



**Bethesda Downtown Sector Plan, Work Session #9**

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Completed: 03.02.16

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**Description**

**Bethesda Downtown Sector Plan: Work Session #9**

**Summary**

Work session #9 will be a continuation of work session #8 beginning with the discussion of Parks and Open Space recommendations that were not discussed last work session due to the time constraint. Staff will also present to the Planning Board the Plan recommendations for Ecology and the High Performance Area in Downtown Bethesda.

The work session discussion will begin with a summary of the Parks and Open Space recommendations presented during work session #8 followed by a discussion on the Metro Station Plaza privately owned public use space.

Following the Parks and Open Space discussion, staff will present an overview of the High Performance Area and Environmental goals and recommendations as outlined in the Public Hearing Draft. The overview will be followed by a discussion with the Planning Board of specific recommendations presented.

## DISCUSSION

### *Vision*

In 2035, Bethesda residents will have a downtown that is a model for sustainability, accessibility, equity and innovation. There will be more affordable choices of housing in close proximity to jobs, shopping and recreation. They will safely walk and bike along shaded streets to stores and offices, past new energy-efficient buildings and familiar landmarks. New parks and open spaces will provide green, tranquil places for the residents, their families and friends to gather, socialize and relax. Nearby Metrorail and new Purple Line stations will be quickly reached via green corridors that line streets and sidewalks to meet the needs of both the residents and visitors to Downtown Bethesda.

This vision stems from the goals and recommendations within this Sector Plan to enhance Downtown Bethesda over the next 20 years. The aim of the Plan is not to radically transform the community but to achieve a truly sustainable downtown through incremental measures addressing its economic, social and environmental future.

### *Planning Framework*

#### Overarching Goals:

Specifically, the Bethesda Downtown Sector Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on recommendations to increase:

- Affordable Housing
- **Parks and Open Space**
- **Environmental Innovation**
- Economic Competitiveness

#### Strengthened Centers of Activity:

Bethesda is distinguished by multiple downtowns within its greater Downtown. Identified in Chapter Three are nine districts, including the established centers of the Wisconsin Avenue Corridor, Bethesda Row and Woodmont Triangle; emerging centers of the Pearl and Arlington South Districts; and residential and edge districts of Battery Lane, Eastern Greenway, South Bethesda and Arlington North. The Plan explores ways to strengthen these centers of activity through the economic, social and environmental aspects of sustainability.

## **Parks and Open Space Recommendations**

### **Summary**

The recommendations for the parks, trails and open spaces in the Bethesda Downtown Plan achieve 3 major goals: to support the centers of activity with civic green gathering spaces, to provide linkages and signature gateways to the major trail systems, and to create livable communities and appropriate transitions by greening and buffering the edges.

The new parks are envisioned to have different roles and functions in order to create a full system of open space opportunities for the residents and workers of Bethesda. The recommendations include new parks for active recreation, central gathering spaces, walk to neighborhood parks, and an interconnected system of trails to connect the various open spaces. The park recommendations follow the guidance in the 2012 Park Recreation and Open Space (PROS) Plan to provide a system of parks and open spaces for every urban master plan or sector plan area through a combination of public and private efforts. Urban open space systems should support a vibrant and sustainable urban center by creating open spaces that will be comfortable, attractive, easily accessible, and provide a range of experiences. Those open spaces that rise to the level of serving as a focal point of community life for the sector plan area are typically recommended to be publicly owned and operated parks, while those open spaces serving each district, neighborhood, or block are often recommended as public use spaces to be owned by the private sector. The following hierarchy should be applied to all urban master plans and sector plans:

**For the Sector Plan Area:**

- active recreation destinations within or near the plan area
- a central civic urban park, ranging in size from 1/2 to 2 acres
- an interconnected system of sidewalks and trails to connect parks and open spaces
- wooded areas that will provide a sense of contact with nature

This PROS Plan redefines urban parks by revising the Park Classification System to better reflect the open space needs of urban communities. The revised Park Classification System includes three urban park types under Countywide Parks - Civic Green, Countywide Urban Recreational Park, and Urban Greenway and three under Community Use Parks - Community Use Urban Recreational Park, Urban Buffer Park, and Neighborhood Green.

Staff will be discussing the vision, role and implementation scenario for each new park and trail recommendation.

**The proposed parks and their implementation scenarios**

Since the beginning of this planning process, staff has been working with property owners to get a sense of viable public space locations and implementation scenarios. Staff is recommending approximately 12 acres of new parkland to serve the growing population of Bethesda.

## Environmental and High Performance Area Recommendations

Staff will be discussing the vision, goals and recommendations for the High Performance Area and specific environmental recommendations related to Energy, Canopy Cover, Green Cover and Stormwater.

### **Plan Vision**

The central theme of this Sector Plan is sustainability, not just environmental sustainability but also economic and social sustainability. Integrating the latest planning principles for each of these three elements such as affordable housing, alternative modes of transportation, access to parks, high performance buildings, and greener streets will increase urban livability and desirability for Bethesda's residents, support a prosperous economy, and provide a healthy place to live work and recreate.

The Sector Plan establishes goals for each of these elements and then sets forth a system for measuring success toward reaching the goals. Each idea proposed herein can be evaluated in terms of six key performance areas that are important measures of overall sustainability. The targeted performance areas for Downtown Bethesda include:

- Community Identity
- Equity
- **Habitat and Health**
- Access and Mobility
- **Water**
- **Energy and Materials**

Many of these performance areas are already well integrated into the fabric of Bethesda's existing urban landscape. The recommendations within the plan fill in the gaps where improvements can be made to make Bethesda better, forward thinking, progressive, and a destination point.

### **High Performance Area Goals and Recommendations:**

This designation aims to raise the level of sustainability through exceeding the County's minimum requirements for high performing, energy-efficient buildings that save resources, decrease operating and maintenance costs, and incentivize development that will help achieve the County's climate objective. The High Performance Area will be implemented through the public benefits in the Commercial Residential (CR) zone.

Energy-efficient buildings will be accomplished through the optional method of development that allows higher density as an incentive to providing significant public benefits. This Plan prioritizes the benefit points for energy conservation and generation.

## **Environmental Goals and Recommendations:**

The Sector Plan recommends strategies that compensate, mitigate, and minimize lost resources to grow a healthier and greener downtown. These approaches include transit-oriented development to lessen carbon outputs; high performance buildings to lower energy demand and operational costs; stormwater management that mimics nature to improve groundwater recharge and stream quality; and stratified vegetative plantings to improve habitat, purify air and water, and cool the urban landscape. When implemented comprehensively and on a site-by-site basis, these performance-based recommendations can be quantified and measured to improve and sustain a healthier, greener and more prosperous community.

### Canopy Cover and Green Cover:

Through the recommendations identified below, this Sector Plan aims to reestablish and link green spaces via streetscape improvements, tree canopy corridors and green roofs.

#### *A. Goals:*

- Increase overall tree canopy cover.
- Reduce heat island effect.
- Improve air quality.

#### *B. Recommendations:*

The following recommendations are critical to achieving the habitat goals of this Sector Plan:

- Supplement tree planting along streets and public space to achieve a minimum of 50 percent canopy cover.
- On private property, provide a minimum of 35 percent green cover, which may include either singularly or a combination of the following:
  - Intensive green roof (six-inches or deeper).
  - Tree canopy cover

### Stormwater:

Improving water quality in the three receiving tributaries (Coquelin Run, Bethesda Mainstem and Willett Branch) is an important goal that will take many years to achieve. With each new development and streetscape design, the construction of integrated stormwater management treatments will begin to reduce the quantity and improve the quality of stormwater runoff and water in the receiving streams.

#### *A. Goals:*

- Reduce untreated stormwater runoff to improve stream quality.

#### *B. Recommendations:*

- Integrate stormwater management within the right-of-way where feasible.
- Plant intensive green roofs

- Use Low-Impact Development Techniques

### **CONCLUSION**

Following the February 25, 2016 and March 10<sup>th</sup>, 2016 work sessions, staff will summarize the parks and open space and the high performance area and environmental decisions recommended by the Planning Board and post them to the Downtown Bethesda website.

### **Attachments**

- Recent Correspondence between February 17, 2016 and March 2, 2016

Ben and Mirelle Moscovitch  
8503 Rosewood Drive  
Bethesda, MD 20814

March 1, 2016

Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910

**Re: General comments on the proposed Bethesda Sector Plan**

Dear Chair Anderson, Vice-Chair Wells-Harley and Commissioners Dreyfuss, Fani-Gonzalez and Presley:

Thank you for the opportunity to provide comments on the Staff Draft of the Bethesda Sector Plan, which would significantly affect the economy, land use and quality of life for residents and the surrounding communities.

First off, we thank the Montgomery County Planning Department staff for their time and commitment in developing the Staff Draft. Additionally, we thank them for recently spending an evening presenting portions of the plan to members of the community.

The Staff Draft presents an exciting vision for the future of Downtown Bethesda—a vision that could foster a more vibrant downtown Bethesda, increase community gathering spaces, support cleaner air and water, and create jobs. As Bethesda residents, we support many of the sector plan revisions proposed in the Staff Draft that would enhance the quality of life for current and future residents.

However, the Staff Draft—especially when coupled with changes approved by the Planning Board—lead to significant questions as to whether the education, land use and transportation infrastructures can support the proposal to increase the population by 50 percent.

**Already stressed schools may not accommodate population increases**

As parents, our first and foremost priority is ensuring that our son has the opportunity to lead a happy, fulfilling and successful life. With its reputation as a national leader in the quality of public education, we chose Montgomery County to start and raise our family.

Unfortunately, as mentioned in the Staff Draft, many schools are—or will be in the near future—already at their enrollment capacity, and County Executive Ike Leggett recently testified to the Maryland Senate Budget & Tax Committee on the deterioration of buildings and growing enrollment. Further increased student enrollment as a result of higher population density would exacerbate these issues even further: class sizes may increase; extracurricular activities would surpass capacity; and temporary classrooms could become the new norm.

While the Planning Department staff indicate that the Montgomery County Public Schools (MCPS) would evaluate student enrollment and determine a solution, the recommendations put forth only reflect possibilities that provide no assurances to residents that an already strained school system will not be stretched even further.

The Planning Board should require that the education portion of the Sector Plan explicitly prevent any future developments if school capacity is not addressed first. Children's future—including the quality of their education should not come second to anything, particularly development in an already densely populated area.

#### **Residents require sufficient gathering spaces**

The Planning Department staff also envision a future for downtown Bethesda that would transform concrete-laden walkways and grey building facades into green gathering spaces and community parks. If implemented as designed, the Staff Draft would provide safe places for residents to meet with their neighbors, walk their dogs, take children to play and otherwise enjoy the outdoors.

However, the Staff Draft provides a vision that would rely on agreements from developers to sell property to the County or dedicate land for these purposes. As a result, the Staff Draft can only promise uncertainty, but no assurances that any new development will actually meet the community's needs for new parks and other gathering spots. Because, in the future, the Planning Board will consider large- and small development plans, minor concessions on land use and park space for each application could undermine the Planning Department's vision for a greener Bethesda. Therefore, we urge the Planning Board to consider requirements for the establishment of new parks in downtown Bethesda as a condition of development that considers the cumulative effect of new projects on public gathering spots. Without these types of conditions—which would effectively create automatic triggers—that would slow or halt development, the creation of these green spaces may not be realized.

#### **Transportation infrastructure may not be adequate**

Finally, the Planning Department staff propose several new initiatives—including expansion of bicycle lanes and the Bethesda Circulator—to address transportation congestion as a result of anticipated population increases. Unfortunately, downtown Bethesda already faces transportation challenges: roads are often crowded, pedestrians struggle for the right-of-way on crosswalks, and competition between bicycles and cars endanger safety.

Increases in population density in downtown Bethesda risk exacerbating these challenges even further, and many of the proposals in the Staff Draft would address these issues. However, some of the proposals would risk the safety and quality of life for residents to accommodate more traffic. For example, some proposals would shorten the width of sidewalks by several feet—including on the already busy Wisconsin Avenue. As the Planning Board considers revisions to the Sector Plan, we urge you to ensure that any changes both accommodate increased foot and vehicular traffic, and maintain safety for both pedestrians and drivers.

#### **Conclusion**

Overall, the Planning Department staff offer a vision for downtown Bethesda that should be commended. But, it is now up to the Planning Board to ensure that this vision becomes a reality by enacting specific safe guards to protect the quality of schools, ensure access to green space and limit stress on the transportation infrastructure that also maintain safety. Should you have any questions or if we can be of additional assistance, please contact us at 202.716.5551 or via email at [benmoscovitch@gmail.com](mailto:benmoscovitch@gmail.com).

Sincerely,  
Ben and Mirelle Moscovitch



MCP-Chair

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**From:** Jeanne Weiss <jeanne.a.weiss@gmail.com>  
**Sent:** Monday, February 29, 2016 4:46 PM  
**To:** MCP-Chair  
**Cc:** Schneider, Tina; CM Berliner; oicemail@montgomerycountymd.gov; Montgomery County Council  
**Subject:** Bethesda height and density recommendations

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

Dear Mr. Anderson and Members of the Planning Board,

Following this message are two messages from other residents with which, in large part, I agree. My husband and I have lived here since 1974, nearly 42 years. During that time, Bethesda has changed. I often say that we did not move to Bethesda, but rather, Bethesda has moved to us.

There is much to be grateful for in the 40+ years of residence here. Our children attended excellent Montgomery County public schools and received an education that prepared them well for college and beyond. I do hope that overcrowding in schools will not diminish that educational experience for next generations. We have seen schools closed, students permanently re-assigned, and then re-assigned again to satisfy powerful political demands.

We have lived here long enough to see plans and proposals promised and then to see the promises broken. Along the way we have seen property values rise to levels we could never have imagined, creating a lot of personal wealth in many cases. That is good, right? But then we came to realize that such growth has some less positive consequences such as the inability of younger generations to buy homes in this area for example. And further, we have seen how difficult it has become to retain smaller housing stock, which it seems is actually discouraged by rules governing development. So this is a mixed outcome, growing pains I suppose you could say.

Increase in population density could be good. It's certainly a sign of desirability that people want to live here, but we can also feel the negative effects of increasing density in crowded roads, and the sacrifice of trees and public green spaces. Clearly, there are differing visions of what is beautiful and desirable. My vision includes more trees and spaces, preserving more of the past architecturally, reduced building height, attention to variety.

**It would be such a charge to engage with planners and forces of development with a common goal of seeking more of what encourages environmentally positive outcomes.** This does not seem to be the case. Rather, we've got our adversarial postures which wear everyone down and out.

Regards,  
Jeanne Weiss  
[jeanne.a.weiss@gmail.com](mailto:jeanne.a.weiss@gmail.com)

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Dear Mr. Anderson and Members of the Planning Board,

In addition to our email below, we would like to add our comments regarding proposed "parks"/green space and energy in the sector plan. We understand that Montgomery County, which professes to be a green county, is lagging behind neighboring jurisdictions when it comes to the number of buildings with green roofs and the highest energy efficiency rating. This is an utterly shameful situation for Montgomery County and extremely serious in our era of climate change with many troubling questions about what kind of future our children and grandchildren will face. How can this bad situation have developed? This is mismanagement. We hope that NOT ONE SINGLE project will proceed in Bethesda (and MoCo overall) that does not meet the highest energy efficiency standards. All projects SHOULD BE REVIEWED and modified before they are allowed to proceed.

The proposals put forth by planning staff regarding sidewalks, trees, treatment of stormwater, and increased use of pervious surfaces must become the standard in Montgomery County not only in commercial areas such as Bethesda (but in ALL commercial and residential areas, during routine road work, etc).

One thing we want to point out that there cannot be a trade-off between green roofs and street trees. We need the street trees to nurture a Bethesda community (and other communities) where people want to walk and bike - neither is the case now. Bethesda is dangerous for both bikers and pedestrians with cars that drive through too fast - mostly one frustrated driver per car. Speed limits, red lights and pedestrian right of way are not enforced rules, and there are not sufficient crosswalks. (By the way, newly developed buildings have disappointingly narrow sidewalks and too few street trees such as the new building on the corner of Wisconsin Avenue and Battery Lane. And so far we have not been able to spot any common areas that would enliven the street scene).

However, we are less pleased with the sector plan that describes green spaces and parks - misnomers for the small areas envisaged for the Bethesda community and the density you propose -- density that we counter is utterly irresponsible on your part considering infrastructure constraints - see email below. The so-called parks proposed are not really serious parks where people can feel nature around them and exercise. They are rather places to hang out near food and drink and join the ranks of the obese - and that is not what we want our community to be! You are mixing commercial wishes and true parks to the detriment of the community.

The really serious park - the linear park that we already have and that links Bethesda to Rock Creek, the Canal, etc. is the Capital Crescent Trail. This green lung, the Planning Board - with politicians' and planners' blessing - proposes to destroy with noisy light rail. If indeed the Purple Line is built, the trail would no longer be a park but a busy thoroughfare with minimal shade and trees, noise so excessive that it's a serious threat to our hearing, with minimal space for bird/animal life, and with incredible environmental cost, including the clear-cutting of thousands of trees along 20 acres of land. So do not count the trail as a park if the PL proceeds. Instead of this fiscally questionable venture, please show that you have a vision and focus on fixing and expanding the Metro (Red Line) and building a good BRT network -- or just an energy efficient bus system with dedicated lanes that would truly meet commuters' needs (as opposed to developers' needs).

The Metro Center plaza merits a good makeover - it needs more trees and shade and no more buildings.

The Sector plan also disregards too many buildings that have either historic value or small town charm that could and should be preserved. For example, along Wisconsin Ave south on the eastern side, there is a low row of Tudor style businesses that could be incorporated in innovative architecture. Similarly, the new project proposed by the Toll Brothers at Wisconsin Ave could incorporate the two old houses/businesses on the corner of Cordell and Woodmont. Successful incorporation of old into new can be seen, for example, in New York. Both the Triangle and Wisconsin Avenue are in danger of looking very sterile and boring - another Crystal City! We are gradually making history disappear.

To us a serious question is as follows: Can Montgomery County continue to afford to pay lipservice to being "green" and totally disregard the negative impact our activities/development have had so far? Last Tuesday the Maryland Senate passed a "rigorous greenhouse gas bill" according to the Washington Post. Greenhouse gas emissions need to be cut 40 percent below 2006 levels by 2030. It is our understanding that Montgomery County is already doing very badly in reaching goals in this area. Yet, there seems to be a veritable war on trees in the County. Tree stumps that appear healthy litter the roadside along Bethesda roads and streets. (We have never seen anything like it during the 30 years we have lived here).

There needs to be a serious review of existing tree laws not only regarding cutting of street and roadside trees, but also trees on private property, the requirement for (re)planting trees, etc. Review of footprint and requirements related to energy efficiency and effective and environmentally friendly ways to deal with storm water in commercial as well as residential areas is a must. Business as usual is no longer an option when it comes to the environment.

We hope that the Planning Board and those who review the Sector Plan and ultimately make the decisions will actually listen to residents who stay behind when the developers leave - often with ugly monstrosities in their wake and an increasingly lower quality of life for residents because of excessive density and height, insufficient number of serious parks and green space, and lack of true attention to the environment. Bethesda is "littered" with ugly buildings where empty promises were made and promises broken - with no apparent repercussions for developers. Yes, we are angry residents and there are many more!

Regards,

Maj-Britt Dohlie and Mike Evenson

[mdohlie@gmail.com](mailto:mdohlie@gmail.com)

[mjeverson@gmail.com](mailto:mjeverson@gmail.com)

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To Mr. Anderson, Chairman, and Members of the Montgomery County Planning Board,

As longtime Bethesda residents we are appalled at your recommendations to add density and height to the Bethesda sector plan. In our view, this is the usual Montgomery County fashion: there is outreach to citizens, a pretense to listening, and then the developers are given what they request without regard to the residents who have made Bethesda their home. This has deplorable effects on our quality of life.

When did "smart growth" become overbuilding, inadequate infrastructure, including overcrowded schools, congested roads, fiscally irresponsible public transportation projects (such as the Purple Line when less expensive and disruptive solutions exist that would actually take people off the road), and encroachment on parks, green space and existing neighborhoods adjacent to downtown Bethesda? For the last couple of decades or more, Bethesda has suffered from increasingly bad planning and decision making. One unattractive tall building after another is turning Bethesda into Maryland's Crystal City devoid of charm and increasingly filled with service providers who are able to pay the exorbitant rents, replacing many useful stores and small restaurants. Please note, it is not enough to beautify Bethesda Avenue and "uglify" the rest of the Bethesda community. The excessive height of buildings proposed at the north and south ends of Bethesda and along Wisconsin Avenue, Georgetown and Arlington Roads would overpower the adjacent existing homes and be completely out of character with the neighborhoods.

The streets in Bethesda suffer total gridlock at certain times of the day and are congested most of the time, endangering pedestrians and bikers in a community where planners claim to want walkability. Increased density - the addition of housing units and offices - appears to be favored by the Board and will only add to the current gridlock and congestion, as will development and workplaces north of Bethesda. Similarly, the Metro Red Line and Bethesda station are similarly congested - and during rush hour uncomfortably overcrowded.

