station Policy Area to include the entire Sector Plan boundary.
  - Requires workforce housing
  - Proposes legislative changes to allow impact fees to be captured in a Metro Station Policy Area
  - Reduces Transportation Impact Tax
  - Allows Critical Lane Volume (CLV) Standard to increase to 1,800
- ~~Coordinate with SHA/MCDOT to develop a Rockville Pike Boulevard Feasibility Study.~~
- Establish the Sector Plan area as a State of Maryland "Bicycle Pedestrian Priority Area."
- ~~Create public entities or financing mechanisms necessary for the implementation of the Sector Plan including, as appropriate, the following:~~
  - ~~Parking Management Authority~~
  - ~~Urban Service District~~
  - ~~Redevelopment Office or similar entity~~
  - ~~Tax Increment Financing District~~
  - ~~Special Assessment District~~
- ~~Develop a Transportation Approval Mechanism and Monitoring Program.~~
  - ~~Planning Board to develop biennial monitoring program for the White Flint Sector Plan area. This program will include a periodic assessment on development approvals, traffic issues, public facilities and amenities, the~~

~~status of new facilities, the Capital Improvements Program (CIP) and Annual Growth Policy (AGP) as it relates to White Flint. The program should conduct a regular assessment of the Staging Plan and determine if any modifications are necessary.~~

- ~~o Establish an advisory committee of property owners and interested groups that support the redevelopment of the White Flint Plan area, to evaluate the assumptions made regarding congestion levels, transit use, etc. The committee's responsibilities should include monitoring the Plan recommendations, identifying new projects for the Amenity Fund, monitoring the Capital Improvements Program (CIP) and Annual Growth Policy (AGP), and ensuring that issues are addressed by the Planning Board and/or Council.~~
- ~~o Establish an inventory of long-term parking spaces to set requirements for Phase 1 and Phase 2 parking caps that provide a progressive achievement of the end-state limitation of 0.61 long-term parking spaces per employee in the Sector Plan area.~~
- Within 12 months of the adoption of the Sectional Map Amendment public entities or financing mechanisms necessary for the implementation of the Sector Plan must be created. These include, as appropriate, the following:
  - o Parking Management Authority
  - o Urban Service District
  - o Redevelopment Office or similar entity
  - o Tax Increment Financing District
  - o Special Assessment District
- Any development approvals that proceed before the public entities are in place are subject to existing regulatory review requirements including LATR and PAMR.

## Phasing

Development may occur anywhere within the Sector Plan area, however, all projects will be required to fund or at a minimum defray total transportation infrastructure costs. The phases of the Staging Plan are set at 30 percent, ~~30-15 percent~~, ~~15 percent~~, and 40 percent respectively of the 17.6 million square feet of new development.

### *Phase 1: 3,000 dwelling units and 2.0 million square feet nonresidential development*

During Phase 1, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached. Work-around road projects west of Rockville Pike should be contracted for construction during Phase 1, and completed before commencement of Phase 2b. The following objectives must be met during Phase 1 as a prerequisite to moving to Phase 2:

- Develop a Transportation Approval Mechanism and Monitoring Program.
  - Planning Board must develop biennial monitoring program for the White Flint Sector Plan area. This program will include a periodic assessment on development approvals, traffic issues, public facilities and amenities, the status of new facilities, the Capital Improvements Program (CIP) and Annual Growth Policy (AGP) as it relates to White Flint. The program should conduct a regular assessment of the Staging Plan and determine if any modifications are necessary.
  - The Planning Board must establish an advisory committee of property owners and interested groups that support the redevelopment of the White Flint Plan area, to evaluate the assumptions made regarding congestion levels, transit use, etc. The committee's responsibilities should include monitoring the Plan recommendations, identifying new projects for the Amenity Fund, monitoring the Capital Improvements Program (CIP) and Annual Growth Policy (AGP), and recommending action by the Planning Board and County Council to address issues that may arise



- Contract for construction the realignment of Executive Boulevard and Old Georgetown Road.
- Contract for construction of Market Street (B-10) in the Conference Center block.
- Achieve 30 percent non-auto driver mode share for the Plan area.
- Fund streetscape improvements; pedestrian systems improvements and bicycle network/plan for all streets within a ¼ mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- Establish a bus circulator system linked to surrounding office districts and residential neighborhoods.
- ~~Conduct a North Bethesda residential areas circulation study.~~
- ~~Construct a police/fire and rescue facility.~~
- ~~Fund an express library.~~
- Establish an inventory of long-term parking spaces to set requirements for Phase 1 and Phase 2 parking caps that provide a progressive achievement of the end-state limitation of 0.61 long-term parking spaces per employee in the Sector Plan area
- Limit long-term parking spaces to capacity established in Growth Policy.
- Fund and complete the design study for Rockville Pike to be coordinated with SHA, MCDOT and M-NCPPC.