Montgomery County is not taking sufficient advantage of the opportunity to widen sidewalks in the business district. In many places it is hardly possible to walk with a stroller or with a child and allow someone to pass from the other direction. Moreover, during construction Montgomery County permits sidewalks and lanes to be closed for months at a time instead of requiring a smaller footprint for new buildings, pedestrian bridges during construction, etc. Existing sidewalks will supposedly create a walkable community for additional thousands of residents! To create vibrant streets, wide sidewalks are needed where restaurants can expand, people have sufficient space to walk safely, and there is shade from trees - trees that are allowed to mature!

Montgomery County is justly proud of its schools but what will happen when the projected additional population begins to send children to already overcrowded schools? Bethesda Elementary and B-CC High School underwent renovation and expansion relatively recently but both needed portable classrooms very soon afterwards. And now they are in the process of another round of expansion. A second middle school is to be built in the B-CC cluster, but it will encroach on a park in Kensington! Where will the County build additional schools? Encroach on other parks? Based on our experience, projected student numbers have been consistently incorrect in the BCC cluster most of the 30+ years we have lived here - with the result that schools have been, at best at capacity, but usually overcrowded.

Current plans greatly encroach on parkland and green and public space, including, but not limited to, the plan to put a road through Battery Park and the addition of a building at the Metro Center, space that was set aside for public enjoyment. The greenery, parks, and small town charm that once attracted us and many others to Bethesda are disappearing and, sadly, we no longer feel that we can recommend Montgomery County as an attractive and enjoyable place to live for people moving to the DC area.

We fully support the letters sent by the East Bethesda Citizens Association representing over 1,200 households and the Edgemoor Citizens Association similarly representing a large number of households. It is outrageous that the Planning Board which has not been elected and which does not have a single Bethesda representative would ignore sector plan and staff recommendations regarding building density and height. It's no wonder that people lose trust in government.

Regards,  
Maj-Britt Dohlie and Mike Evenson  
Bethesda  
[Mdohlie@gmail.com](mailto:Mdohlie@gmail.com)

MCP-Chair

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**From:** Judith McGuire <judithsmcguire@gmail.com>  
**Sent:** Tuesday, March 01, 2016 7:32 AM  
**To:** MCP-Chair  
**Cc:** county.council@montgomerycountymd.gov; Mary Margaret Flynn  
**Subject:** Bethesda Development Plan - Rescind additional height/density

Dear Montgomery County Planning Board,

I am writing to ask you to come to your senses about the Bethesda Central District Plan and rescind substantial amounts of new space from the zone (residential, commercial and retail). Planned build outs exceed the carrying capacity of Bethesda. I ask you to rollback all additional height and density concessions over and above the original plan and consider reducing further height and density from the additional plan. Bethesda right now has an enviable warmth and genuineness (lacking in "town centres" like King Farm and Reston) that will be lost if you proceed.

Unless you cut back on this overdevelopment Bethesda will suffer from the "tragedy of the commons". In the tragedy of the commons, there is common grazing ground on which all community members are entitled to graze their flocks. Each farmer attempts to maximize his benefit by increasing his herd size. The end result is overgrazing and the collapse of the resource. In Bethesda, we have a similar problem with each property owner and developer trying to increase his "herd" by increasing size and density of his buildings. As a result Bethesda developments will exceed the area's carrying capacity. The end result will be an unpleasant, unremarkable Bethesda where no one will want to live, shop, or work and the County will have lost the opportunity to keep Bethesda its unique, attractive economic engine.

The attributes of carrying capacity of Bethesda include the transportation networks, the public services (especially schools), and the quality of life. Many other aspects could be included but I'll just discuss these three. Just looking at these three, though, makes it clear that Bethesda cannot bear the load of the development being proposed.

Transportation capacity will not increase. Right now, at most times of the day and on weekends, Wisconsin Avenue is a traffic jam, practically from the D.C. line to the Beltway. Connecticut Avenue is blocked up during rush hours and takes the overload traffic from Bethesda. Arlington Road, East-West Highway, Bradley Lane/Blvd., Bethesda Avenue, and Old Georgetown Rd. also have significant traffic problems, especially at rush hours. The Briefing Document (dated 2014 but relying on much earlier data) -- which preceded the bulking up of the Naval Medical Center -- did not highlight the road capacity problems but anyone who drives through downtown Bethesda is made painfully aware of this. Yet many many more cars will be flowing through Bethesda if the original plan is effected (81% increase in family rental units, 35% increase in jobs, and an unknown increase in retail customers). Metro will not be expanding its capacity much and, because of reliability problems, people will not be using it more. The Purple Line, if it is built, will not reduce traffic and has acknowledged as much in its studies. In addition to all of the above, you're going to make traffic worse by

adding Bus Rapid Transit lanes and bikeways. You aren't going to be building new roads and people who commute along Wisconsin and Connecticut Avenues are not going to suddenly get out of their cars. Two intersections already over capacity (E-W Highway/Connecticut and Bradley/Connecticut) will only get worse and more intersections will become overcapacity (Bradley/Wisconsin, in particular, is close to the brink). The plan implicitly accepts the fact that thousands of additional people will be driving into Bethesda because it accommodates them in new parking spaces (although few public parking lots are currently used at capacity). But the roads cannot take all these additional residents, workers, and shoppers. The result: gridlock, air pollution, pedestrian safety problems, and bike safety problems.

The infrastructure can't take the extra load. Our schools are already overcrowded. Bethesda Elementary is building its second addition in a few short years. Chevy Chase Elementary can't build out and already is using a trailer. BCC High School is bursting at the seams. Unless you're planning to buy the Sidwell Friends Elementary school campus (which would be very pricey) there is no space left for new schools and their required playgrounds and sports fields anywhere near Bethesda.

The quality of life will deteriorate. With towering buildings and few green spaces, the quality of life in Bethesda will suffer. It will become like Crystal City, Virginia which is an urban wasteland. People want to live near transit but they also want parks and playgrounds – paved “open space”, green roofs, narrow “greenways”, and trees don't count for much when you really want a park. There are no plans to expand large parks in the current plan and only little postage stamp green areas will be added. According to the Trust for Public Land (2015), high density cities in the U.S. have 12.4% of land devoted to parkland and even in low density cities the proportion is 5.9% (for all major cities in the U.S. the proportion is 8.2%). According to the Bethesda Briefing Document (the actual plan provides nothing about park acreage or absolute population) Bethesda will have AT MOST 1.5% parkland (page 40).

If we look at acres per person, Penn. State Planning Advisory Service, citing standards in the planning field, recommends 1 acre per 100 people for cities under 500,000 population. The “new Bethesda” will supposedly have 21,900 residents, that means it should have 21.9 acres of parkland (vs. the current 5.37 ac). Nowhere in the plans is there any hint Bethesda will increase its parkland to reach this. And we will lose the parklike atmosphere of the Georgetown Branch due to the Purple Line. In addition, Penn. State says that the standard includes the proviso that 10 acres per 1000 people be left “in the natural state.” We have nothing close to that amount of parkland and virtually nothing “in the natural state”. Bethesda should strive to be at least as good as other U.S. cities by bringing its parkland up to at least 6%.

Another qualitative factor for Bethesda that has been ignored is the nature of retail purveyors in the future. Right now, Bethesda has a number of unique retail establishments that attract people from far away, although we are losing these stores already. I'm thinking of Bruce Variety (dead), the Bethesda Pet Shoppe (dead), Potters Violins, Griffin Cycle, Cannon Upholstery, and Aji-Nippon Japanese Restaurant. They are in danger of being replaced by chain stores and restaurants because rents will rise and chains are preferred by developers. Why would anyone fight the horrendous traffic to come to Bethesda to patronize a chain store or restaurant when they can easily get parking at any mall or order it online? If we lose these very special destination gems of retailers, we will lose the aspect of Bethesda that makes it attractive.

Finally a word on parking. Everybody prefers county-owned parking lots, especially above ground lots. Few people want to park in underground in privately-run parking lots yet that is exactly what the plan proposes. If you trade away County parking lots to developers who build on those spaces (as you have done on Bethesda Avenue) you will make it even more undesirable to come to Bethesda for any reason.

Please rollback the overdevelopment. The staff proposal for Bethesda to increase from 23.6 million square feet to 32.4 square feet was already excessive and should never have been approved. But the Board has indicated it will approve even more space over and above this. Your role is not to help the land owners and developers destroy the commons. Your role is to manage the commons in a sustainable way so people can live here. Please go back to the drawing boards and fit Bethesda's future development to its carrying capacity.

Sincerely,

Judith S. McGuire

4003 Rosemary St.

MCP-Chair

---

**From:** Christina Tang <cstang118@yahoo.com>  
**Sent:** Tuesday, March 01, 2016 9:12 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman;  
natalifanigonzalez@gmail.com; Presley, Amy; Howerton, Leslye; Wright, Gwen; MCP-  
Chair  
**Subject:** Bray and Scarff Property Bethesda,MD  
**Attachments:** DOC091.pdf

Please see the attached letter.

Thank you

Christina Tang

## Christina Tang

6820 Wisconsin Avenue, Unit 6006 Bethesda, Maryland 20815

Via U.S. Mail and email addresses:

[casey.anderson@mncppc-mc.org](mailto:casey.anderson@mncppc-mc.org)

[Marye.Wells-Harley@mncppc-mc.org](mailto:Marye.Wells-Harley@mncppc-mc.org)

[norman.dreyfuss@mncppc-mc.org](mailto:norman.dreyfuss@mncppc-mc.org)

[NataliFaniGonzalez@gmail.com](mailto:NataliFaniGonzalez@gmail.com)

[Amy.Presley@mncppc-mc.org](mailto:Amy.Presley@mncppc-mc.org)

[leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org)

[gwen.wright@mncppc-mc.org](mailto:gwen.wright@mncppc-mc.org)

[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)

February 29, 2016

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

Re: Bray & Scarf Property

Casey Anderson and Planning Board Members,

I would like to provide my input on the Bethesda Downtown Plan because, as a younger resident who hopes to live here for many years to come, I want to help shape the future of Downtown Bethesda. I chose to move to Bethesda because I wanted to live in a walkable, urban environment. I live in the southern area of Bethesda, near the intersection of Wisconsin Ave. and Bradley Blvd. Wisconsin Ave. is a major corridor that runs through the center of downtown Bethesda. However, the southern portion of Wisconsin Avenue is in need of attention. That is why I am pleased that the Bethesda Downtown Plan is promoting redevelopment of prominent areas in Bethesda, such as this.

Bethesda needs to evolve in order to attract and retain young residents and reinvestment along the Wisconsin Avenue corridor is critical to this effort. So I hope that you will continue to support redevelopment of the underutilized properties in Bethesda, such as those located at the intersection of Bradley Blvd. and Wisconsin Ave.

As part of the next generation of Bethesda residents, I appreciate your consideration of my thoughts and perspective

Best,



Christina Tang



**MCP-Chair**

---

**From:** Becky Wright <beckyleighwright@gmail.com>  
**Sent:** Tuesday, March 01, 2016 11:39 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman;  
NataliFaniGonzalez@gmail.com; Presley, Amy; Howerton, Leslye; Wright, Gwen; MCP-  
Chair; councilmember.berliner@montgomerycountymd.gov  
**Subject:** Bray & Scarf Property  
**Attachments:** 20160301113416.pdf

All,

Please find attached my letter in support of the redevelopment of the Bray & Scarf building and adjacent parking lot. I am in full support of this project and am excited about a new apartment building coming to that area. In my opinion, the current development does not showcase what downtown Bethesda is about.

Regards,

Rebecca Wright

# Rebecca L. Wright

6820 Wisconsin Avenue, Unit 3014 Bethesda, Maryland 20815

Via U.S. Mail and email addresses:

[casey.anderson@mncppc-mc.org](mailto:casey.anderson@mncppc-mc.org)

[Marye.Wells-Harley@mncppc-mc.org](mailto:Marye.Wells-Harley@mncppc-mc.org)

[norman.dreyfuss@mncppc-mc.org](mailto:norman.dreyfuss@mncppc-mc.org)

[NataliFaniGonzalez@gmail.com](mailto:NataliFaniGonzalez@gmail.com)

[Amy.Presley@mncppc-mc.org](mailto:Amy.Presley@mncppc-mc.org)

[leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org)

[gwen.wright@mncppc-mc.org](mailto:gwen.wright@mncppc-mc.org)

[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)

[councilmember.berliner@montgomerycountymd.gov](mailto:councilmember.berliner@montgomerycountymd.gov)

February 29, 2016

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

Re: Bray & Scarf Property

Mr. Casey Anderson and members of the Planning Board,

My name is Rebecca Wright and I currently live in the Adagio building located at 6820 Wisconsin Avenue, Unit 3014, Bethesda, MD. As a young professional, I would love to see real change come to this area of Bethesda. The intersection of Bradley Boulevard and Wisconsin Avenue is the main entranceway to Bethesda, but in reality, it doesn't feel like it. It is important to have a defined entrance, in order to attract younger residents like me to Bethesda. To achieve this, the southern portion of Wisconsin Avenue should reflect the character of Downtown Bethesda and continue to rise like the rest of the buildings in the Downtown area.

I am aware of the plans to redevelop the properties with a 145 foot building across the street from the Adagio, next to the Saint John's Church. I like how the building transitions down in height to West Avenue. I am excited about the new energy that the proposed redevelopment will bring to this important but often overlooked area of Bethesda. Importantly, a signature building at this location, with higher heights along Wisconsin Avenue, will reflect the character of the Downtown and define this entrance into Bethesda.

Sincerely,



Rebecca Wright

MCP-Chair

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**From:** Cecily Baskir <cebaskir@verizon.net>  
**Sent:** Tuesday, March 01, 2016 1:55 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye  
**Subject:** Petition related to Bethesda Downtown Plan- Jaffe property  
**Attachments:** save-our-town-oppose-jaffe-tower.pdf

Dear Chairman Anderson & Members of the Planning Board:

Please find attached a copy of a petition related to the rezoning proposals for the properties located at 6801-6807 Wisconsin Avenue. The petition, which was created and signed online, reads: "We, the undersigned, strongly oppose the building of a tower by the corner of Wisconsin Ave. and Bradley Lane. The building of this tower would negatively impact our neighborhood by compromising our quality of life, increasing congestion on local roads, exacerbating the overcrowding of schools, and making our community less safe."

The copy attached here includes 226 signatures and some comments as of Friday, Feb. 26, 2016. Between that time and today (March 1, 2016), five more people have signed the petition, for a total of 231. The petition may be viewed online at <http://www.ipetitions.com/petition/save-our-town-oppose-jaffe-tower>. It remains open for signatures, and we plan to supplement the list here with any additional signatures prior to the Board's next worksession on the Bethesda Downtown Plan.

Thank you for your consideration.

Cecily Baskir  
Ridge Street  
Chevy Chase, MD 20815



This petition has collected  
226 signatures  
using the online tools at [iPetitions.com](http://iPetitions.com)

Printed on 2016-02-26

## **Save our Town: Oppose Jaffe Tower**

About this petition

**We, the undersigned, strongly oppose the building of a tower by the corner of Wisconsin Ave. and Bradley Lane. The building of this tower would negatively impact our neighborhood by compromising our quality of life, increasing congestion on local roads, exacerbating the overcrowding of schools, and making our community less safe.**

## Signatures

1. Name: Alicia Bazan on 2016-01-10 17:39:15  
Comments:

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2. Name: Mary Connelly on 2016-01-16 02:52:23  
Comments:

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3. Name: Virginia Ceaser on 2016-01-16 02:52:27  
Comments:

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4. Name: Fairlie and David Maginnes on 2016-01-16 03:22:19  
Comments:

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5. Name: Rob Portman on 2016-01-16 03:44:08  
Comments:

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6. Name: Marcy forrest on 2016-01-16 03:47:43  
Comments:

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7. Name: Gerald Garfinkel on 2016-01-16 03:49:55  
Comments:

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8. Name: Iris sherman on 2016-01-16 03:53:13  
Comments:

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9. Name: Arthur Forrest on 2016-01-16 04:00:51  
Comments:

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10. Name: Jenny brilliant on 2016-01-16 04:06:36  
Comments:

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11. Name: David Lublin on 2016-01-16 04:37:57  
Comments: It's much too tall for the transition zone between Wisconsin and West. As a result, it completely violates the sensible graduated heights between different levels of density central to the current Master Plan. The roads already don't support current traffic in and out of TOCC. Thanks for organizing this petition.

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12. Name: Joe Gitchell on 2016-01-16 09:41:27  
Comments:

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13. Name: Elizabeth Mumford on 2016-01-16 12:05:24  
Comments:

- 
14. Name: George Schu on 2016-01-16 12:45:44  
Comments:
- 
15. Name: Michael Robinson on 2016-01-16 13:56:06  
Comments:
- 
16. Name: Andrew Emmett on 2016-01-16 14:10:16  
Comments:
- 
17. Name: Jean Shorett on 2016-01-16 14:11:25  
Comments:
- 
18. Name: Melanie Manfield on 2016-01-16 15:00:31  
Comments: Please do not allow a cut-through road to be created.
- 
19. Name: Steve Seidel on 2016-01-16 15:30:22  
Comments: This site is too distant from the Metro and too close to a residential neighborhood for this large a building.
- 
20. Name: James Fitzpatrick on 2016-01-16 15:47:51  
Comments:
- 
21. Name: Tom Bonner on 2016-01-16 16:20:19  
Comments:
- 
22. Name: Gretchen Bonner on 2016-01-16 16:23:55  
Comments:
- 
23. Name: Myron Brilliant on 2016-01-16 18:04:39  
Comments:
- 
24. Name: Marci Levin on 2016-01-16 18:05:37  
Comments:
- 
25. Name: Jon Griffin on 2016-01-16 18:15:12  
Comments:
- 
26. Name: Neil Doherty on 2016-01-16 18:23:09  
Comments:
- 
27. Name: John Fitzgerald on 2016-01-16 19:17:42

Comments: This proposal is yet another in a long line that demonstrates that the current planning process and County Council have virtually no enforceable standards to limit density to that which a healthy community can bear, given that the current transportation system is broken and that ambient air, water, and noise (due to construction) pollution levels are already impaired and falling. An example is the most recent new middle school being built in what was once an inviolate forest protecting the Rock Creek watershed from excess storm-water. That protection was tossed aside. It was built there only so that new residential permits could be granted without running up against one of the few limits to growth in the County. What was once an attractive community with parks, trails, green space, good schools and quality of life is now being stuffed like a goose for liver pate. The healthy goose that once regularly laid the golden eggs of Bethesda-Chevy Chase is now being prepared for slaughter for one last feast before the current Council Members retire, perhaps to countries that do not have extradition treaties with the U.S.

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28. Name: Claire Reade on 2016-01-16 20:00:36  
Comments:

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29. Name: Margit Nahra on 2016-01-16 20:33:12  
Comments:

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30. Name: Martin Gold on 2016-01-16 20:47:35  
Comments:

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31. Name: Ann Wild on 2016-01-17 02:59:04  
Comments: To change the R-60 residential zoning at the back of the two lots that would facilitate the construction of the massive Jaffe Tower immediately adjacent to the front yards of single-family homes facing and near West Ave. is a disaster in the making. It is totally unfair not only to those nearby residents, but also to the rest of the Town of Chevy Chase because of the influx of traffic, etc., from a building that size. In addition, I dearly hope you will not even consider a cut-through road from Wisconsin to West that would bring more traffic into the Town than it could ever manage. Making an entrance to a lower density building off Wisconsin that does not go through to West Ave. is fine. Until very recently Town residents did not know about the proposed 14-story Jaffe Tower. Now they are appalled and angry about it. We are a single-family neighborhood, not a commercial zone. The Eastern Greenway should have the lowest density in Bethesda, given its distance from the Metro. The current plan, as proposed, will certainly please the developers, but it is not in the spirit of the Sector Plan and stands to permanently harm the residents of the Town of Chevy Chase.

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32. Name: Cecily Baskir on 2016-01-17 15:46:42  
Comments:

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33. Name: Margaret Wiener on 2016-01-17 18:27:48  
Comments:

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34. Name: Helen Price on 2016-01-17 20:34:34



Comments: Please don't overwhelm our neighborhood. Don't feed traffic from the parking lot and to and from Wisconsin onto the intersection of Ridge and West as is proposed. Ridge has one traffic lane, no sidewalks and lots of people walking in the street. There is no current access from Wisconsin for a reason. The streets can't handle it.

- 
35. Name: Christina Files on 2016-01-17 22:08:36  
Comments: The County Planning Board is approving way too many tall, outsized buildings for Bethesda. 15-20 ft. skyscrapers will ruin Bethesda!
- 
36. Name: Mary Flynn on 2016-01-18 03:34:07  
Comments:
- 
37. Name: Bari Schwartz on 2016-01-18 03:56:27  
Comments:
- 
38. Name: Pat Burda on 2016-01-18 04:35:51  
Comments:
- 
39. Name: Michelle Ward-Brent on 2016-01-18 05:25:10  
Comments: I protest this and much of the other development, unabated, that is scarfing up all of Bethesda. It is out of control. Enough!
- 
40. Name: Robert newman on 2016-01-18 09:21:01  
Comments:
- 
41. Name: Amy Walker on 2016-01-18 12:14:11  
Comments:
- 
42. Name: Laurie Haughey on 2016-01-18 12:26:07  
Comments:
- 
43. Name: Lise Howard on 2016-01-18 12:44:37  
Comments:
- 
44. Name: Lynn Matheny on 2016-01-18 13:02:56  
Comments:
- 
45. Name: Iris shermson on 2016-01-18 13:03:36  
Comments:
- 
46. Name: Judith McGuire on 2016-01-18 13:05:31  
Comments:
-

47. Name: Pamela Fowler on 2016-01-18 13:13:17  
Comments:
- 
48. Name: Timothy Gardner on 2016-01-18 13:14:50  
Comments:
- 
49. Name: Scott Fosler on 2016-01-18 13:23:20  
Comments:
- 
50. Name: Lorain Shore on 2016-01-18 13:34:01  
Comments:
- 
51. Name: Monique Milhollin on 2016-01-18 14:02:53  
Comments:
- 
52. Name: Gary Milhollin on 2016-01-18 14:06:10  
Comments:
- 
53. Name: Brad Haughey on 2016-01-18 14:07:50  
Comments:
- 
54. Name: Barbara and David Levitt on 2016-01-18 14:08:11  
Comments: Also  
David.levitt@usdoj.gov
- 
55. Name: Michael Coplan on 2016-01-18 14:14:16  
Comments:
- 
56. Name: Rich Matheny on 2016-01-18 14:19:38  
Comments: I strongly oppose the proposed tower and believe it construction would negatively impact our town, its character, and the health and safety of its residents.
- 
57. Name: W Robert Johnson on 2016-01-18 14:21:46  
Comments:
- 
58. Name: Beth Morrison on 2016-01-18 14:29:50  
Comments:
- 
59. Name: Kelly Rubenstein on 2016-01-18 14:33:55  
Comments: Town resident.
- 
60. Name: David Ziegele on 2016-01-18 14:57:17

Comments:

- 
61. Name: Margaret Gwaltney on 2016-01-18 15:21:53  
Comments: Bethesda needs no more development. The streets are already overcrowded and some buildings aren't even occupied yet. The residents of the Town of Chevy Chase so not want tall commercial buildings immediately next to residential houses. Please stop this development.
- 
62. Name: Tina Coplan on 2016-01-18 16:08:51  
Comments:
- 
63. Name: Ann Truss on 2016-01-18 16:21:55  
Comments: There is currently enough new construction going on in Bethesda which will adversely impact the traffic density, crowded schools, Bethesda metro and life in our community. I strongly oppose the building at Bradley and Wisc Ave which is already severely congested.
- 
64. Name: Judith B Goodwin on 2016-01-18 16:31:34  
Comments:
- 
65. Name: Fairlie and David Maginnes on 2016-01-18 16:38:57  
Comments:
- 
66. Name: Jonathan Walker on 2016-01-18 17:42:49  
Comments: High Rise development should be reserved for the South side of Wisconsin Ave. The proposed building is completely disproportionate to the traffic infrastructure supporting it; not smart development (except for the developer!). I strongly oppose it- as does every neighbor with whom I have spoken.
- 
67. Name: Deborah Ingram on 2016-01-18 18:48:18  
Comments: I strongly oppose this proposed development. Both the height and the density sought are out of scale with the residential neighborhood just behind and excessive this far from the Bethesda Metro station. No consideration seems to be given to the intersection of Bradley and Wisconsin which already is over-congested. Bring this building back down to 75 or 90 feet at most and reduce the actual (not just the mapped) FAR for the project.
- 
68. Name: Max Fainberg on 2016-01-18 19:06:09  
Comments:
- 
69. Name: Greer Murphy on 2016-01-18 19:07:23  
Comments: Too many tall buildings and too much traffic = Rosslyn, Crystal City VA - total destruction of quality of life for nearby residents. Bethesda should not go this route in the interests of short term profit for developers.
-

70. Name: Julia Randall on 2016-01-18 20:20:18  
Comments:
- 
71. Name: Lila O Asher on 2016-01-18 20:55:57  
Comments: these tall building will overcrowd the area and cast shadows on surrounding homes
- 
72. Name: Don MacGlashan on 2016-01-18 21:31:46  
Comments:
- 
73. Name: Lydia Adelfio on 2016-01-18 23:08:22  
Comments:
- 
74. Name: Louis Evangelista on 2016-01-19 00:21:34  
Comments: The increased densities recommended by the Planning Staff and being approved by the Planning Board are economically and environmentally unsound and damaging to the quality of life of the residential communities of Bethesda and Chevy Chase.
- 
75. Name: Shaad Abdullah on 2016-01-19 01:53:01  
Comments: please do not further overcrowd our peaceful neighborhood.
- 
76. Name: Don and Peggy MacGlashan on 2016-01-19 04:16:00  
Comments:
- 
77. Name: Georgia Guhin on 2016-01-19 05:03:03  
Comments:
- 
78. Name: Nissen Ritter on 2016-01-19 13:03:03  
Comments: There is no upside to overbuilding, only negatives. From the schools to traffic safety to the greenspace and air quality,
- 
79. Name: Robin McKenna on 2016-01-19 14:21:57  
Comments:
- 
80. Name: Doug McKenna on 2016-01-19 14:22:34  
Comments:
- 
81. Name: Kathryn Freeman Vita on 2016-01-19 15:05:14  
Comments:
- 
82. Name: Gloria Tristani on 2016-01-19 16:24:34  
Comments:

- 
83. Name: Margaret Bright on 2016-01-19 19:09:06  
Comments:
- 
84. Name: Frances Pitlick on 2016-01-20 12:27:05  
Comments: What's wrong with the space that is already there, besides lack of profit to the developers?
- 
85. Name: Margot Mahoney on 2016-01-21 03:29:49  
Comments:
- 
86. Name: Monique Shimm on 2016-01-21 12:00:44  
Comments:
- 
87. Name: Caroline Michaelis on 2016-01-22 02:31:30  
Comments:
- 
88. Name: Rose Edwards on 2016-01-23 22:57:53  
Comments:
- 
89. Name: Peter Edwards on 2016-01-23 22:58:53  
Comments:
- 
90. Name: James Ford on 2016-01-24 12:55:17  
Comments: 4427 Walsh Street  
Town of Chevy Chase
- 
91. Name: Julie Davis on 2016-01-24 19:58:52  
Comments:
- 
92. Name: Michele Budin on 2016-01-25 18:17:43  
Comments:
- 
93. Name: John Freedman on 2016-01-26 00:02:43  
Comments:
- 
94. Name: Bridget Hartman on 2016-01-26 17:22:10  
Comments:
- 
95. Name: Barbara Alison Rose on 2016-01-26 17:44:29  
Comments:
-

96. Name: Russ Powell on 2016-01-26 17:52:31  
Comments: The proposed development will not make Bethesda a more interesting or vibrant place. Instead, it promises only the extremely negative effects listed above and by other commenters. It must be stopped.
- 
97. Name: Annette Simon on 2016-01-26 18:28:14  
Comments: I think it's reasonable to develop the lots, but with serious consideration for the fact that it is on the edge of a residential neighborhood. It makes no sense to build structures here that are more than twice as tall as those in the center of downtown Bethesda.
- 
98. Name: Jane Malish on 2016-01-26 19:12:31  
Comments:
- 
99. Name: Miriam Daniel on 2016-01-26 19:44:31  
Comments:
- 
100. Name: Andrea D Harris on 2016-01-26 21:27:38  
Comments: Emphatically oppose this huge transformation in density and lot zoning, it borders a residential zone with NO buffer! County planning board must take community friendly development to heart first and foremost! Don't destroy our community!
- 
101. Name: keith blizzard on 2016-01-26 21:51:27  
Comments:
- 
102. Name: Barbara Garlock on 2016-01-26 22:19:13  
Comments:
- 
103. Name: Rachel Waters on 2016-01-26 23:26:03  
Comments: 4414 Ridge St
- 
104. Name: Chris Wright on 2016-01-27 02:43:23  
Comments:
- 
105. Name: Elizabeth Bonardi on 2016-01-27 04:43:25  
Comments:
- 
106. Name: Andrew Berg on 2016-01-27 11:15:17  
Comments:
- 
107. Name: Emily Vaughan on 2016-01-27 12:00:16  
Comments:
-

108. Name: Robin Sherman on 2016-01-27 12:37:48  
Comments: Please put a halt to this project. It will have a disastrous impact on traffic, safety, and quality of life for residents and merchants. Surely it can, and should, be scaled down to ease the consequences that will ensue. Let's be proactive for once and examine the ramifications and make smart choices before committing to a project that demands more careful thought.
- 
109. Name: James Lobsenz on 2016-01-27 14:31:21  
Comments: Traffic at that intersection is already extremely bad; the proposed development will worsen the traffic dramatically and will substantially reduce the ability of Town residents to efficiently leave or get back to their residences.
- 
110. Name: Mary Anne Hoffman on 2016-01-27 15:17:38  
Comments:
- 
111. Name: Nancy Wolfson on 2016-01-27 17:06:26  
Comments:
- 
112. Name: Dennis Carroll on 2016-01-27 19:37:32  
Comments:
- 
113. Name: Jane Bruno on 2016-01-27 23:39:22  
Comments:
- 
114. Name: Kathryn Freeman Vita on 2016-01-27 23:58:59  
Comments:
- 
115. Name: David Strom on 2016-01-28 02:12:39  
Comments:
- 
116. Name: Kathy Strom on 2016-01-28 02:13:36  
Comments:
- 
117. Name: Nancy Patkus on 2016-01-29 14:34:05  
Comments: Bethesda has already been ruined by all the construction that has taken place. Traffic is presently a nightmare - and we don't need more of it nor more crowding in our schools.
- 
118. Name: Lauren Boccardi on 2016-01-30 02:06:43  
Comments: The proposed development is completely inconsistent with the character and needs of our community. Our roads and schools cannot support this density influx in our residential neighborhood. Bethesda needs smart development, not unsustainable growth at any cost.
-

119. Name: Paul Pavlica on 2016-01-30 02:40:05  
Comments:
- 
120. Name: Linda Demlo on 2016-01-30 19:03:54  
Comments:
- 
121. Name: Waverly Ding on 2016-01-31 15:25:05  
Comments:
- 
122. Name: Krystyna Malesa on 2016-02-01 01:56:47  
Comments:
- 
123. Name: Maree Webster on 2016-02-01 19:32:28  
Comments:
- 
124. Name: Kathleen Patterson and Floyd L Norton IV on 2016-02-01 19:38:41  
Comments:
- 
125. Name: Stephan Lawton on 2016-02-01 19:39:20  
Comments:
- 
126. Name: Deborah Vollmer on 2016-02-01 19:45:30  
Comments: Uncontrolled development of this nature is not healthy for people, or for communities of people. An analogy: in the human body: uncontrolled development is known as cancer. Just as new blood vessels feed the cancerous tumor in the body, commercial development fueled by developer money leads to growth that cannot be sustained by the surrounding infrastructure. Stop the madness!
- 
127. Name: Mary C Molly Moynihan on 2016-02-01 19:48:26  
Comments: Our roads, schools and community cannot sustain the proposed density. The intersection with two-lane Bradley and immediate proximity to a residential neighborhood make the proposed Tower unworkable.
- 
128. Name: Michael Pearse on 2016-02-01 19:52:47  
Comments:
- 
129. Name: Stephen Bou on 2016-02-01 19:55:22  
Comments:
- 
130. Name: Carolyn Bou on 2016-02-01 19:57:41  
Comments:
- 
131. Name: Marci Levin on 2016-02-01 20:02:06



Comments:

- 
132. Name: Ann Ashbery on 2016-02-01 20:13:48  
Comments: It is important that accurate density studies are made before any additional density rights are granted. Our neighborhood roads are already dangerously congested. Just a few days ago, I heard a firefighter's voice projected by a loudspeaker system which begged drivers to get out of the way of his fire truck which was stuck in traffic on Bradley Lane. Since I have lived on Ridge Street, I know of five homes within four blocks of my house which have had serious fires. Two spread to neighboring homes and a third burned to the ground.
- 
133. Name: Jane West on 2016-02-01 20:18:44  
Comments: Address: 4425 Walsh Street  
Chevy Chase
- 
134. Name: Stan Mayer on 2016-02-01 20:19:40  
Comments:
- 
135. Name: Michael Guhin on 2016-02-01 20:52:52  
Comments:
- 
136. Name: Virginia Ceaser on 2016-02-01 21:22:36  
Comments:
- 
137. Name: Dr Stanley Mayer on 2016-02-01 22:18:37  
Comments:
- 
138. Name: judy starrels on 2016-02-01 23:02:13  
Comments:
- 
139. Name: Shana Jacobus on 2016-02-01 23:56:38  
Comments: 4416 Ridge Street
- 
140. Name: Landis Zimmerman on 2016-02-02 00:39:35  
Comments:
- 
141. Name: Abigail Marshall on 2016-02-02 00:42:03  
Comments:
- 
142. Name: Marna Tucker and LAWRENCE Baskir on 2016-02-02 01:01:44  
Comments:
- 
143. Name: Rob Portman on 2016-02-02 01:14:54

Comments:

- 
144. Name: jonathan lave on 2016-02-02 11:57:05  
Comments: The location of the building makes no sense. It will create additional traffic problems at an already clogged intersection and harm the character of the neighborhood. Further, I believe we need to keep a fire station at the current location
- 
145. Name: Carol Rubin on 2016-02-02 14:15:25  
Comments:
- 
146. Name: Carol G Levin on 2016-02-02 15:07:50  
Comments:
- 
147. Name: Peter J Levin on 2016-02-02 15:08:53  
Comments:
- 
148. Name: Evan Hirsche on 2016-02-02 15:38:42  
Comments:
- 
149. Name: Michele Johnston on 2016-02-02 23:42:53  
Comments: Getting through Bethesda, even walking, is difficult. Please don't look at each project in isolation, but rather look at the density and scope of the entire Bethesda Sector Plan. Please remember that every building impacts our traffic, our schools, and our air and water quality. Development is what has made our area so desirable, but we need smart development that is sustainable and well considered.
- 
150. Name: Jim Everett on 2016-02-03 03:37:18  
Comments:
- 
151. Name: Deborah Borkowski on 2016-02-03 14:10:25  
Comments:
- 
152. Name: Yuehong Wang on 2016-02-03 18:21:50  
Comments:
- 
153. Name: Maj-Britt Dohlie on 2016-02-04 22:09:51  
Comments:
- 
154. Name: Susan Blacklow on 2016-02-05 20:31:41  
Comments:
- 
155. Name: Martha Mohler on 2016-02-06 00:14:42  
Comments:

- 
156. Name: Elizabeth Mohler on 2016-02-06 01:54:42  
Comments:
- 
157. Name: Jane Axelrad on 2016-02-06 03:01:31  
Comments:
- 
158. Name: Susan Fallon on 2016-02-06 03:16:37  
Comments: When we bought our house 11 years ago,, we bought in a community where mixed use buildings were welcome but where a family could be raised within an inviting and accessible downtown. We now jokingly refer to Bethesda center as "the city". Sadly, it is no joke.
- 
159. Name: Ariel Flood on 2016-02-06 03:18:43  
Comments:
- 
160. Name: Berit Enge on 2016-02-06 03:33:04  
Comments:
- 
161. Name: Karen Elkins on 2016-02-06 03:43:42  
Comments:
- 
162. Name: Jerry Weir on 2016-02-06 03:45:07  
Comments:
- 
163. Name: Susan Goodman on 2016-02-06 14:40:19  
Comments:
- 
164. Name: Lila O Asher on 2016-02-06 20:37:05  
Comments:
- 
165. Name: Clara Monsma on 2016-02-07 14:39:48  
Comments:
- 
166. Name: beth barnett on 2016-02-07 16:10:51  
Comments:
- 
167. Name: Jeffrey Marqusee on 2016-02-07 20:22:51  
Comments:
- 
168. Name: Deborah Zarin on 2016-02-07 21:23:52  
Comments:

- 
169. Name: Ev Jack on 2016-02-08 15:53:06  
Comments: 4423 Ridge Strret
- 
170. Name: Stephanie Grill on 2016-02-08 17:57:30  
Comments:
- 
171. Name: Michael Gravitz on 2016-02-08 21:54:59  
Comments:
- 
172. Name: Karen Elkins on 2016-02-09 03:08:42  
Comments:
- 
173. Name: Cathy Slesinger on 2016-02-09 16:28:27  
Comments:
- 
174. Name: KENNETH Rubin on 2016-02-09 19:41:45  
Comments:
- 
175. Name: Amanda Farber on 2016-02-10 19:30:50  
Comments: There is a difference between redevelopment/smart development and over-development. The infrastructure in Bethesda/Chevy Chase - roads, traffic, schools, green space - cannot support the over development that is happening (with much more on the way already).
- 
176. Name: Patricia Kolesar on 2016-02-10 20:35:10  
Comments: I agree with this Petition. This is yet another developer over-reach: we the people want this nonsense to stop! Save our neighborhoods from over-development. Our schools, roads, and infrastructure generally cannot handle these obscene projects any more.
- 
177. Name: Kathy Pomerenk on 2016-02-10 21:12:23  
Comments:
- 
178. Name: Helen Martin on 2016-02-10 21:17:36  
Comments:
- 
179. Name: Geralyn OMarra on 2016-02-10 23:08:42  
Comments: I moved into a neighborhood not a profit center. Enough! Smart not greedy redevelopment now!
- 
180. Name: Robert Lipman on 2016-02-11 01:34:08  
Comments: The traffic on Bradley is already outrageously overcrowded -- adding more

density is ridiculous.

- 
181. Name: Ann on 2016-02-11 02:13:26  
Comments:
- 
182. Name: Meredith Mirkow on 2016-02-11 02:17:35  
Comments: The Bradley/Wisconsin Avenue location is sufficiently congested as is. New construction would compound the traffic issues and would increase enrollment in the B-CC cluster schools which are already over capacity. Plans for this (over) development have gotten out of hand. While keeping our area attractive to new businesses and residents is important, it does not have to be done at the expense of our children and their future. Over crowded schools cannot effectively provide for the needs of all students and given the history of the County and State not fully funding MCPS, the future of our children is gravely at stake.
- 
183. Name: Citsi Castro on 2016-02-11 02:32:20  
Comments:
- 
184. Name: Connie Simon on 2016-02-11 02:38:28  
Comments: There is far too much congestion on Wisconsin Ave. at the present time.
- 
185. Name: Mary Hamilton on 2016-02-11 02:49:14  
Comments:
- 
186. Name: Andrew Kolesar on 2016-02-11 03:23:37  
Comments:
- 
187. Name: David Thomson Mohler on 2016-02-11 13:37:17  
Comments:
- 
188. Name: Beth Kevles on 2016-02-11 16:37:12  
Comments: Please STOP all the building until you take a comprehensive look at the cumulative effect of the increase on our infrastructure: schools, emergency services, traffic, and quality of life overall.
- 
189. Name: Joan Hoover on 2016-02-11 16:40:28  
Comments:
- 
190. Name: Don MacGlashan on 2016-02-11 16:48:46  
Comments: The population density the Planning Board in considering for this area makes no sense and ignores the impact on adjacent communities, schools, traffic and their quality of life. The Planning Board should LISTEN to its professional planners.
- 
191. Name: Emily Vaughan on 2016-02-11 16:50:37

Comments:

- 
192. Name: Kathleen and Charles Buffon on 2016-02-11 17:22:37  
Comments: Stop. Just stop. The congestion on and near Wisconsin, Bradley, and Connecticut Avenues are choking the life out of our communities. I will not insult the "planners" by suggesting that they are in the pay of the developers, but somehow they surely have lost all sense of reality.
- 
193. Name: Robert Toth on 2016-02-11 18:51:34  
Comments:
- 
194. Name: Gardner Peckham on 2016-02-11 19:30:25  
Comments:
- 
195. Name: Francis Kline on 2016-02-11 19:52:20  
Comments:
- 
196. Name: Magali Kline on 2016-02-12 02:28:05  
Comments:
- 
197. Name: Ariel Flood on 2016-02-12 11:00:26  
Comments:
- 
198. Name: Julie stanish on 2016-02-12 11:53:08  
Comments:
- 
199. Name: Joan April and Rick Greene on 2016-02-12 12:24:18  
Comments:
- 
200. Name: Greer Murphy on 2016-02-12 14:01:28  
Comments: Anyone who has been trapped in the gridlock at Wisconsin and Bradley at 5 pm can see that adding a huge tower at this location will bring traffic to a complete standstill, for hours. Very, very bad plan.
- 
201. Name: Laura Lederman on 2016-02-12 14:11:51  
Comments: Traffic in this area is already at a standstill. This is not smart development, this is a grab at more profit by developers and helps no one but developers. Our infrastructure cannot support this level of development.
- 
202. Name: Max Fainberg on 2016-02-12 16:00:18  
Comments: The height and scale of the proposed development are incompatible with the nearby single family homes and narrow residential streets. Traffic along West Avenue is already congested and unsafe by allowing cars to park in the No Parking zones in front of the Oneness School., where students get picked up and dropped off. Adding more

pedestrians, commuters and cars to an already problematic situation will surely result in accidents and injuries. Anyone who has experienced the morning or afternoon jumble along West Avenue will agree that this block needs less traffic - not more.