*Phase 2a: 3,000-4,500 dwelling units and 24.0 million square feet nonresidential development*

~~Phase 2 has two parts.~~ Before development beyond the limits set in Phase 1 can be approved, the Planning Board must determine that all the public projects listed in Phase 1 have been completed. The amount of development that could be approved in Phase 2a is set at approximately one third ~~one sixth~~ of the planned development. During Phase 2a, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached.

The following objectives must be completed during Phase 2a as before proceeding prerequisites to move to Phase 3b:

- Conduct a North Bethesda residential areas circulation study.
- Acquire land for the Civic Green through purchase or dedication.
- Construct streetscape improvements; pedestrian systems improvements and bicycle network/plan for all streets within a ¼ mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- ~~Construct an express library.~~
- Complete realignment of Executive Boulevard and Old Georgetown Road.
- Construct the portion of Market Street as needed for road capacity .

~~Phase 2b: 1,500 dwelling units and 1.0 million square foot nonresidential development~~

~~Before development beyond the limits set in Phase 2b can be approved, the Planning Board must determine that all the public projects listed in Phase 2a have been completed. The amount of development that could be approved in Phase 2b is set at approximately one sixth of the planned development.~~

~~The following must be met during Phase 2b as prerequisites to move to Phase 3:~~

- Increase non-auto driver mode share to 35 percent.
- ~~Montgomery County Public Schools (MCPS) to evaluate the need and/or status of an additional elementary school within the cluster. MCPS to evaluate locating an elementary school on land already owned by MCPS large enough and more appropriate for a school.~~
- Fund the second entrance to the White Flint Metro Station.
- Construct Nebel Street Extended between Nicholson Lane and Rockville Pike as needed for road capacity.
- Limit long-term parking spaces to capacity established in Growth Policy.

*Phase 3: 3,800 dwelling units and 1.9 million square feet nonresidential development*

Before development beyond the limits set in Phase 2 can be approved, the Planning Board must determine that all the public and private projects listed in Phase 2 have been completed.

In Phase 3, the remaining transportation capacity could be committed. At the end of Phase 3, the development should total 14,500 units (17.4 million square feet) 12.9 million nonresidential square feet. This is a 58/42 residential/non residential mix and close to the desired 60/40 residential/non residential mix.

- Increase non-auto driver mode share to 39 percent.
- Complete all streetscape improvements, pedestrian systems improvements and bicycle network/plan outside a ¼ mile from the Metro.
- Reconstruct Rockville Pike.
- Fund MARC station.
- Limit long-term parking spaces to 0.61 per employee.

**Table 7. Capital Improvement Projects**

Staff estimates of capital costs for projects that may require public financing and implementation. Projects may also include private sector participation. Projects already fully funded in CIP or CTP such as Montrose Parkway, Citadel Avenue, and Chapman Avenue are not included

Phase	Project Name	Location/Limits	Road #	Right-of-way		Construction		Total Cost (\$M)
				Acreage	Estimated Cost (\$M)	Length (mi)	Estimated Cost (\$M)	
1	Civic Green * <i>not staged</i>			1.0	\$ 6.5			\$ 6.5
1	Library * <i>not staged</i>							\$ 5.0
1	Market Street and Promenade	MD 187 to MD 355		3.2	\$ 20.8	0.3		\$ 7.5
1	Police and Fire/Rescue*			1.5	\$ 9.8			\$ 28.3
1	Streetscape improvements							\$ 10.0
1	MD 187 / Executive intersection	M-4 / M-4(a) junction		0.5	\$ 3.3	0.3		\$ 15.0
1	Old Old Georgetown Road	Executive to Montrose	M-4(a)	0.2	\$ 1.3	0.3		\$ 7.5
1	Executive Boulevard realignment		B-15	2.6	\$ 16.9	0.3		\$ 7.5
2	Nebel Street Extended (south)	MD 355 to Nicholson Lane	B-5	5.2	\$ 33.8	0.5		\$ 12.5
2	Metrorail Northern Station Entrance							\$ 25.0
2	Streetscape improvements							\$ 25.0
3	Rockville Pike boulevard	Montrose to Edson	M-6	2.4	\$ 15.6	5.4		\$ 27.0
3	MARC Station / access improvements	Nicholson Court				1.2		\$ 66.0
								\$ 15.0
	Phase 1 Subtotal				\$ 58.5			\$ 60.0
	Phase 2 Subtotal				\$ 33.8			\$ 64.5
	Phase 3 Subtotal				\$ 15.6			\$ 81.0
	TOTAL				\$ 107.9			\$ 205.5
								\$ 8.8
								\$ 24.4
								\$ 46.3
								\$ 25.0
								\$ 27.0
								\$ 81.6
								\$ 15.0
								\$ 118.5
								\$ 98.3
								\$ 96.6
								\$ 313.4