- 
203. Name: Dr Luther Gray on 2016-02-12 21:04:12  
Comments:
- 
204. Name: Patricia Johnson on 2016-02-12 21:09:33  
Comments: We have to stand together against developers and their political contributions that support the Montgomery County Council (with the exception of CM Marc Elrich). The pro development policies of the County Council consistently ignore the concerns of their constituents who seek to protect the neighborhoods where they live.
- 
205. Name: Mary Eileen Morrissey on 2016-02-12 21:22:15  
Comments: There is way too much traffic and building going on in the area. We don't need another tall building and more people.
- 
206. Name: David Johnson on 2016-02-13 01:03:45  
Comments: The County Council's job is to attend to the needs and wishes of their constituents--we the citizens of Montgomery County--and NOT to the needs and wishes of developers, whose only concern is to maximize profits and not the wishes and needs of the citizens. Developers care little for the character of the surrounding neighborhoods--that's the concern of the Council. If the Council receives money from the developers and does not give preference to the needs of their lawful voting constituents, what does this say about our county government? And why would we ever want to live here and pay taxes? Or vote for them again?
- 
207. Name: Barbara Dunkley on 2016-02-13 09:36:10  
Comments:
- 
208. Name: Amanda dickson on 2016-02-13 13:30:42  
Comments: Unless there is a feasible and comprehensive plan for traffic and parking management, STOP. CONTEXT, developers. Please learn something from the architects and planners who are trained to deal sensitively with the surrounding area and who may not deem this site viable for the immediate community.
- 
209. Name: Judith McGuire on 2016-02-13 13:53:31  
Comments: Town of Chevy Chase
- 
210. Name: Chris Marvin on 2016-02-13 14:28:06  
Comments:
- 
211. Name: Susan Weiss on 2016-02-13 16:59:05  
Comments: That corner is already so congested. Please don't make our community more crowded. At some point development must stop

- 
212. Name: Mary Sheehan on 2016-02-13 17:29:57  
Comments:
- 
213. Name: Miriam Goldberg on 2016-02-15 23:57:14  
Comments:
- 
214. Name: Craig Brooks on 2016-02-20 06:17:54  
Comments:
- 
215. Name: Gary Milhollin on 2016-02-20 21:19:48  
Comments:
- 
216. Name: Monique Milhollin on 2016-02-20 21:43:11  
Comments:
- 
217. Name: margaret clark on 2016-02-21 14:36:29  
Comments:
- 
218. Name: Jerzy Malesa on 2016-02-21 16:43:42  
Comments:
- 
219. Name: David Aiken on 2016-02-21 19:08:01  
Comments:
- 
220. Name: Molly McUsic on 2016-02-21 20:30:48  
Comments:
- 
221. Name: Miriam Daniel on 2016-02-21 23:13:02  
Comments:
- 
222. Name: Diane willkens on 2016-02-21 23:52:20  
Comments:
- 
223. Name: M Gloria Tristani on 2016-02-22 20:10:46  
Comments:
- 
224. Name: sandy kavalier on 2016-02-23 21:22:26  
Comments:
- 
225. Name: mort kavalier on 2016-02-23 23:07:12  
Comments: it is already too congested on our roads for another large building with more



people living in our small area. Where is the city planning?

---

226. Name: Humayun Chaudhry on 2016-02-25 19:03:25  
Comments:

---

## MCP-CTRACK

---

**From:** JWHoover@aol.com  
**Sent:** Tuesday, March 01, 2016 3:16 PM  
**To:** MCP-Chair  
**Subject:** Re: Bethesda Sector Plan

Mr. Casey Anderson, Chair.  
Montgomery County Planning Board.

Dear Mr. Anderson,

Active and talented citizens such as yourself often get so enthusiastic about a project they tend to lose their perspective.

You cannot put all of your energy and enthusiasm into what it is that you plan to CREATE without first weighing that value against the value of what it is that you plan to DESTROY.

If the plans for the grand new Bethesda were to be built on a desert island or a strip of the prairie, there would be nothing to consider. Build away!

But you're not. You're planning to build on space being used for generations by responsible citizens who live on it, love and care for it and pay huge taxes for the privilege. No one said, "You can live and raise your families here, until some bigger, richer bully comes along and throws you off. Sounds rather un-American doesn't it?"

Now we learn that you plan to choke our traffic, obliterate our parking, essentially ban access of emergency vehicles from our neighborhood, overburden our utilities and, as a very last straw...steal our sunlight.

My modest home of more than 50 years has one delightful feature; a west facing sunroom, a delightful place to read, write relax or entertain.

Recently, due to the replacement of a neighboring bungalow with a much taller house, I have lost an hour of sunlight each afternoon. and the delight of an occasional spectacular sunset. The loss is palpable.

The prospect of tall buildings to be built on the east side of Wisconsin Avenue, North from St. John's Church, will plunge me and dozens of my neighbors into a permanent twilight that we do not want or deserve.

I consider this to be Grand Theft, and I heartily protest.

Thank you for your time.

Joan W. Hoover

6902 Oakridge Avenue  
Town of Chevy Chase  
Chevy Chase, Maryland  
20815  
Phone: (301)652-2016

## MCP-CTRACK

---

**From:** Mirit Greenstein <mirit.greenstein@gmail.com>  
**Sent:** Tuesday, March 01, 2016 3:17 PM  
**To:** MCP-Chair  
**Subject:** Fwd: No Road in Battery Park

I am a resident of Battery Park neighborhood  
The residents have spoken and shared their views with you: No to Battery Park Road!!!  
It is my understanding that the Board has now stated this is a non-voting issue  
But this is not enough for us. We are asking that you definitively vote No to this issue to really end it  
As it is, the issue remains active and will undoubtedly return for a vote  
The residents do not want to keep wasting your time, so please help us end this once and for all  
Vote No to Road or any development to Battery Park now and in the future  
Tell special interests that we are not okay with developing one of last available Green spaces  
Tell them to go try and make their money elsewhere. We are not interested  
Thank you again  
Mirit Greenstein  
4977 Battery Lane  
Bethesda,  
MD 20814

----- Forwarded message -----

**From:** Mirit Greenstein <mirit.greenstein@gmail.com>  
**Date:** Tue, Feb 23, 2016 at 9:56 AM  
**Subject:** No Road in Battery Park  
**To:** [MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)

I am a resident of the Battery Park neighborhood  
The residents of this community have spoken up to say We Don't Want a Road thru our Park  
The Commercial community, whose only interest is profit doesn't care about our Green space  
They want to add even more businesses to the area while so many are unable to stay profitable  
We already have too many Residential high rises, More restaurants than some larger cities and ample parking  
garages as well as Metro, Bus, Free Ride Bus, Taxi's.

Your constituents are the residents, not the businesses  
What we need is green space to walk in, sit in, let our kids play in, play ourselves on the basketball or tennis  
court and walk our dogs in. Destroying (and yes, that is what a road will do) this park will make it unsafe or any  
of the above mentioned activities and so much more. It will add to the pollution, create more traffic congestion  
and and will destroy one of the only Green spaces available in Bethesda.

If Bethesda residents wanted a concrete jungle they wouldn't have resided in Bethesda in the first place  
Please stop allowing special interests (commercial wants) to decide how the residents live and enjoy their public  
spaces

This has come to a vote a few times now. I am disappointed that after one vote of No to the Road thru Battery  
Park, you continue to have meetings and re-vote. No is No. Help Keep Bethesda Green and Clean.  
Vote NO to to Any (non green park) development of Battery Park.

Thank you,--  
Mirit Greenstein  
4977 Battery Lane  
Bethesda, MD 20814

--  
Mirit Greenstein

MCP-Chair

**From:** Dlhopsky, Heather - HXD <HDLhopsky@linowes-law.com>  
**Sent:** Tuesday, March 01, 2016 9:24 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye  
**Subject:** 4816, 4820, and 4828 Auburn Avenue - Request to speak at Planning Board worksession on "reconsiderations"  
**Attachments:** 201602021620.pdf

RECEIVED  
MAR 01 2016

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

Chairman Anderson and Members of the Planning Board,

Attached please find a letter on behalf of NOVO Properties that we previously submitted on February 2nd regarding the Bethesda Downtown Plan in relation to the above-referenced property. The purpose of this email is to request that we be permitted to speak briefly at the Planning Board's "reconsideration requests" worksession that we understand will likely be held on March 10th. NOVO Properties recently placed the subject property under contract, and thus we were not able to participate on behalf of this property at either the Planning Board's public hearing in June or in the fall Planning Board worksessions regarding the Woodmont Triangle District, and would like an opportunity to speak briefly on the 10th to request that the property be rezoned with greater density and height than is the current recommendation, as explained in detail in the attached letter.

Thank you.

Heather

Heather Dlhopsky  
Linowes and Blocher LLP  
7200 Wisconsin Avenue, Suite 800  
Bethesda, MD 20814-4842  
(301) 961-5270 (direct phone)  
(301) 654-0504 (switchboard)  
(301) 654-2801 (fax)  
hdlhopsky@linowes-law.com  
www.linowes-law.com

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**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

February 2, 2016

**Heather Dhopolsky**  
301.961.5270  
hdhopolsky@linowes-law.com

**VIA EMAIL AND FIRST CLASS MAIL**

Mr. Casey Anderson, Chair  
and Members of the Planning Board  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: 4816, 4820, and 4828 Auburn Avenue, Bethesda – Feedback on Bethesda Downtown Plan

Dear Mr. Anderson and Members of the Planning Board:

On behalf of NOVO Properties (“NOVO”), contract purchaser of the property located at 4816, 4820, and 4828 Auburn Avenue in the Woodmont Triangle District of Bethesda (the “Property”), I am submitting this letter regarding the interests of NOVO in relation to the ongoing efforts on the Bethesda Downtown Plan (the “Sector Plan”). NOVO just recently put the Property under contract (in November 2015), and thus did not participate in the Montgomery County Planning Board’s (the “Planning Board”) public hearing on the Sector Plan held on June 24<sup>th</sup>. However, NOVO recently met with Planning Staff (on January 13<sup>th</sup>) to discuss NOVO’s vision for the Property, in particular as it relates to the Sector Plan. NOVO believes that the Property is well-suited for a primarily residential project, perhaps with some ground-floor non-residential uses, and that based on the location of the Property and the zoning and existing or proposed improvements on its neighboring properties, that a height of 120 feet and FAR of 3.5 or 4 is most appropriate. NOVO and/or its representatives will be monitoring and actively participating as appropriate in the remainder of the Planning Board’s worksession on the Sector Plan, as well as participating in the Montgomery County Council’s forthcoming efforts on the Plan.

The Property is located at the corner of Auburn Avenue and Norfolk Avenue in the Woodmont Triangle District, and is currently zoned CR-3.0, C-1.0, R-2.75, H-90T. The Public Hearing Draft of the Sector Plan proposes (on page 103) that the Property be rezoned to CR-3.5, C-1.25, R-3.5, H-50 (#5 in Figure 3.05), but at the Planning Board’s September 17<sup>th</sup> worksession on the Woodmont Triangle District, the Board changed the proposed zoning of the Property (along with that of most properties along Norfolk Avenue) to CR-3.0, C-3.0, R-3.0, H-90. The Board’s stated intent was to essentially retain the current zoning of the properties (inclusive of the Property) and to equalize the “C” and “R” density components so that a project could develop at

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Mr. Casey Anderson, Chair  
and Members of the Planning Board  
February 2, 2016  
Page 2

maximum density as either an entirely commercial or residential project, rather than providing the proposed overall density bump and reducing the maximum building height in order to encourage the properties to transfer their density, as had been proposed in the Public Hearing Draft of the Sector Plan.

While NOVO concurs with the Planning Board that a height of 50 feet is inappropriate for the Property given its location in the Woodmont Triangle District and that 90 feet is more appropriate, the Property is located directly adjacent to property that is approved for and developed to up to 174 feet in height and south of properties in the Battery Lane District currently zoned and/or recommended to be rezoned to permit up to 120 feet in height. Thus NOVO believes that its desired height of 120 feet is the very minimum that is appropriate for the Property given its location and neighboring buildings and properties. With regard to density, NOVO believes that an FAR of 3.5 or 4 is more appropriate in order to encourage redevelopment of the site and is commensurate with a height of 120 feet.

In addition, at the Planning Board's September 17<sup>th</sup> worksession, we understand that only the zoning of the properties in the Woodmont Triangle District was addressed, and that the Board did not take up the more qualitative recommendations in the narrative of the Public Hearing Draft, such as the recommendations to preserve the low-density, pedestrian scale along Norfolk Avenue, and to use stepback regulations to promote small-scale infill development along Norfolk Avenue. However, given that the Planning Board rejected the proposal to decrease height along Norfolk Avenue to 50 feet, it seems that the recommendations in the Public Hearing Draft's narrative should also be reviewed to determine if they are compatible with the zoning that has now been proposed by the Board along Norfolk Avenue.

Specifically, we urge that the Planning Board closely examine the dimensional aspects of any stepback recommendations to determine whether the depths and heights ultimately proposed could have the unintended effect of chewing into the developable area of the properties lining Norfolk Avenue so significantly that redevelopment with well-designed, viable buildings will be impossible. We understand that Planning Staff may be recommending more specifics regarding stepbacks as part of the subsequent Design Guidelines rather than as part of the Sector Plan itself, but we suggest that there are ways to foster a pedestrian scale along Norfolk Avenue through architectural articulation and features rather than through deep stepbacks, that will keep the intended feel but also allow redevelopment of what are in many cases (and, specifically, in the case of the Property) significantly aged structures that are in dire need of a redo. The recently constructed 7770 Norfolk Avenue property at the corner of Norfolk Avenue and Fairmont Avenue is a good example of a project that has a pedestrian-oriented, activated base, for which stepbacks were not needed to accomplish these goals. In addition, if Planning Staff is concerned about adequate light and air reaching Norfolk Avenue, given that the Property is

Mr. Casey Anderson, Chair  
and Members of the Planning Board

February 2, 2016

Page 3

located on the northeast side of the street, any shadowing effects on Norfolk will be very minimal and limited to early in the morning. If the Planning Board does decide to incorporate stepback recommendations either as part of the Sector Plan or subsequent Design Guidelines, we believe that a stepback depth of 5 feet at the 50-foot height level, in conjunction with architectural elements incorporated into the building's design, can foster the intent of retaining a pedestrian feeling along Norfolk Avenue, without having the unintended effect of rendering the strip of properties along Norfolk Avenue essentially undevelopable.

We thank you for consideration of these comments, and look forward to continuing to work with you and Planning Staff on the Bethesda Downtown Plan. If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Heather Dlhopsky

cc: Ms. Leslye Howerton, M-NCPPC  
Mr. Robert Kronenberg, M-NCPPC  
Mr. Neil Goradia  
Mr. Greg Selfridge



**MCP-Chair**

---

**From:** Howerton, Leslye  
**Sent:** Tuesday, March 01, 2016 10:41 AM  
**To:** hdlhopolsky; MCP-Chair  
**Cc:** Kronenberg, Robert  
**Subject:** RE: 4816, 4820, and 4828 Auburn Avenue - Request to speak at Planning Board worksession on "reconsiderations"

Heather,

The March 10th work session will be a continuation of the parks and open space discussion as well as the environmental and high performance area recommendations. The Board did not get through the items from the last work session.

Zoning reconsideration requests will be addressed at the work session following the March 10th session. The date and time are still under consideration and will be posted to the Bethesda website when they are confirmed.

The agenda for this week's work session will be posted sometime on Thursday for your viewing.  
Thank you!

Leslye Howerton, Assoc. AIA, LEED-GA  
Planner Coordinator, Area One  
Montgomery County Planning Department  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910  
301.495.4551, leslye.howerton@montgomeryplanning.org  
montgomeryplanning.org

[www.Bethesda Downtown Plan](http://www.Bethesda Downtown Plan)  
sign up for our e-mail list here

-----Original Message-----

**From:** Dlhopsky, Heather - HXD [mailto:HDlhopsky@linowes-law.com]  
**Sent:** Tuesday, March 01, 2016 9:24 AM  
**To:** MCP-Chair <mcp-chair@mncppc-mc.org>  
**Cc:** Howerton, Leslye <Leslye.Howerton@montgomeryplanning.org>  
**Subject:** 4816, 4820, and 4828 Auburn Avenue - Request to speak at Planning Board worksession on "reconsiderations"

Chairman Anderson and Members of the Planning Board,

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Thank you.

Heather

Heather Dlhopsky  
Linowes and Blocher LLP  
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**MEMORANDUM**

**TO: LESLYE HOWERTON  
RACHEL NEWHOUSE  
ROBERT KRONENBERG**

**FROM: JODY KLINE**

**DATE: 1 MARCH 2016**

**RE: B-CC EAST NEIGHBORHOOD GREEN URBAN PARK**

---

Dear Leslye, Rachel and Robert:

I have attached a copy of an image that Rachel displayed during her dynamic presentation last Thursday about a "Neighborhood Green" close to B-CC High School.

Unfortunately, the green box shown on the image is in the middle of the properties owned by our clients called the East-West Highway Property Owners Group. A "Neighborhood Green" in that location would be totally incompatible with our clients' redevelopment plans. We had expected, perhaps naively, that the symbol shown on Figure 2.22 (attached) distinguishing a "neighborhood green" north of East-West Highway was not going to interrupt the core of our clients' contemplated redevelopment.

Could my clients and I meet with you to discuss this matter in more details? Please suggest a meeting time before the March 10 worksession.

B-CC East Neighborhood Green Urban Park

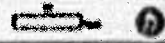
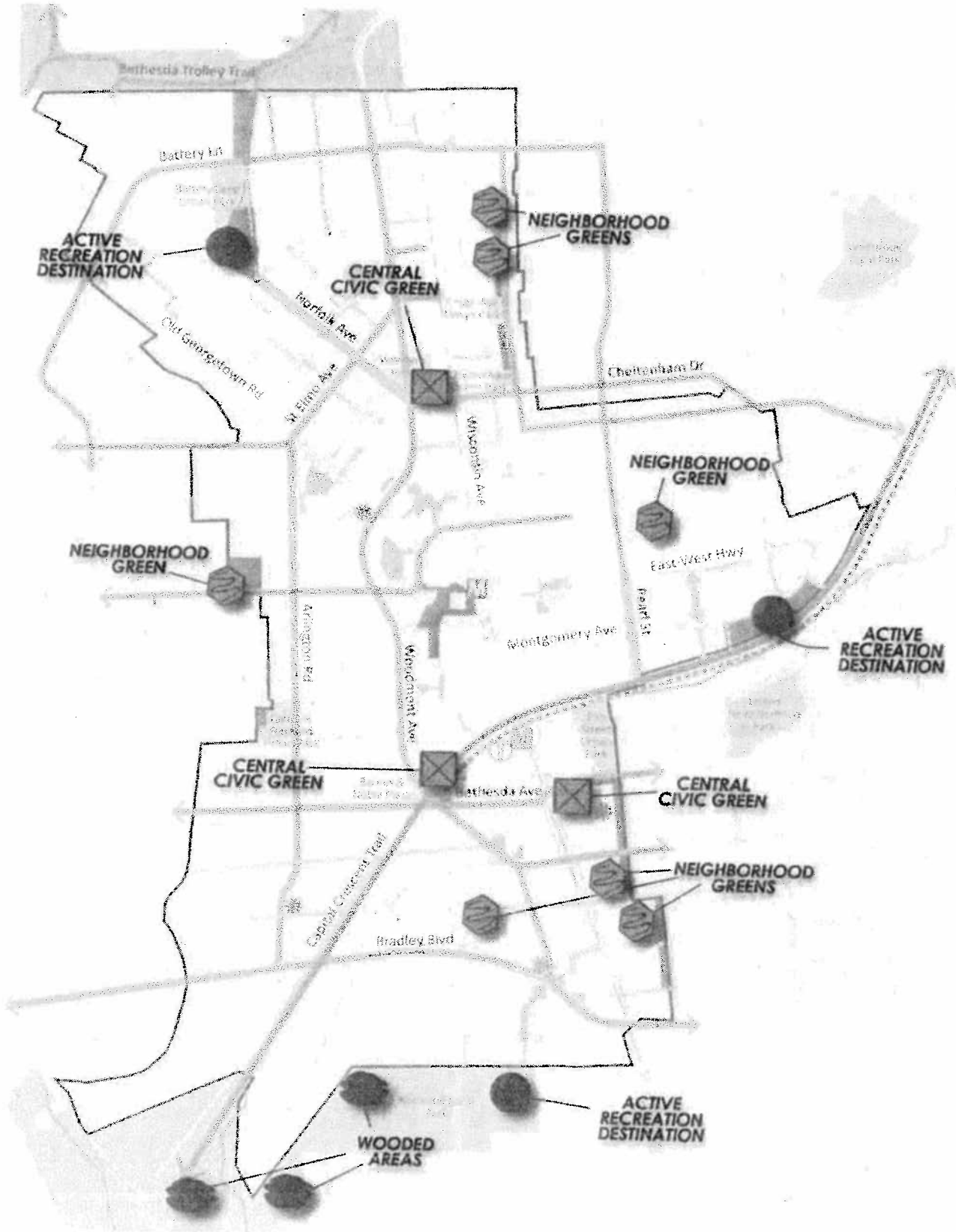


Figure 2.22: Urban Parks Hierarchy



**LINOWES**  
AND | **BLOCHER LLP**  
ATTORNEYS AT LAW

February 2, 2016

**Heather Dlhopsky**  
301.961.5270  
hdlhopsky@linowes-law.com

**VIA EMAIL AND FIRST CLASS MAIL**

Mr. Casey Anderson, Chair  
and Members of the Planning Board  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: 4816, 4820, and 4828 Auburn Avenue, Bethesda – Feedback on Bethesda Downtown Plan

Dear Mr. Anderson and Members of the Planning Board:

On behalf of NOVO Properties (“NOVO”), contract purchaser of the property located at 4816, 4820, and 4828 Auburn Avenue in the Woodmont Triangle District of Bethesda (the “Property”), I am submitting this letter regarding the interests of NOVO in relation to the ongoing efforts on the Bethesda Downtown Plan (the “Sector Plan”). NOVO just recently put the Property under contract (in November 2015), and thus did not participate in the Montgomery County Planning Board’s (the “Planning Board”) public hearing on the Sector Plan held on June 24<sup>th</sup>. However, NOVO recently met with Planning Staff (on January 13<sup>th</sup>) to discuss NOVO’s vision for the Property, in particular as it relates to the Sector Plan. NOVO believes that the Property is well-suited for a primarily residential project, perhaps with some ground-floor non-residential uses, and that based on the location of the Property and the zoning and existing or proposed improvements on its neighboring properties, that a height of 120 feet and FAR of 3.5 or 4 is most appropriate. NOVO and/or its representatives will be monitoring and actively participating as appropriate in the remainder of the Planning Board’s worksession on the Sector Plan, as well as participating in the Montgomery County Council’s forthcoming efforts on the Plan.

The Property is located at the corner of Auburn Avenue and Norfolk Avenue in the Woodmont Triangle District, and is currently zoned CR-3.0, C-1.0, R-2.75, H-90T. The Public Hearing Draft of the Sector Plan proposes (on page 103) that the Property be rezoned to CR-3.5, C-1.25, R-3.5, H-50 (#5 in Figure 3.05), but at the Planning Board’s September 17<sup>th</sup> worksession on the Woodmont Triangle District, the Board changed the proposed zoning of the Property (along with that of most properties along Norfolk Avenue) to CR-3.0, C-3.0, R-3.0, H-90. The Board’s stated intent was to essentially retain the current zoning of the properties (inclusive of the Property) and to equalize the “C” and “R” density components so that a project could develop at

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Mr. Casey Anderson, Chair  
and Members of the Planning Board  
February 2, 2016  
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maximum density as either an entirely commercial or residential project, rather than providing the proposed overall density bump and reducing the maximum building height in order to encourage the properties to transfer their density, as had been proposed in the Public Hearing Draft of the Sector Plan.

While NOVO concurs with the Planning Board that a height of 50 feet is inappropriate for the Property given its location in the Woodmont Triangle District and that 90 feet is more appropriate, the Property is located directly adjacent to property that is approved for and developed to up to 174 feet in height and south of properties in the Battery Lane District currently zoned and/or recommended to be rezoned to permit up to 120 feet in height. Thus NOVO believes that its desired height of 120 feet is the very minimum that is appropriate for the Property given its location and neighboring buildings and properties. With regard to density, NOVO believes that an FAR of 3.5 or 4 is more appropriate in order to encourage redevelopment of the site and is commensurate with a height of 120 feet.

In addition, at the Planning Board's September 17<sup>th</sup> worksession, we understand that only the zoning of the properties in the Woodmont Triangle District was addressed, and that the Board did not take up the more qualitative recommendations in the narrative of the Public Hearing Draft, such as the recommendations to preserve the low-density, pedestrian scale along Norfolk Avenue, and to use stepback regulations to promote small-scale infill development along Norfolk Avenue. However, given that the Planning Board rejected the proposal to decrease height along Norfolk Avenue to 50 feet, it seems that the recommendations in the Public Hearing Draft's narrative should also be reviewed to determine if they are compatible with the zoning that has now been proposed by the Board along Norfolk Avenue.

Specifically, we urge that the Planning Board closely examine the dimensional aspects of any stepback recommendations to determine whether the depths and heights ultimately proposed could have the unintended effect of chewing into the developable area of the properties lining Norfolk Avenue so significantly that redevelopment with well-designed, viable buildings will be impossible. We understand that Planning Staff may be recommending more specifics regarding stepbacks as part of the subsequent Design Guidelines rather than as part of the Sector Plan itself, but we suggest that there are ways to foster a pedestrian scale along Norfolk Avenue through architectural articulation and features rather than through deep stepbacks, that will keep the intended feel but also allow redevelopment of what are in many cases (and, specifically, in the case of the Property) significantly aged structures that are in dire need of a redo. The recently constructed 7770 Norfolk Avenue property at the corner of Norfolk Avenue and Fairmont Avenue is a good example of a project that has a pedestrian-oriented, activated base, for which stepbacks were not needed to accomplish these goals. In addition, if Planning Staff is concerned about adequate light and air reaching Norfolk Avenue, given that the Property is



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and Members of the Planning Board  
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located on the northeast side of the street, any shadowing effects on Norfolk will be very minimal and limited to early in the morning. If the Planning Board does decide to incorporate stepback recommendations either as part of the Sector Plan or subsequent Design Guidelines, we believe that a stepback depth of 5 feet at the 50-foot height level, in conjunction with architectural elements incorporated into the building's design, can foster the intent of retaining a pedestrian feeling along Norfolk Avenue, without having the unintended effect of rendering the strip of properties along Norfolk Avenue essentially undevelopable.

We thank you for consideration of these comments, and look forward to continuing to work with you and Planning Staff on the Bethesda Downtown Plan. If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Heather Dlhopsky

cc: Ms. Leslye Howerton, M-NCPPC  
Mr. Robert Kronenberg, M-NCPPC  
Mr. Neil Goradia  
Mr. Greg Selfridge

## MCP-CTRACK

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**From:** ddorfman13@aol.com  
**Sent:** Monday, February 29, 2016 10:50 AM  
**To:** MCP-Chair  
**Subject:** Growth in Bethesda

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FEB 29 2016

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

Mr. Anderson,

Certainly we understand that it is to the good of all concerned that Bethesda continue to be a thriving economic environment. This does not necessarily mean though, that growth be allowed to go unfettered. The Jaffe Tower at 14 stories is too high to be so close to a residential neighborhood, and the potential for school overcrowding and unreasonable traffic resulting from construction of such a building is great. Parking lots 10 and 24 in Bethesda are more suited to townhouses and parks than to tall structures. All of this is part of the rapid increase in density that the Board seems to favor. I hope the Planning Board can find a long-term middle of the road plan that lets Bethesda continue to grow and also takes into account the impact of too much density near our many existing communities of single family homes.

Sincerely,

Diane Dorfman  
4421 Walsh Street  
Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** GEORGE SCHU <george.schu@gmail.com>  
**Sent:** Monday, February 29, 2016 12:29 PM  
**To:** MCP-Chair  
**Subject:** Chevy Chase Smart Growth

Dear Sir, or Madam --

We have been a residents of Chevy Chase for over 30 years. Much has changed in that time. There has been considerable commercial and residential development, both in the surrounding area and within Chevy Chase.

We support growth. But we support Smart Growth. Growth that doesn't negatively impact the quality of life of our residents.

We are writing to ask you to reconsider the heights and densities that have been preliminarily approved for the properties adjacent to the Town of Chevy Chase and/or other residential communities along the edges, including the Jaffe properties next to Trader Joe's and the parking lots along 46<sup>th</sup> St.

Over the years we have witnessed how traffic has burgeoned along the Wisconsin Ave, Connecticut Ave, East West Highway and Bradley Lane corridors that surround Chevy Chase. Traffic is frequently so congested along these corridors that drivers will cut through Chevy Chase to avoid a traffic jam. The result is that traffic through the town has increased by motorists in a hurry.

We have many young families in Chevy Chase. Children are able to walk to neighborhood and nearby schools. On any given day the town is alive with children walking through the town. The increasing traffic volume in the town is a risk to their safety. Any development that would create a further traffic load would seriously impact the quality of life in our neighborhood.

We appreciate the good work you do on behalf of Montgomery County tax payers. We ask that you please be sensitive to how proposed development will negatively impact the quality of life for residents of Chevy Chase. We ask that you reconsider the densities of new development, including the Jaffe tower.

Thank you,  
George and Theresa Schu  
4306 Stanford St  
Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** Seroun Wang <seroun@gmail.com>  
**Sent:** Saturday, February 27, 2016 3:32 PM  
**To:** MCP-Chair  
**Subject:** Development of Bethesda-Chevy Chase

Dear Chairman Casey Anderson:

Please reverse the planning of the development of the parking lots along 46th St. one block east of Wisconsin Avenue and the planning of construction of 9 story high rise buildings by the St. Johns' Church and the Bray and Scarf Appliance store on Wisconsin Avenue and the Regal Cinema Building redevelopment at Wisconsin and Elm Streets.

I oppose and further development of our neighborhood for the preservation of the current neighborhood and quality of life.

Sincerely,  
Seroun M. Wang  
4403 Elm St  
Chevy Chase, MD

--  
王西美

In this life we cannot do great things. We can only do small things with great love.

Mother Teresa

## MCP-CTRACK

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**From:** Annlwild@aol.com  
**Sent:** Saturday, February 27, 2016 4:29 PM  
**To:** MCP-Chair  
**Cc:** councilmember.berliner@montgomerycountymd.gov;  
councilmember.Floreen@montgomerycountymd.gov;  
councilmember.elrich@montgomerycountymd.gov;  
councilmember.Riemer@montgomerycountymd.gov;  
councilmember.Leventhal@montgomerycountymd.gov;  
Ike.Leggett@montgomerycountymd.gov  
**Subject:** Request for Reconsideration of Lots 10 and 24

February 27, 2016

Mr. Casey Anderson, Chair, and Members of the County Planning Board  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Request for Reconsideration of Lots 10 and 24

Dear Chairman Anderson and Members of the County Planning Board:

Thanks to the complete lack of communication of the Town of Chevy Chase to its residents both prior to and following the Planning Board's Dec. 15 Worksession, the vast majority of Town residents were unaware that the fate of the parking lots 10 and 24 were under consideration and later approved that day at approximately nine-stories each.

It is my belief, as a moderator of Town Neighbors, the Town's private (no connection to the Town) listserv, that many residents are still unaware of what may be built on those two lots. (Please understand that, as a moderator, it has been my policy for years not to post my opinions of the listserv so that residents will trust my fairness in moderating messages.)

I know that among those who have written you, there is a difference of opinion on the future of lots, but with total agreement that nine-story buildings are unacceptable immediately adjacent to a residential community.

My request is this: Eliminate one or both buildings and leave the land as a combination of green space as a buffer to the Town with the rest as aboveground parking. If that is unacceptable to the Board, then, please, significantly lower the height of both of those buildings, perhaps to no more than three stories each, with the understanding that the building(s) be positioned at the front of lot(s), i.e., closer to Wisconsin Ave., so that the back of the lot(s) remain as green space as a buffer to the Town with some aboveground parking toward the front that remains open to the public.

When you consider the letters and messages you have received to date regarding the future of the lots, please don't forget that there would be more requests for reconsideration if the Town had more broadly informed residents of the Planning Board's actions of Dec. 15. But that did not happen.

Thank you very much for listening.

Ann Wild  
Resident of the Town of Chevy Chase for 24 Years  
7104 Oakridge Ave.  
Chevy Chase, MD  
[annlwild@aol.com](mailto:annlwild@aol.com)

## **MCP-CTRACK**

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**From:** Dick Henry <rhenry1@jhu.edu>  
**Sent:** Saturday, February 27, 2016 4:58 PM  
**To:** MCP-Chair  
**Cc:** Mahon Rita  
**Subject:** Parking - Farm Women's Market

My wife and I drive to Bethesda every weekend to dine out. If you kill our convenient parking, behind the Farm Women's Market, we'll go to closer Howard County restaurants. And it is especially convenient for the disabled. Please! Leave our nice parking as is!

Richard and Rita

Sent from my iPhone - Dick Henry

## MCP-CTRACK

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**From:** Iris Sherman <irispearl@msn.com>  
**Sent:** Sunday, February 28, 2016 7:42 AM  
**To:** MCP-Chair  
**Subject:** Development of parking lots near Chevy chase

I wish to express my disapproval of the development of the parking lots between willow and Leland and Leland and Walsh streets. This is the only above ground lot that I, as a town of Chevy chase senior, can use to do small store shopping in Bethesda. I will not use below ground parking lots as they are not only inconvenient but have safety issues, especially for women. Many of the women in town agree, both old and young. The net effect of not having these parking lots will mean that I will take my business elsewhere where there is convenient outdoor parking. Moreover, the new buildings proposed will create traffic jams and density issues that are already present in the bethesda area.

I respectfully request that you reconsider the issues pertaining to the parking lots and increased density caused by the proposed tall buildings currently under consideration near my town. They will negatively affect the quality of life for the town residents and the bethesda community.

Dictated on my iPad.

Best regards,

Iris Sherman

## MCP-CTRACK

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**From:** Fairlie Maginnes <fairlieam@gmail.com>  
**Sent:** Sunday, February 28, 2016 12:18 PM  
**To:** MCP-Chair  
**Subject:** Jaffe Tower

Dear Ms. Anderson:

As residents of Chevy Chase we are writing to speak out strongly against the building of Jaffe Tower and making that and St. John's Church (to which we belong) commercial. That building would be a total offense to what is a very fulfilled neighborhood, residents, church, Trader Joe's, et al. We want to register a strong protest.

Sincerely yours,

Fairlie and David Maginnes  
Beechwood Drive



## MCP-CTRACK

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**From:** Claire Reade <claire.reade@gmail.com>  
**Sent:** Sunday, February 28, 2016 1:47 PM  
**To:** MCP-Chair  
**Subject:** Bethesda Sector Plan -- please review carefully and revise height and density approvals downward significantly

My name is Claire Reade, I live at 3913 Leland Street, Chevy Chase, MD, and am writing to ask you to review, rethink and revise downward to manageable levels the significant height and density allowances in the current, preliminary approvals regarding properties adjacent to the Town of Chevy Chase and near other residential communities along the edges of the development area, including the Jaffe properties next to Trader Joe's and the parking lots along 46<sup>th</sup> St. I understand you are planning to address the Jaffe properties at your meeting on March 10, and hope you will revise the planning so that it does not overwhelm the community as the current preliminary approved height/density would do. The same considerations apply to the other properties mentioned, as documented by our community leaders.

Thank you.  
Claire Reade

## MCP-CTRACK

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**From:** marsgold@gmail.com  
**Sent:** Sunday, February 28, 2016 2:07 PM  
**To:** MCP-Chair  
**Cc:** 'John Freedman'; Fred Cecere; Al Lang; Cecily Baskir; Grant Davies; fcecere (fcecere@townofchevy Chase.org); Henry Smith; Joel Rubin; John Beale; John Murtagh; Martha Johnson; Mier Wolfe (mierwolf@starpower.net); Richard English (drenglish51@gmail.com); Tammy Harris; Tina Copland (tlcoplan@verizon.net); Tricia Daniels; Christopher Quintyne; Kim Waiyaboon; thoffman; Sarah Brophy; Mike Lebowitz; ray.johnston@verizon.net; Michele Johnston; mao9@aol.com  
**Subject:** Request to reconsider proposed Bethesda Sector height & density standards

Dear Mr. Anderson,

The Planning Board needs to reconsider the heights and densities it has given preliminary approval to for the properties that border the Town of Chevy Chase and the other communities along the edge of the proposed Sector Plan.

The density recommended by the Planning Board significantly exceeds the density proposed by the Planning Board Staff. The Planning Staff's recommendations are based on school, traffic, public safety and infrastructure studies. The new proposed density exceeds the assumptions the staff made regarding public safety, school, traffic and other infrastructure.

The Board must make responsible recommendations based on studies that examine the effect of the Board's proposed density and height standards will actually have on the communities that will be affected by the standards. As the Planning Boards' current recommended changes are NOT based on assumptions that factor in all of these considerations they must be set aside.

Why is the Board considering abandoning the current "comprehensive pyramid taper down" density planning model that evolves from the Bethesda Metro Station as the high point for development for a balkanized plan that allows zoning densities and heights for individual properties regardless of where they are within the Sector?

Why is the Board issuing recommendations that are not based on information that takes their effects of enhanced density into consideration?

The Sector Plan that has governed the development of this area for past 25 years has worked. It should not be abandoned. It should be the foundation for any adjustments that need to be made so this vibrant living community continues to thrive and be a desirable place to live.

The current planning principals of centered tapering heights and densities has proven itself. Any plan that the Board proposes should protect the essential elements that have made this area so successful, Any plan that the Board proposes should be based on facts and the will of the citizens who will be most affected by the plan, not the wishes of individual developers.

I have learned from many of my neighbors that we agree that :

- We do not want increased congestion on our already overcrowded roads.
- We do not want even more overcrowding of our schools.
- We do not want to add even more stress to an aging infrastructure system – gas, electric, water, and sewage – that the new densities and height will create.
- We do not want to endanger the lives of our citizens by creating difficulties for emergency responders to get to citizens in need of their assistance.
- We do not want Wisconsin Avenue to become a canyon that isolates our communities, will shadow homes that are now sunlit, and will create light pollution at night.
- We do not want to diminish the quality of life of our communities that these proposed standards will create.
- We ask that new studies be commissioned to determine the actual effect of the new density on these critical issues.

Here are immediate steps that the Board can take:

1. Scale back these projects now:

- 6801-6807 Wisconsin (Jaffe Tower) – Both 120 feet and 145 feet are too tall and too much density
- Parking Lot 24 (Behind Farm Women's Market) – 90 feet is too tall and too much density
- Parking Lot 10 (Behind Moby Dick/Don Pollo strip) – 90 feet is too tall and too much density
- 4508 Walsh (Writer's Center) – 90 feet is too tall and too much density
- 7121 Wisconsin (Bernstein Building) – 200 feet is too tall and too much density
- 4400 Montgomery (Bethesda Sport & Health) – 120 feet is too tall and too much density
- 4300-4336 Montgomery – these should retain CRN designation

2.j Address these properties that are not likely to be redeveloped soon and are therefore easy for the Planning Board to also cut back on now:

- 6831 Wisconsin (Trader Joe's) – Developer has been doing a multi-year renovation – unlikely to redevelop – savings 52K square feet.
- 6925 Wisconsin – Verizon sub-station – will not redevelop.
- 7121 Wisconsin (Panera) – currently 90 feet – unlikely to redevelop – potential savings 91K square feet

Finally, when you finalize your recommendations for the County Council, remember, we vote.



Martin Gold | 4420 Walsh Street | Chevy Chase,  
MD 20815 | 301.254.6544 | MarsGold@gmail.com

## MCP-CTRACK

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**From:** Alan <alandieringer@verizon.net>  
**Sent:** Sunday, February 28, 2016 3:56 PM  
**To:** MCP-Chair  
**Subject:** Please Do Not Endanger the Lives of Children by Putting a Road Through Battery Lane Park, Bethesda, MD

Dear Chair Casey Anderson,

I wish to express my complete opposition to the proposed road through one of the few playgrounds available to children in the Bethesda downtown area. The recent death of a pedestrian in a cross walk at Battery Lane and Old Georgetown Road, struck by a Montgomery County Ride-On Bus, should clearly highlight the dangerous traffic conditions in the Bethesda downtown area. Putting a road through or immediately adjacent to a children's playground shows a disregard for the lives of the children playing there. I hope that you and the rest of the Planning Board and staff would evaluate this proposed road as if your children, grandchildren, nephews and nieces were going to be playing there. If you do I am sure you would vote against it.

Sincerely yours,

Alan Dieringer

5104 Battery Lane

Bethesda, MD 20814

MCP-Chair

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**From:** Sarah Hughes <projects09hughes@gmail.com>  
**Sent:** Friday, February 26, 2016 5:48 AM  
**To:** MCP-Chair  
**Subject:** Thank you for creating respectful space for citizen voice

Good morning,

Thank you, and thank you to your colleagues on the Planning Board, for creating a respectful space for citizen voice at the February 25 work session on the Bethesda Plan.

I was one of the residents who shared their perspective.

Best,  
Sarah Hughes  
neighbor to Battery Lane Park

On Thu, Feb 18, 2016 at 2:51 PM, MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)> wrote:

Dear Ms. Hughes:

This confirms receipt of your sign-up to testify at the February 25 Planning Board work session on the Bethesda Plan. Public participation at work sessions is at the discretion of the Chair. If you would like to speak at a Planning Board work session, please send a written request to [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org) to speak along with a description of the subject you wish to address. Your request must be received before the deadline of 24 hours prior to the hearing date.

For clarification purposes, a notation has been added to the Board's agenda for future work sessions on the Bethesda Plan.

Thank you.

*Joyce P. Garcia*

Special Assistant to the Montgomery County Planning Board

M-NCPPC

8787 Georgia Avenue

## MCP-CTRACK

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**From:** Jean Shorett <jeshorett@verizon.net>  
**Sent:** Friday, February 26, 2016 11:25 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye  
**Subject:** Resending comment" Please use common sense guides to reduce excess density in the Bethesda CBD Plan

Good morning Ms. Howerton,  
Thank you again for the good advice on resending my comment below and copying you.  
I'm still unsure why I got the "Not Read" notice but appreciate your help. I would also like to extend my comment.

Please make all Priority Sending Sight designations contingent on selling their density outside residential buffer zones. Giving not-for-profit groups special status may serve an important public purpose. However, there is no public purpose when that special status is used to damage residential communities and invade their buffer zones.

As a member of St John's and a resident of the Town of Chevy Chase, I am beyond disappointed that this is even an issue. It is even more disappointing that Jaffe/St Johns reps were told clearly, politely, and directly by Town representatives in a **December 2014** meeting that Jaffe's proposed heights on Wisconsin and West Avenues, and traffic patterns were unacceptable and incompatible with the transition zone protecting the Town. Jaffe/St Johns had over a year to find a better solution. Current plans do not address those issues.

Groups requesting Priority Sending Site designation are asking for special favor. With that favor should come the civic responsibility to help protect residential neighborhoods – especially their immediate neighbors. Selling density outside residential buffer zones is a reasonable price for the Priority Sending Site designation. At the risk of being direct, please tell Priority Sending Site candidates to "Go outside buffer zones or go home."

Respectfully submitted,  
Jean Shorett  
7107 Oakridge  
Chevy Chase, MD 20815

**From:** Jean Shorett [mailto:jeshorett@verizon.net]  
**Sent:** Tuesday, February 02, 2016 9:05 PM  
**To:** 'MCP-Chair@mncppc-mc.org' <MCP-Chair@mncppc-mc.org>  
**Subject:** Please use common sense guides to reduce excess density in the Bethesda CBD Plan

Chairman Anderson and Planning Board Members:

Please do not grant new density in the Bethesda CBD Plan until the cumulative impacts of already added density and height are thoroughly reviewed. As a 27-yr resident, I have watched schools and traffic push and exceed carrying capacity. Please revise the total density granted to align with carrying capacity and reject further applications such as the extreme and misplaced "Jaffe Tower."

When you have reviewed cumulative impacts, please consider some common sense guides to reduce excess density:

1. Keep existing elements that make sense. A simple but effective way to reduce density is to honor (and strengthen) the buffer zones that protect residential communities now. In the face of excess density, there is absolutely no need to consolidate split-zoned parcels or upzone anything bordering residential

communities. Those communities can be better protected and density reduced by keeping split parcels, residential zoning, and expanding set-backs on properties adjacent to neighborhoods. Adding green spaces like the Bethesda Commons are a 3-way win -- reducing density, buffering neighborhoods, and adding a prized amenity.

2. Don't make problem areas worse. The Wisconsin – Bradley intersection is already a bottleneck and a safety hazard. Fire trucks on call have very limited room to maneuver now and loose precious response time to congestion. The Town of Chevy Chase has struggled for years with speeding cut-through commuters. Adding extreme density such as the Jaffe Tower and its cut-through road between Wisconsin and West Avenues are like pouring gasoline on a fire, making already serious problems much worse.
3. Stick to smart growth principles. Adding density and height near the Metro makes sense and supports smart growth. Trending lower height and densities as distance from Metro increases makes sense. Granting high density and height for the Jaffe Tower at the far end of Wisconsin, near a bottlenecked intersection, and a neighborhood with cut-through problems flies in the face of smart growth and urban design.

In sum, please identify the cumulative impacts of already added density, reduce that density to carrying capacity by strengthening buffers that protect adjacent neighborhoods, and reject extreme and misplaced applications such as the Jaffe Tower and cut-through road.

Respectfully submitted,  
Jean Shorett, Ph.D.  
Chevy Chase

## MCP-CTRACK

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**From:** Karen E <karen.l.elkins@gmail.com>  
**Sent:** Thursday, February 25, 2016 10:33 AM  
**To:** MCP-Chair  
**Cc:** Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy; Wells-Harley, Marye; Wright, Gwen; councilmember.berliner@montgomerycountymd.gov; councilmember.floreen@montgomerycountymd.gov; Jerry Weir  
**Subject:** Feb 25 work session re Bethesda Downtown Plan, and related future plans for Bethesda

[MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)

RECEIVED  
0261  
FEB 25 2016

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

To all Montgomery County Planning Board members:

We write, belatedly but in advance of the February 25 work session, to voice our strong support for protection of our current park and green areas (especially the Capital Crescent Trail, already greatly compromised by plans for the Purple Line). We ask for expansion – not contraction – of additional park areas. We do not want to become Crystal City, or Rosslyn (have any of you been around long enough to remember the bad jokes about “A Tree Grows in Rosslyn”?). Correspondingly, we also would like to register our strong opposition to recent Planning Board approvals of development concepts that appear much denser and taller than current buildings in downtown Bethesda. We believe that the recently approved increases in overall density are inconsistent with the goal of a network of sustainable green spaces throughout Bethesda. Moreover, we believe that the enormous increase in overall densities, and with that building height, will inevitably have correspondingly enormous environmental impacts and infrastructure needs that have been incompletely considered to date.

As residents of the Town of Chevy Chase, we are also especially concerned about plans for the Pearl District and the Eastern Gateway areas of the Bethesda Downtown Plan. Bluntly put, we are appalled by the plans for the “Jaffe Tower” and associated changes to the adjacent roads. This residential area between Wisconsin Avenue and Bradley Boulevard is already a major choke point, all the more so since the recent additional development of Woodmont Avenue region permanently closed off access to the east end of Leland Street to get to Bradley from the Wisconsin Avenue side of Leland. Most importantly, the recent plan for the tower appears to be greatly out of scale compared to the surrounding area.

Beyond our immediate town, our concerns about density, height, the “canyonization” of Wisconsin Avenue, traffic, park space, and buffering of longstanding residential neighborhoods apply to all of the Bethesda region. We live, work, shop, and enjoy recreational activities in our neighborhood every day. We suspect that planning board members do not witness, and are not directly impacted by, the current level of traffic congestion, continuous construction, and consequences of minimal green spaces with maximal impervious surfaces that we already tolerate. All of these issues will be greatly exaggerated, potentially to a breaking point, by the level of development apparently envisioned by the Planning Board.



As an example, many, including us, believe that the first re-development of the Woodmont Avenue area and its recent expansion was generally well done. The structures in this region used a relatively human scale that has resulted in popular businesses and recreational options. But even this generally well-received development has had considerable livability costs. It is now all but impossible to drive from the Town of Chevy Chase across Wisconsin to get to the bakery, Strosnider's Hardware, a dry cleaner, or the Bethesda library, because that would mean crawling down perpetually clogged Woodmont Ave, Bethesda Avenue, Elm Street, or Hampden Lane. While one may wish that all of us would walk these areas instead, as a practical matter hauling groceries or hardware means driving and parking. As a result, we actually find ourselves taking less and less advantage of this area. This is obviously counterproductive.

We believe the Woodmont Avenue area experience also offers another instructive lesson, and the opportunity to gather useful data to inform future projects. The surface lot between Leland Street and Bethesda Avenue was mobbed all the time, and the above-ground parking lot on Bethesda Avenue is crowded to the point of being difficult to use. But even our casual observations suggest that the new underground lot on Leland Street is greatly underutilized. Even last Saturday night, which would likely represent peak usage, we noticed that the entry sign referenced more than 550 available parking spaces. At most other times, well over 600 spaces seem to be available, suggesting very few of the total are used. Tracking the usage in an organized fashion might suggest surprising conclusions. We question whether this trend reflects general dislike of underground parking, and we therefore view the proposed loss of the surface parking lots behind the Women's Farm Market with great skepticism. Leaving aside the loss of surface parking, this area is a very important space to those of us in the Town, and we support efforts to retain it as green, open areas – not high-rise buildings.

While we might quibble with some details, in general we find the May 2015 Montgomery County planning staff draft of the Bethesda Downtown Plan to be provide sensible and reasonable approaches to smart growth for our region. We are mystified as to why the Planning Board seems to have left this professionally-developed and cohesive planning process behind to instead approve much greater expansion of individual projects in piecemeal fashion. We strongly support the efforts of the recently constituted Coalition of Bethesda Area Residents (CBAR) to temper these activities. We urge you to continue to listen to both Bethesda residents (and taxpayers), and to the professional staff, as you consider all approval requests.

Karen Elkins and Jerry Weir

4213 Thornapple Street

Chevy Chase, MD

## MCP-CTRACK

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**From:** HCM Corp <hcmcorp@hotmail.com>  
**Sent:** Thursday, February 25, 2016 3:02 PM  
**To:** betbeach@aol.com  
**Subject:** 6801 Wisconsin  
**Attachments:** 5532 Greystone St1.docx

Sent from [Mail](#) for Windows 10

HCM Corporation  
P.O. Box 647  
Riverdale, MD 20738

---

Office: (301) 277-3029

February 25, 2016

My name is Cathy Bernard and I live at 5532 Greystone Street Chevy Chase, MD 20815 in Chevy Chase. I am in favor of redevelopment of the single story buildings at 6801 and 6807 Wisconsin Avenue and I am excited about the new energy that will come from bringing some real redevelopment and signature buildings to my part of Bethesda. I am particularly looking forward to this redevelopment bringing some assured green space along West. We will be stuck with surface parking lots if we don't encourage redevelopment on properties like 6801.

I have reviewed the specific request for redevelopment near to the northeast corner of the intersection of Bradley Lane and Wisconsin Avenue. I believe the project provides an important opportunity to achieve the green space that the community desires, enhanced sidewalks and better connections. The project's design with higher heights of 145 feet along Wisconsin, but a significant step down in height to West in addition to a substantial greenway will provide for an appropriate transition from Wisconsin Avenue to the surrounding residential community. I am aware that some questions have been raised about building heights. Positively, this plan places those heights along Wisconsin Avenue, which is the appropriate location.

I am particularly happy that a redevelopment of this site will result in parking for St. John's Church and space for parents to drop off their kids for the Oneness School. This will help solve current issues that we have seen along West.

Finally, I am grateful that the Planning Board sees the bigger picture for Bethesda and is advocating a plan that will facilitate real change in downtown, for the better. I hope you will continue to support this redevelopment, which will give us assurances that the open space and amenities that we so desire may actually be able to come to fruition.

Sincerely,

Cathy Bernard



ideas that work

*Attorneys at Law*

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Bethesda, MD 20814-5367  
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Tel. (301) 841-3826  
Fax (301) 347-1779  
rrharris@lerchearly.com

**Robert R. Harris**

February 23, 2016

VIA E-MAIL AND FIRST CLASS MAIL

Casey Anderson Esq.  
Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Bethesda Downtown Sector Plan – Worksession No. 8

Dear Chairman Anderson:

We represent Brookfield Office Properties, the owner of 3 Bethesda Metro Center. We are writing to you to request an opportunity to speak at the Planning Board worksession on February 25, 2016 with respect to the topic of public open space. More specifically, our client owns the majority of the Plaza area at the Metro station. In connection with their planned redevelopment on the site pursuant to both the existing zoning and the recommendations in the Draft Bethesda Downtown Sector Plan, our client also intends to make significant improvements to the Plaza and open space and to the connections to the Metrobus/Metro station area below the Plaza. We would like the opportunity to brief the Planning Board on these improvements. We understand the owner of the adjoining Hyatt Hotel intends to participate in this discussion as well.

Cordially yours,

Robert R. Harris

cc Gwen Wright  
Robert Kronenberg  
Leslye Howerton  
Laura Shipman  
Simon Carney  
Rich Femicola  
Scott Wallace

HCM Corporation  
P.O. Box 647  
Riverdale, MD 20738

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Office: (301) 277-3029

February 25, 2016

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Finally, I am grateful that the Planning Board sees the bigger picture for Bethesda and is advocating a plan that will facilitate real change in downtown, for the better. I hope you will continue to support this redevelopment, which will give us assurances that the open space and amenities that we so desire may actually be able to come to fruition.

Sincerely,

Cathy Bernard

Comments of Montgomery County Sierra Club on the Bethesda Downtown Sector Plan, Work Session #8

February 25, 2016

My name is Michal Freedman and I am here as Vice Chair of the Montgomery County Sierra Club Executive Committee, representing the more than 5,000 Sierra Club members in Montgomery County. We submit these comments in support of the Staff's recommendation to incentivize improved energy efficiency beyond ASRAE 90.1 in the High Performance Area.

As we all know, we are confronting a rapidly changing climate, which poses extensive health and economic threats to Marylanders from rising sea levels, extreme temperatures, storm surges, summer droughts and unhealthy air.

In 2007, in recognition of the catastrophic threat posed by climate instability, Montgomery County was one of only 12 counties nationwide to pledge to reduce global warming emissions by 80% by the year 2050. By 2020, just four years from now, emissions are to be reduced by 20% below 2005 levels. Yet, as of 2015, according to the Department of Environmental Protection, there has been no decrease in energy use.

Meeting these goals will require a governmental commitment to reduce aggressively emissions. A major focus must be on buildings, which account for about 2/3 of greenhouse gas emissions in Montgomery County. In its Building Energy Codes Resource Guide for Policy Makers, the US DOE emphasized that building codes are "a central part" of a sustainable future.

ASHRAE 90.1 establishes a model code for commercial buildings. But, as the ACEEE's Report "Codes for Ultra-Low Energy Buildings," states: "Building energy codes set a minimum baseline for energy efficiency of new construction and major renovations." Recognizing this, some states and municipalities have "adopted codes that are substantially more stringent than the state code." These are often referred to as stretch codes. According to the ACEEE Report, "in some jurisdictions, the local government entices builders to use a voluntary stretch code by allowing higher-density development...." What is being proposed for Bethesda accords with that precedent.

According to the US DOE report cited above, numerous benefits accrue from stringent building standards. In addition to reducing greenhouse gas emissions, these include: the creation of jobs in a range of technical, auditing and quality control fields; the reduction of utility costs, which puts more disposable income in the pockets of residents and which cycles through to benefit the local economy; and improved air quality.

Ultimately, we will have to transition to a clean energy economy, and our buildings are a key component of that transformation. We are not on track to meet our commitment to reduce carbon emissions. We urge the Planning Board to facilitate the transition to a clean energy

economy by providing incentives for increased energy efficiency in buildings in the High Performance Area of Downtown Bethesda.

## Howerton, Leslye

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**From:** CBAR Admin <cbarmoco@gmail.com>  
**Sent:** Thursday, February 25, 2016 11:37 AM  
**To:** Wright, Gwen; Kronenberg, Robert; Howerton, Leslye; Newhouse, Rachel; Schneider, Tina  
**Subject:** Re: Draft testimony for your comments and fact checking -- THANK YOU

FYI -- UPDATED WITH FEEDBACK -- I may need to trim it for time.  
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My name is Mary Flynn and I recently founded the Coalition of Bethesda Area Residents (CBAR). Over 50 residents representing 15 area communities attended our first meeting on Tuesday. I am here today to support our communities as we **advocate for neighborhood parks and green buffers along the edges** of the CBD, and to support and expand upon Staff recommendations for a sustainable and vibrant downtown.

Like business and County leaders, we know that Montgomery County **competes with regional business districts** in DC and Virginia. It is for this reason that we strongly urge you to give careful consideration to the data presented today that demonstrates that **ecologically sound planning policies** result in **economically strong cities**.

We also urge you to adopt and expand upon the Parks plans. **Our 20 year vision must be clear and obtainable**. While I am not going to go on record supporting or opposing the Purple Line, the Plan must make very clear that its construction will *necessarily and permanently de-forest* the north-east section of the Capital Crescent Trail that leads into Bethesda. Because there is no compensating for this loss, you must go beyond the Staff plan recommendations to **aggressively re-establish an urban forest for us elsewhere in the CBD**.

Today we support the **High Performance Area** recommendations in the Staff draft and offer three recommendations regarding Parks.

First, the 12 acres of new public space proposed by the Plan must be **obtainable**. Each potential park property needs **its own strategy for becoming a park in the Plan**. The Open Space Priority Sending program and dedication and amenity fund contributions may work for some sites, but they will not with others. You must also incorporate CIP funding and Legacy Open Space into the Plan.

Second, please respect that the 12 acres of proposed public space is not adequate for Bethesda's growing population, it is not all parkland, and doesn't come anywhere close to compensating for the loss of shade trees leading into Bethesda along the Capital Crescent Trail. We request **more than 12 acres** in the Plan, and more of it needs to be tall and green.



Third, we strongly urge you to *work with you've got*. This means the **County should not sell its open space**, specifically the seven surface parking lots in the CBD: lots 25, 28, 43 and 44 north of the Capital Crescent Trail and lots 10 and 24 to the south. The County may not just want, but **need that open space for parks** in the future. Keeping these well-located lots for public use is a **more reliable investment in Bethesda's future** than attempting to assemble small private parcels, or relying on tradeoffs with property owners. Open space is at a critical juncture. Bethesda has precious little green space, and it has the largest population of any area in the county, a lead that is expected to continue through 2040, according to the PROS plan.

We love downtown Bethesda and want to see it emerge from this Plan as an even more desirable place to live, work, shop, and play. By supporting **excellence in urban planning**, you have the power to further develop Bethesda into three things:

1. An economically vibrant **business district** with low vacancy rates
2. A **regional destination** for shoppers and recreational visitors
3. A wonderfully **desirable place for families and individuals** of all ages to live.

Thank you for your consideration.

## **MCP-CTRACK**

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**From:** Maj-Britt Dohlie <mdohlie@gmail.com>  
**Sent:** Wednesday, February 24, 2016 9:41 PM  
**To:** MCP-Chair  
**Cc:** Schneider, Tina; CM Berliner; oemail@montgomerycountymd.gov; Montgomery County Council; Michael Evenson  
**Subject:** Re: Bethesda height and density recommendations

Dear Mr. Anderson and Members of the Planning Board,

In addition to our email below, we would like to add our comments regarding proposed "parks"/green space and energy in the sector plan. We understand that Montgomery County, which professes to be a green county, is lagging behind neighboring jurisdictions when it comes to the number of buildings with green roofs and the highest energy efficiency rating. This is an utterly shameful situation for Montgomery County and extremely serious in our era of climate change with many troubling questions about what kind of future our children and grandchildren will face. How can this bad situation have developed? This is mismanagement. We hope that NOT ONE SINGLE project will proceed in Bethesda (and MoCo overall) that does not meet the highest energy efficiency standards. All projects SHOULD BE REVIEWED and modified before they are allowed to proceed.

The proposals put forth by planning staff regarding sidewalks, trees, treatment of stormwater, and increased use of pervious surfaces must become the standard in Montgomery County not only in commercial areas such as Bethesda (but in ALL commercial and residential areas, during routine road work, etc).

One thing we want to point out that there cannot be a trade-off between green roofs and street trees. We need the street trees to nurture a Bethesda community (and other communities) where people want to walk and bike - neither is the case now. Bethesda is dangerous for both bikers and pedestrians with cars that drive through too fast - mostly one frustrated driver per car. Speed limits, red lights and pedestrian right of way are not enforced rules, and there are not sufficient crosswalks. (By the way, newly developed buildings have disappointingly narrow sidewalks and too few street trees such as the new building on the corner of Wisconsin Avenue and Battery Lane. And so far we have not been able to spot any common areas that would enliven the street scene).

However, we are less pleased with the sector plan that describes green spaces and parks - misnomers for the small areas envisaged for the Bethesda community and the density you propose -- density that we counter is utterly irresponsible on your part considering infrastructure constraints - see email below. The so-called parks proposed are not really serious parks where people can feel nature around them and exercise. They are rather places to hang out near food and drink and join the ranks of the obese - and that is not what we want our community to be! You are mixing commercial wishes and true parks to the detriment of the community.

The really serious park - the linear park that we already have and that links Bethesda to Rock Creek, the Canal, etc. is the Capital Crescent Trail. This green lung, the Planning Board - with politicians' and planners' blessing - proposes to destroy with noisy light rail. If indeed the Purple Line is built, the trail would no longer be a park but a busy thoroughfare with minimal shade and trees, noise so excessive that it's a serious threat to our hearing, with minimal space for bird/animal life, and with incredible environmental cost, including the clear-cutting of thousands of trees along 20 acres of land. So do not count the trail as a park if the PL proceeds. Instead of this fiscally questionable venture, please show that you have a vision and focus on fixing and expanding the Metro (Red Line) and building a good BRT network -- or just an energy efficient bus system with dedicated lanes that would truly meet commuters' needs (as opposed to developers' needs).

The Metro Center plaza merits a good makeover - it needs more trees and shade and no more buildings.

The Sector plan also disregards too many buildings that have either historic value or small town charm that could and should be preserved. For example, along Wisconsin Ave south on the eastern side, there is a low row of Tudor style businesses that could be incorporated in innovative architecture. Similarly, the new project proposed by the Toll Brothers at Wisconsin Ave could incorporate the two old houses/businesses on the corner of Cordell and Woodmont. Successful incorporation of old into new can be seen, for example, in New York. Both the Triangle and Wisconsin Avenue are in danger of looking very sterile and boring - another Crystal City! We are gradually making history disappear.

To us a serious question is as follows: Can Montgomery County continue to afford to pay lip service to being "green" and totally disregard the negative impact our activities/development have had so far? Last Tuesday the Maryland Senate passed a "rigorous greenhouse gas bill" according to the Washington Post. Greenhouse gas emissions need to be cut 40 percent below 2006 levels by 2030. It is our understanding that Montgomery County is already doing very badly in reaching goals in this area. Yet, there seems to be a veritable war on trees in the County. Tree stumps that appear healthy litter the roadside along Bethesda roads and streets. (We have never seen anything like it during the 30 years we have lived here).

There needs to be a serious review of existing tree laws not only regarding cutting of street and roadside trees, but also trees on private property, the requirement for (re)planting trees, etc. Review of footprint and requirements related to energy efficiency and effective and environmentally friendly ways to deal with storm water in commercial as well as residential areas is a must. Business as usual is no longer an option when it comes to the environment.

We hope that the Planning Board and those who review the Sector Plan and ultimately make the decisions will actually listen to residents who stay behind when the developers leave - often with ugly monstrosities in their wake and an increasingly lower quality of life for residents because of excessive density and height, insufficient number of serious parks and green space, and lack of true attention to the environment. Bethesda is "littered" with ugly buildings where empty promises were made and promises broken - with no apparent repercussions for developers. Yes, we are angry residents and there are many more!

Regards,  
Maj-Britt Dohlie and Mike Evenson  
[mdohlie@gmail.com](mailto:mdohlie@gmail.com)  
[mjeverson@gmail.com](mailto:mjeverson@gmail.com)

On Thu, Feb 4, 2016 at 12:31 AM, mdohlie <[mdohlie@gmail.com](mailto:mdohlie@gmail.com)> wrote:  
To Mr. Anderson, Chairman, and Members of the Montgomery County Planning Board,

As longtime Bethesda residents we are appalled at your recommendations to add density and height to the Bethesda sector plan. In our view, this is the usual Montgomery County fashion: there is outreach to citizens, a pretense to listening, and then the developers are given what they request without regard to the residents who have made Bethesda their home. This has deplorable effects on our quality of life.

When did "smart growth" become overbuilding, inadequate infrastructure, including overcrowded schools, congested roads, fiscally irresponsible public transportation projects (such as the Purple Line when less expensive and disruptive solutions exist that would actually take people off the road), and encroachment on parks, green space and existing neighborhoods adjacent to downtown Bethesda? For the last couple of decades

or more, Bethesda has suffered from increasingly bad planning and decision making. One unattractive tall building after another is turning Bethesda into Maryland's Crystal City devoid of charm and increasingly filled with service providers who are able to pay the exorbitant rents, replacing many useful stores and small restaurants. Please note, it is not enough to beautify Bethesda Avenue and "uglify" the rest of the Bethesda community. The excessive height of buildings proposed at the north and south ends of Bethesda and along Wisconsin Avenue, Georgetown and Arlington Roads would overpower the adjacent existing homes and be completely out of character with the neighborhoods.

The streets in Bethesda suffer total gridlock at certain times of the day and are congested most of the time, endangering pedestrians and bikers in a community where planners claim to want walkability. Increased density - the addition of housing units and offices - appears to be favored by the Board and will only add to the current gridlock and congestion, as will development and workplaces north of Bethesda. Similarly, the Metro Red Line and Bethesda station are similarly congested - and during rush hour uncomfortably overcrowded.

Montgomery County is not taking sufficient advantage of the opportunity to widen sidewalks in the business district. In many places it is hardly possible to walk with a stroller or with a child and allow someone to pass from the other direction. Moreover, during construction Montgomery County permits sidewalks and lanes to be closed for months at a time instead of requiring a smaller footprint for new buildings, pedestrian bridges during construction, etc. Existing sidewalks will supposedly create a walkable community for additional thousands of residents! To create vibrant streets, wide sidewalks are needed where restaurants can expand, people have sufficient space to walk safely, and there is shade from trees - trees that are allowed to mature!

Montgomery County is justly proud of its schools but what will happen when the projected additional population begins to send children to already overcrowded schools? Bethesda Elementary and B-CC High School underwent renovation and expansion relatively recently but both needed portable classrooms very soon afterwards. And now they are in the process of another round of expansion. A second middle school is to be built in the B-CC cluster, but it will encroach on a park in Kensington! Where will the County build additional schools? Encroach on other parks? Based on our experience, projected student numbers have been consistently incorrect in the BCC cluster most of the 30+ years we have lived here - with the result that schools have been, at best at capacity, but usually overcrowded.

Current plans greatly encroach on parkland and green and public space, including, but not limited to, the plan to put a road through Battery Park and the addition of a building at the Metro Center, space that was set aside for public enjoyment. The greenery, parks, and small town charm that once attracted us and many others to Bethesda are disappearing and, sadly, we no longer feel that we can recommend Montgomery County as an attractive and enjoyable place to live for people moving to the DC area.

We fully support the letters sent by the East Bethesda Citizens Association representing over 1,200 households and the Edgemoor Citizens Association similarly representing a large number of households. It is outrageous that the Planning Board which has not been elected and which does not have a single Bethesda representative would ignore sector plan and staff recommendations regarding building density and height. It's no wonder that people lose trust in government.

Regards,  
Maj-Britt Dohlie and Mike Evenson  
Bethesda  
[Mdohlie@gmail.com](mailto:Mdohlie@gmail.com)

Sent from my iPhone

## **MCP-CTRACK**

---

**From:** Lauren Boccardi <laurenboccardi@hotmail.com>  
**Sent:** Thursday, February 25, 2016 8:40 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Fani-Gonzalez, Natali; Presley, Amy; Dreyfuss, Norman; MCP-Chair  
**Cc:** Paul Pavlica; Howerton, Leslye  
**Subject:** Parks and Real Green Space

Dear Planning Board Members Anderson, Wells-Harley, Fani-Gonzalez, Presley and Dreyfuss:

We are homeowners and taxpayers in Montgomery County. As you consider approving additional development in Bethesda, we request that you focus upon the urgent need for parks that are large enough to offer true environmental and social benefits to Bethesda, for without them the city will not be the livable and desirable place that we all want it to be as the current planning effort becomes reality.

The Urban Design section of the Bethesda Sector Plan says that "Great public spaces serve to define a downtown by enhancing quality of life, improving social interaction and bolstering economic opportunities." The vision for Bethesda in 2035, as described in the work session agenda on open space, promises: "New parks and open spaces will provide green, tranquil places for the residents, their families and friends to gather, socialize and relax." But no way to achieve that broad goal is set forth. The sector plan should be revised to identify specific plans and sources of funding to achieve the vision for meaningful park space.

Additionally, the Bethesda Sector Plan calls for the Eastern Greenway as an open-space transition between soaring skylines and residential neighborhoods along the eastern edge of Bethesda. To be effective, that buffer should be at least 60 feet along its length, rather than the 35-foot minimum proposed in some situations. And buildings next to residential (R-60) zones should not be allowed higher than 35 feet.

Development can be beneficial, but only if it does not overwhelm the existing infrastructure of schools and roads, and only if it is accompanied by a commensurate commitment to the trees and green spaces that will cool our streets, improve water quality, reduce greenhouse emissions, and provide a refuge for residents and wildlife. As our County government, we ask you show at least as much consideration -- we hope it would be even more -- for the environment and local residents as you do for the interests of any other parties who come before you.

Sincerely,  
Lauren Boccardi and Paul Pavlica  
Town of Chevy Chase

## MCP-CTRACK

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**From:** Sears, Barbara A. - BAS <BSears@linowes-law.com>  
**Sent:** Thursday, February 25, 2016 9:41 AM  
**To:** MCP-Chair  
**Cc:** Wright, Gwen; Kronenberg, Robert; Howerton, Leslye; Ramsey Meiser (RMeiser@federalrealty.com); Alison Williams (AWilliams@federalrealty.com); Sears, Barbara A. - BAS  
**Subject:** Proposed Sector Plan Language for the Capital Crescent Civic Green  
**Attachments:** 201602250935.pdf

On behalf of our client, Federal Realty Investment Trust, attached please find a request for a modification to the language staff recommends be added to the Draft Sector Plan regarding the Capital Crescent Civic Green. We would appreciate your consideration of our requested addition to this language and the opportunity to briefly address the request at this afternoon's worksession. Please forward this memo to all Commissioners. Thank you.

Barbara

Barbara A. Sears  
Linowes and Blocher LLP  
7200 Wisconsin Avenue, Suite 800  
Bethesda, MD 20814-4842  
Direct: 301.961.5157  
Main: 301.654.0504  
Fax: 301.654.2801  
E-Mail: [bsears@linowes-law.com](mailto:bsears@linowes-law.com)  
Website: [www.linowes-law.com](http://www.linowes-law.com)

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## MEMORANDUM

**TO:** Casey Anderson, Chairman, and  
Members of the Montgomery County Planning Board

**CC:** Ramsey Meiser  
Alison Williams  
Federal Realty Investment Trust

**FROM:** Barbara A. Sears  
Linowes and Blocher LLP

**DATE:** February 25, 2016

**RE:** Proposed Sector Plan Language for the Capital Crescent Civic Green

On behalf of our client, Federal Realty Investment Trust, owner of the property identified in the Staff Draft of the Bethesda Downtown Sector Plan as the Capital Crescent Civic Green, the purpose of this memo is to request a modification to language regarding the Civic Green proposed in the Staff Report for Work Session #8. The staff proposes on page 5 of the February 25, 2016 Staff Report that a revision to Section 2.7.3.A.3 (page 77) of the Draft Plan be made to add an additional paragraph to the description to the Capital Crescent Civic Green. FRIT requests that an additional sentence (underlined below) be added to this proposed language to better reflect FRIT's understanding of the potential park acquisition:

Implementation: The Capital Crescent Civic Green meets the criteria to be designated as an Urban Open Space of countywide importance within the Legacy Open Space Functional Master Plan (2001). This critical civic green will create one of the primary green spaces in the center of Bethesda. It will provide key community open space for recreation and casual use by the large population center in this community, as well as support trail usage and special events to serve the entire County. Designating this site in the Legacy Open Space Functional Master Plan here provides for the use of Legacy Open Space tools and funding to implement this park recommendation. Therefore, it is recommended that M-NCPPC or Montgomery County purchase the property. However, the Sector Plan recognizes that, if acquisition of the property does not proceed in a reasonable timeframe, then the owner may proceed with development plans in accordance with the zoning of the property.

Thank you for your consideration of this matter.

## MEMORANDUM

**TO:** Casey Anderson, Chairman, and  
Members of the Montgomery County Planning Board

**CC:** Ramsey Meiser  
Alison Williams  
Federal Realty Investment Trust

**FROM:** Barbara A. Sears  
Linowes and Blocher LLP

**DATE:** February 25, 2016

**RE:** Proposed Sector Plan Language for the Capital Crescent Civic Green

On behalf of our client, Federal Realty Investment Trust, owner of the property identified in the Staff Draft of the Bethesda Downtown Sector Plan as the Capital Crescent Civic Green, the purpose of this memo is to request a modification to language regarding the Civic Green proposed in the Staff Report for Work Session #8. The staff proposes on page 5 of the February 25, 2016 Staff Report that a revision to Section 2.7.3.A.3 (page 77) of the Draft Plan be made to add an additional paragraph to the description to the Capital Crescent Civic Green. FRIT requests that an additional sentence (underlined below) be added to this proposed language to better reflect FRIT's understanding of the potential park acquisition:

Implementation: The Capital Crescent Civic Green meets the criteria to be designated as an Urban Open Space of countywide importance within the Legacy Open Space Functional Master Plan (2001). This critical civic green will create one of the primary green spaces in the center of Bethesda. It will provide key community open space for recreation and casual use by the large population center in this community, as well as support trail usage and special events to serve the entire County. Designating this site in the Legacy Open Space Functional Master Plan here provides for the use of Legacy Open Space tools and funding to implement this park recommendation. Therefore, it is recommended that M-NCPPC or Montgomery County purchase the property. However, the Sector Plan recognizes that, if acquisition of the property does not proceed in a reasonable timeframe, then the owner may proceed with development plans in accordance with the zoning of the property.

Thank you for your consideration of this matter.



## Howerton, Leslye

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**From:** Lauren Boccardi <laurenboccardi@hotmail.com>  
**Sent:** Thursday, February 25, 2016 8:40 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Fani-Gonzalez, Natali; Presley, Amy; Dreyfuss, Norman; MCP-Chair  
**Cc:** Paul Pavlica; Howerton, Leslye  
**Subject:** Parks and Real Green Space

Dear Planning Board Members Anderson, Wells-Harley, Fani-Gonzalez, Presley and Dreyfuss:

We are homeowners and taxpayers in Montgomery County. As you consider approving additional development in Bethesda, we request that you focus upon the urgent need for parks that are large enough to offer true environmental and social benefits to Bethesda, for without them the city will not be the livable and desirable place that we all want it to be as the current planning effort becomes reality.

The Urban Design section of the Bethesda Sector Plan says that "Great public spaces serve to define a downtown by enhancing quality of life, improving social interaction and bolstering economic opportunities." The vision for Bethesda in 2035, as described in the work session agenda on open space, promises: "New parks and open spaces will provide green, tranquil places for the residents, their families and friends to gather, socialize and relax." But no way to achieve that broad goal is set forth. The sector plan should be revised to identify specific plans and sources of funding to achieve the vision for meaningful park space.

Additionally, the Bethesda Sector Plan calls for the Eastern Greenway as an open-space transition between soaring skylines and residential neighborhoods along the eastern edge of Bethesda. To be effective, that buffer should be at least 60 feet along its length, rather than the 35-foot minimum proposed in some situations. And buildings next to residential (R-60) zones should not be allowed higher than 35 feet.

Development can be beneficial, but only if it does not overwhelm the existing infrastructure of schools and roads, and only if it is accompanied by a commensurate commitment to the trees and green spaces that will cool our streets, improve water quality, reduce greenhouse emissions, and provide a refuge for residents and wildlife. As our County government, we ask you show at least as much consideration -- we hope it would be even more -- for the environment and local residents as you do for the interests of any other parties who come before you.

Sincerely,  
Lauren Boccardi and Paul Pavlica  
Town of Chevy Chase

**MCP-CTRACK**

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**From:** Presley, Amy  
**Sent:** Wednesday, February 24, 2016 3:01 PM  
**To:** MCP-Chair  
**Subject:** FW: Parks and Real Green Space

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FEB 23 2016  
OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

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**From:** Russ Powell  
**Sent:** Wednesday, February 24, 2016 3:01:11 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** Anderson, Casey; Wells-Harley, Marye; Fani-Gonzalez, Natali; Presley, Amy; Dreyfuss, Norman  
**Subject:** Parks and Real Green Space

Dear Planning Board Members Anderson, Wells-Harley, Fani-Gonzalez, Presley and Dreyfuss:

We are homeowners and taxpayers in Montgomery County of long standing. As you consider approving additional development in Bethesda, we respectfully request that you focus upon the urgent need for parks that are large enough to offer true environmental and social benefits to Bethesda, for without them the city will not be the livable and desirable place that we all want it to become. Development can be beneficial, but only if it does not overwhelm the existing infrastructure of schools and roads, and only if it is accompanied by a commensurate commitment to the trees and green spaces that will cool our streets, improve water quality, reduce greenhouse emissions, and provide a refuge for residents and wildlife.

We ask that buildings in the high performance area be required to exceed the ASHRAE 90.1 standard by 15% above minimum county requirements.

Our community will be grateful if you show at least as much consideration -- we hope it would be even more -- for the environment and local residents as you do for the interests of any other parties who come before you.

Sincerely,

Ann Ashbery and Russ Powell  
4404 Ridge Street  
Chevy Chase

## MCP-CTRACK

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**From:** Jody Kline <JSKline@mmcanby.com>  
**Sent:** Wednesday, February 24, 2016 3:06 PM  
**To:** Anderson, Casey; MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert  
**Subject:** Bethesda Downtown Plan/ Worksession #8

Chairman Anderson. The published agenda for tomorrow's Planning Board meeting indicates for Item # 8, Worksession #8 of the Bethesda Downtown Plan, public participation is at the discretion of the Chair and that if a party does wish to speak on a subject that a request be made in writing.

If the following subjects come up, and if the Chair decides to allow any comments on the respective subjects, I would like to speak on behalf of our clients to the following effect:

1. The "Active Recreational Destination" on Montgomery Lane. Tomorrow Staff will advise you that our client's three lots have been removed from the proposed park area. In that case, in accordance with a letter earlier submitted to the Planning Board, our client wishes to be considered for zoning more akin to the zoning recommended for properties abutting and to the west.
2. The "Neighborhood Green" located to the west of B-CC High School. At the public hearing, on behalf of the property owners possibly responsible for providing the land for such a park, I questioned the need and the location for such a feature. I would like to be able to respond to any comments that staff might have on that subject.

Thank you for your consideration of this request.

Jody S. Kline  
Attorney



CLIENT FOCUSED. RESULTS DRIVEN.

200-B Monroe Street \* Rockville, MD 20850  
T: 301.762.5212 \* F: 301.424.9673

website | bio | vCard | confidentiality | email

## MCP-CTRACK

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**From:** Barbara Levitt <bslevitt@gmail.com>  
**Sent:** Wednesday, February 24, 2016 4:18 PM  
**To:** MCP-Chair  
**Cc:** townoffice@townofchevy Chase.org  
**Subject:** Bethesda Sector Plan / Importance of parking lots

Dear Chairman Anderson,

It goes without saying that the BSP will make numerous changes to the topography on the western border of the Town of Chevy Chase. With the increase in density you are proposing (and our community is opposing), we believe it would be folly to remove the two square blocks of surface parking (lots 10 and 24). Doing so will result in hideous traffic increases on local roads and a huge increase in cars cutting through our community and parking in our streets. We are aware that the Planning Board loathes surface parking, but these lots are packed night and day by people who don't want to get tangled up in the insanity of Bethesda traffic.

Barbara and David Levitt  
Meadow Lane  
Chevy Chase

Sent from my iPad

**MCP-CTRACK**

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**From:** Nancy Abeles <nabeles@syst1.com>  
**Sent:** Wednesday, February 24, 2016 11:10 AM  
**To:** MCP-Chair  
**Subject:** Bethesda Downtown Plan - Environment Section

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

Dear Mr.Chair--Casey,

As one who both lives and works in Bethesda, and as a Maryland member of the MWCOG TPB Citizens Advisory Committee, I have been avidly following and participating in the Bethesda CBD planning process. Because I cannot attend tomorrow's worksession, I write to you here to laud the planning staff for their exemplary work on the Plan's Environment Section.

As a TPB CAC member, I am acutely aware of the Green House Gas factor behind urban and transit planning, and of the urgency in addressing this issue. Because approximately 2/3rds of GHGs come from buildings rather than transportation, the Green Cover increase put forward in the Plan, and the call for LEED Platinum buildings, would not only catch Bethesda up with the region's other major jurisdictions, it would put us at the pioneering forefront of sustainable communities. I'm sure you already know all the benefits, so I'll only add that this would truly be thinking regionally and acting locally.

I could not be more impressed by the Plan's environmental aspect and I urge the Board to support it. Thank you for your consideration.

Most Sincere Regards,  
Nancy

**Nancy Abeles**  
*Outreach & Innovations Director*  
System 1, Inc.  
301-792-4580

## MCP-CTRACK

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**From:** Fairlie Maginnes <fairlieam@gmail.com>  
**Sent:** Wednesday, February 24, 2016 11:51 AM  
**To:** MCP-Chair; Town Office  
**Subject:** Parking lots

I am writing to express strong interest in the retention of the parking lots between the Farm Women's Market and the Writers' Center.

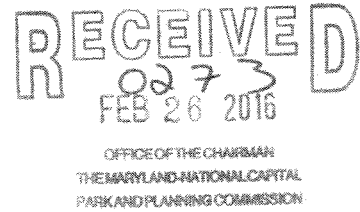
No tall public buildings or underground parking should be allowed to take that space from the Chevy Chase neighborhood, which should serve as a buffer from the growing city of Bethesda. The parking lots are also very important to the retention of the Farm Women's Market, a signature establishment of the Town of Chevy Chase. People who live in the Bethesda/Chevy Chase neighborhoods depend on those parking lots for regular use in going to shop in Bethesda, where it is becoming very difficult to park for a short errand, where increased business will add a great amount of traffic to an area that is already too full of large traffic and large vehicles.

Sincerely yours,  
Fairlie and David Maginnes

MCP-Chair

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**From:** Elmendorf, Stephen P. - SPE <SElmendorf@linowes-law.com>  
**Sent:** Tuesday, February 23, 2016 10:09 AM  
**To:** MCP-Chair  
**Cc:** Dalrymple, C Robert - CRD; 'Kominers, William'; 'Harris, Patricia A.'; 'Silber, Stacy P.'; 'Robins, Steven A.'; 'Brewer, Robert G.'; 'O'Neil, Patrick L.'; Sears, Barbara A. - BAS; Vaías, Emily J. - EJV; hdlhopolsky; Girard, Erin E. - EEG; Brown, Todd D. - TDB; Wallace, Scott C. - SCW; Wright, Gwen; Kronenberg, Robert; Howerton, Leslye  
**Subject:** Downtown Bethesda Sector Plan - Joint Position of Linowes and Blocher and Lerch Early and Brewer - Density Averaging/Priority Sending Sites  
**Attachments:** 201602230956.pdf  
**Importance:** High  
**Sensitivity:** Private



Chair Anderson:

Attached is a position paper containing recommendations to improve the density averaging process for Priority Sending Sites. Please share this paper with the other Planning Board members. A number of us will be at the Board's work session when the density averaging process is discussed. We would appreciate an opportunity to be a part of that discussion.

*Stephen P. Elmendorf*

Linowes and Blocher LLP  
7200 Wisconsin Avenue, Suite 800  
Bethesda, MD 20814  
301.961.5110 (direct line - office)  
301.452.6533 (mobile)  
301.654.2801 (fax)  
<<http://www.linowes-law.com/>>  
selmendorf@linowes-law.com  
For a complete firm directory, go to: <<http://www.linowes-law.com/bethesda>>

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**BETHESDA DOWNTOWN PLAN – POLICY ‘WHITE PAPER’  
REGARDING DENSITY AVERAGING FOR PRIORITY SENDING SITES  
('PSS') FOR CONSIDERATION BY THE PLANNING BOARD**

Planning Board Staff has been considering various ideas and proposals to improve the existing density averaging process in the CR Zones. Staff has requested that the development community and the land use bar submit suggestions on this issue. Staff's desired outcome is a density averaging process that will facilitate the transfer of Staff Draft density off of the PSSs.

Several land use attorneys (from different law firms) who have been active in the Board's ongoing consideration of the Plan have exchanged and discussed various ideas to improve the existing density averaging process. This paper reflects a consensus proposal on this issue from those attorneys. It is not intended to reflect a formal proposal from any law firm or to reflect support by all affected property owners or their legal counsel.

It is our understanding that one of the major goals of the Plan is to secure the transfer of PSS density to enable those PSSs to fulfill other Plan objectives (additional public park/civic space, for example). Current provisions of the CR Zones allow the transfer of density through the density averaging process. The current process contains requirements and restrictions that will impede and potentially block density transfers from the PSSs.

To achieve the desired density transfers from the PSSs in a timely, market-driven manner, we recommend consideration of the following:

1. Eliminate the current requirement that a "density-receiving" site be located within ¼ mile of a "density-sending";
2. Eliminate the current requirement that a density-receiving site and a density-sending site be "joined" in the same sketch plan application;
3. Eliminate the current requirement that a density-receiving site achieve a minimum of 150 incentive benefit points;
4. Do not adopt the proposed requirement (Staff Draft @ pg. 142) that "all development rights (on a PSS) must be extinguished before approval of any plan that uses such density in a density averaging scheme." In other words, continue



with current practice, which allows density to be transferred in parts, as each amount is sought by a density-receiving site;

5. Allow a density-receiving site to exceed its mapped building height if the additional height is needed to accommodate the density that has been transferred to that site from a PSS; and

6. Provide that density transferred from a PSS shall not be subject to the current requirements in the CR Zones for BLT purchase. In other words, provide that PSS transferred density shall be "BLT-free."

These recommendations are not listed in priority order. All are needed to help ensure that the density averaging process does not unintentionally frustrate the density transfers from the PSSs that the Plan seeks to achieve in a timely, efficient and market-driven manner. With the adoption of these recommendations, the PSS density transfers will occur and will result in a "win-win-win" for the County, the PSS owners and the density-receiving site owners.

## MCP-CTRACK

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**From:** Dedun Ingram <idedun@gmail.com>  
**Sent:** Tuesday, February 23, 2016 10:52 PM  
**To:** MCP-Chair  
**Subject:** Comment on Bethesda Sector Plan for Feb. 25 hearing

Dear Planning Board,

I attended a meeting of the Coalition of Bethesda Area Residents tonight to hear planning staff presentations about the plans for parks in the Bethesda Sector Plan area and about environmental design for the new development. There was a very large turn-out for this meeting of concerned citizens.

As the draft Bethesda Sector Plan shows, the planning staff did hear the comments by the many, many residents at the various community forums that Bethesda has too few parks and that this must be rectified if more residential and commercial development is going to occur as is the county's intent. The planning staff have made a valiant effort to create new park space in an area that is already built out. We applaud their effort and would love to see all of the park spaces they have dreamed up come into existence. Bethesda needs more park spaces -- currently it ranks way down the ladder of park space compared to other cities. Adding the new park spaces will not raise us much because it is not a lot of area and because as density increases, the amount of park space required also increases. But we'll take all we can get.

We are concerned that all of the new park spaces will require either acquisition of private property (and we all know there is no money for this) or deals brokered with private land owners for a bit of green space on their properties that they are redeveloping. I urge the Planning Board to consider mechanisms that can be built into the Bethesda Sector Plan that would generate park funds. The Cahir's proposal to bring the densities back down to current levels and have developers who want more density pay into a park fund would certainly be one creative approach. Rejiggering the public benefit points and categories would be another way to obtain some "real" public benefits when a large redevelopment project occurs. There are inherent problems with "park space" on private property -- all too often public access is curtailed in substantive ways.

There are two park areas I'd like to speak to directly.

1) Battery Park. I strongly oppose putting any sort of road through any part of this park. The planning staff admits that the proposed road is not needed for transportation purposes. Roads and parks do not mix. Please listen to the many residents who use this park and who oppose the proposed road. Do not approve it.

2) All of the new park spaces proposed by the planning staff are small and all require acquisition of private property or agreements to allow the public to use new park space on private property. The County has the opportunity at this time to create a large park space in Bethesda using county – owned land (lots #10 and 24). I realize that there are funding issues. But creative solutions such as raising funds from companies who would like the park named after their company, or who realize the benefits such a park would provide their workers, bond issues, the park fund I referred to earlier, etc. could be and should be pursued while this option is still available. I urge the Planning Board to reconsider their decision to allow 90 foot buildings and a FAR of 3.5 on these lots and to make a recommendation that the option of creating meaningful park space here for the many new residents and workers be fully explored.

The Planning staff also presented their recommendations for environmental guidelines for new development/redevelopment in Bethesda. I wish to strongly endorse those recommendations. I would like to see more green roofs, more canopy trees, more LED buildings, etc. in Bethesda. Given the County's lack of compliance with the Clean Water Act, it is critical that the redevelopment in Bethesda be done in such a way that stormwater is controlled (green roofs, storage tanks, permeable sidewalks, etc.). It also is important with the increases in density and traffic that will result from all the new development that everything possible be done to improve air quality, keep summer temperatures down, etc.

I urge the Planning Board to recommend implementation of new park space acquisition and a mechanism for obtaining funds to make this happen and to recommend that all new building be required to be as green as possible.

Regards,

Deborah Ingram

4411 Elm St.

Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** Cecily Baskir <cebaskir@verizon.net>  
**Sent:** Tuesday, February 23, 2016 11:16 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; 'John Freedman'  
**Subject:** Comment on Bethesda Downtown Sector Plan- Parks & Environment

Dear Chairman Anderson and Members of the Planning Board:

I am writing to express my support for a number of concepts proposed by the Planning Department Staff with respect to parks, open space, ecology and other issues on the agenda for your February 25, 2016 work session. In particular, I applaud the recommendation to provide a minimum 35% green cover to increase the overall tree canopy cover and number of green roofs in downtown Bethesda as well as the proposal for better, integrated stormwater management. I also encourage the Planning Board to support recommendations that will promote more energy efficient, high performance buildings in Bethesda with LEED certification—our neighbor DC is way ahead of us on this, and it is an area where Bethesda can and should be competitive with some of the neighboring jurisdictions. And I write in support of expanding green and open space within the sector plan area, including along the “Eastern Greenway,” the Capital Crescent Central Civic Green, and the Farm Women’s Market Civic Green. Green space provides an important buffer to residential neighborhoods in addition to promoting a sense of community and providing an appealing destination. We cannot create a truly sustainable Bethesda for decades to come without it.

Thank you for your consideration.

Sincerely,  
Cecily Baskir  
Ridge Street, Chevy Chase

## MCP-CTRACK

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**From:** Don MacGlashan <grouse75@verizon.net>  
**Sent:** Wednesday, February 24, 2016 7:01 AM  
**To:** MCP-Chair  
**Subject:** Green parks and high performance buildings

Dear Mr. Anderson,

Yesterday, I wrote you about having more parks in the down-county area. Last night I heard your staff members give a presentation about how they saw the future Bethesda, and how they would incorporate green space and parks in a coherent way. It was the first time my wife and I had heard their recommendations for a green Bethesda. We were impressed! Their ideas on integrating parks, green avenues, and green top high performance buildings would go a long way to making Bethesda a more livable place. I hope the Board will use these ideas. Also, in passing, they mentioned how well the District of Columbia has done in making these idea work, and surprisingly are well ahead of Montgomery County. Your Board's actions should give Montgomery County an opportunity to catch up with DC.

Thank you for all your hard work.

Don MacGlashan  
4114 Woodbine St.  
Chevy Chase, MD

## MCP-CTRACK

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**From:** Bridget Hartman <bridget@hartmanjr.net>  
**Sent:** Wednesday, February 24, 2016 9:26 AM  
**To:** MCP-Chair  
**Subject:** Bethesda Sector Plan Work Session # 8: Parks and Open Space

Dear Planning Board Chairman Casey Anderson:

I attended last night's meeting hosted by the Citizens for Bethesda Area Residents where county staff discussed proposed parks and open space in the Bethesda Sector Plan. I am a resident of the Town of Chevy Chase.

Through previous work sessions regarding the Bethesda Sector Plan, the Planning Board has proposed massive overdevelopment and increased density well beyond the recommendation of its staff. Examples include the Jaffe Proposal, the Bethesda Fire Station Proposal and ZOM Mid-Atlantic Proposal.

Now at Thursday's Work Session #8 meeting, the Planning Board will focus on parks and open space. I hope it is equally generous with its open space and park recommendations and exceed what is being proposed by the staff. With respect to the Wisconsin Avenue corridor between Bradley Lane/Boulevard and Elm Street, if the Planning Board is serious about increasing parks and open space through the Bethesda Sector Plan, I urge the Board to do two things. First, at a future work session re-think and revise prior work session decisions for properties along Wisconsin Avenue from Bradley to Elm Street. Height and density need to be reduced. Second, create a meaningful green space/park from the Writer's Center to Elm Street and identify funding to ensure that this happens. What is currently under consideration and described at the Farm Women's Market Civic seems like a missed opportunity to create genuine park given that the county owns the parking lots behind the Farm Women's Market up to the Writer's Center.

Lastly, I join many of my nearby Bethesda residents in opposition to a road through or on the edge of (as was described at last night's meeting) Battery Park. Leave the park as is. I was unconvinced by last night's presentation that proposed plans would enhance this area. In fact, the plans would limit the use of the park and potentially create safety issues for the many residents, particularly young children.

Sincerely,

Bridget Hartman  
7214 Ridgewood Avenue  
Chevy Chase, MD 20185

## **MCP-CTRACK**

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**From:** Tina Coplan <tlcoplan@verizon.net>  
**Sent:** Wednesday, February 24, 2016 9:59 AM  
**To:** MCP-Chair  
**Subject:** Comments for Work Session #8  
**Attachments:** Comments for Planning Board 2-25-16.docx

Thank you for passing these comments on to the Planning Board for its Feb. 25 meeting.  
Tina Coplan

To: Planning Board Chair Casey Anderson and Commissioners  
Re: Work Session #8: Parks and Open Space  
February 25, 2016

As the Planning Board takes a break from reviewing the millions of square feet of building space approved for the Bethesda Sector Plan area, let's think green.

Green as in the money created by the value parks add to communities.

- Consider New York's High Line. Investment to transform old train tracks into an inviting linear park has produced an economic dynamo. "The closer apartments are to the High Line, the more expensive they get," according to the New York Times. The High Line has put far more into the pockets of developers and into public coffers through tax revenues than it has cost the city.
- The goal of the sector plan is an attractive urban Bethesda. But compressing massive buildings into an urban area without significant parks results in a concrete/glass jungle, not a livable city. Where are Bethesda's Lafayette Square, Central Park, Rittenhouse Square, or Golden Gate Park?

Here's an answer: Rather than squander the last major open space in Bethesda, raise money from developers to take control of county-owned parking lots 24 and 10 behind the Farm Women's Market.

Take back the height and density approved beyond the 32.4 million square feet recommended by staff. Then give a very small portion back in exchange for fees that together would cover the costs to take control of the county-owned lots and build underground parking.

The plan should be revised with a practical mechanism to assure that its goals for green spaces become a reality. Then the benefits of public parks would accrue to all—enhancing the value of nearby properties and providing a magnet for the largest concentration of people in the county through 2040, as projected in the 2012 PROS plan.

Ema and Michael Corlan  
7003 Meadow Lane  
Cresty Chase, MD 20815



**MCP-CTRACK**

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**From:** Ben Moscovitch <benmoscovitch@gmail.com>  
**Sent:** Tuesday, February 23, 2016 9:55 PM  
**To:** MCP-Chair  
**Cc:** Pat Burda  
**Subject:** Planning Board speaking request

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FEB 23 2016

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

Good evening.

I am a Bethesda resident and would appreciate an opportunity to provide general comments on the sector plan revisions at the end of the meeting this week.

Thank you for your consideration.

-Ben Moscovitch

202.716.5551

## MCP-CTRACK

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**From:** Deborah Vollmer <dvollmer@verizon.net>  
**Sent:** Tuesday, February 23, 2016 11:08 PM  
**To:** MCP-Chair  
**Subject:** Request to comment at February 25 meeting, Work session #8

To: Chairman Casey Anderson, Planning Board

I would like to request the opportunity to testify before the Planning Board at the meeting on Thursday, February 25, 2016, on Agenda Item 8, Work Session #8 on the Bethesda Sector Plan. I understand that the subject will be parks and open space, and I would like to comment on the future of the parking lot behind the Farm Women's Market, and the parking lot by the Writer's Center, Lots 10 and 24. Thank you---

Deborah A. Vollmer  
Resident of the Town of Chevy Chase

Telephone: 301-652-5762

## MCP-CTRACK

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**From:** a Pritchard human <bruce323g@gmail.com>  
**Sent:** Wednesday, February 24, 2016 8:46 AM  
**To:** MCP-Chair  
**Subject:** read this before my prior message?

**Importance:** High

Hello,

Being unsure what was required of me, in my former message I went on & on.

Here's a summary that may save you the trouble of reading it:

I'm requesting to testify tomorrow, agenda item 8, and of course I will accept your decision.  
If further info is needed, see below.

-- Bruce Pritchard

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**From:** a Pritchard human [mailto:bruce323g@gmail.com]  
**Sent:** Tuesday, February 23, 2016 11:32 PM  
**To:** mcp-chair@mncppc-mc.org  
**Subject:** request to testify, 2/25 item 8; comments for review

Hello,

For the 2/25/16 MCPB meeting, Agenda Item 8, I'm requesting to testify. I just now signed-up online, but on the agenda I see:

*"Public participation at work sessions is at the discretion of the Chair. If you would like to speak at a Planning Board work session, please send a written request to speak along with a description of the subject you wish to address at least 24 hours in advance of the hearing date to [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)."*

Hence this message.

In the red italicized writing above, I see that I'm also requested to send a description of the subject I wish to address. I don't know how much detail is requested. Here are 5 bullet-items that occur to me right now and upon which I'll improve in the next day+.

-- I applaud the authors/authoresses of the Vision and Planning Framework, as well as Summary of the Parks and Open Space Requirements, as elaborated on pages 1-3 of this Staff memo:

[http://www.montgomeryplanningboard.org/agenda/2016/documents/Bethesda\\_WorkSession8\\_StaffMemo\\_021816FIN\\_AL.pdf](http://www.montgomeryplanningboard.org/agenda/2016/documents/Bethesda_WorkSession8_StaffMemo_021816FIN_AL.pdf)

-- I fail to see how a Street through Battery Lane Urban Park helps to satisfy the Vision/etc., in fact to me it would be a blatant opposing-idea, presumably as a trade-off for some greater good.

-- And what is that greater good trade-off? I currently have a bit, but very minimal understanding of the MCPB's view of the advantages that may come from running a street through the core of that beautiful and oft-used respite from streets: Battery Lane Urban Park. I have reviewed numerous County documents and some videos, and have heard "connectivity" and so on, but to me, without substantial elaboration, such one- or few-word comments come across as nearly empty platitudes. I want to clarify that I think we members of the community need to hear better justification than we have had to date.

-- I do note on page 6 of the above-referenced memo that for whatever detailed reasons, a property management company with numerous properties on Battery Lane has testified in support of at least some aspects of the proposal. Unfortunately I have not reviewed their testimony to understand important distinctions they may have made. But by default I will trust that the MCPB is not unduly favoring a relatively wealthy business interest over widely-expressed resident/community interests.

-- I'm particularly disturbed that (page 6 of the above-referenced memo) although there's clear acknowledgment that residents are opposed, and there have been numerous emails and a petition (and variably-vociferous meeting comments I'll add), there's a Staff Response that the road would only occur if there is no net loss of parkland to the Park. Even while they were writing that, I believe that the Staff is well aware, by entirely direct as well as indirect input, that the issue is not the number of square feet of park space, especially if it means sprawled out across multi-secting streets.

That's probably "too much information" for this speaking-request email, but I presume it's sufficient to meet the red-italicized-text requirement stated above.

I doubt there's any value for the Chair to read the remainder of this message to support my speaking request. I'm providing it just-in-case.

I may be misinterpreting my responsibilities as part of requesting to testify, but .... I'll comment on items I've seen on the online sign-up page and other online notations about how to go about this.

I am prepared to accept the decision of the Chair as to whether or not I'll have the opportunity to testify, whether based on the Workgroup nature of the agenda item, the time available, grouping & repetition, etc.. To be perfectly frank, I'll be emotionally relieved if I'm disallowed to testify. I'm only doing it because I think personal testimony is more memorable, carries more weight, even if poorly done, than an email.

I recognize that I should pre-provide a copy of documents that I will use in presentation. I'm by no means an accomplished public speaker or presenter, and I don't currently have plans for any PowerPoint presentations etc.. I will probably read from prepared text.

I'm not a representative of a group. I am aware that my position may be substantially duplicative of a very large preponderance of other citizens/neighbors/residents, as is indicated on page 6 of the Staff memo [http://www.montgomeryplanningboard.org/agenda/2016/documents/Bethesda\\_WorkSession8\\_StaffMemo\\_021816FIN\\_AL.pdf](http://www.montgomeryplanningboard.org/agenda/2016/documents/Bethesda_WorkSession8_StaffMemo_021816FIN_AL.pdf) which acknowledges "Battery Lane residents -- numerous emails and a petition" and "Residents do not want a street through the park". And in fact it's possible that none of my comments will be unique. I have not reviewed nor cleared my comments with others nor have they with me.

Although I am an adjacent property owner, I am speaking as an individual whose opinion (though not necessarily motivation-level) is substantially independent of my residential proximity to the immediate area in question.

Thank you.

-- Bruce Pritchard  
4970 Battery Ln. #205  
Bethesda MD 20814  
cell 541-231-1101  
[bruce323g@gmail.com](mailto:bruce323g@gmail.com)

## **MCP-CTRACK**

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**From:** Naomi Spinrad <nspinrad@gmail.com>  
**Sent:** Tuesday, February 23, 2016 11:34 PM  
**To:** MCP-Chair  
**Subject:** Bethesda Plan work session 8, request to speak

I'd like to speak on behalf of Chevy Chase West about our proposal that the undeveloped space on the property of fire station 6 be designated as green space within the plan.

Thank you,  
Naomi Spinrad  
Vice President, Chevy Chase West Neighborhood Association

## MCP-CTRACK

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**From:** Michal Freedman <dmichalfreedman@gmail.com>  
**Sent:** Wednesday, February 24, 2016 12:19 AM  
**To:** MCP-Chair  
**Subject:** comments on Bethesda Sector Plan Work Session #8

Dear Mr. Anderson:

I am writing to request the opportunity to present comments on Thursday, February 25, 2016, at Work Session #8 regarding the Commission Staff's recommendations on incentivizing highly energy efficient buildings.

Sincerely,  
Michal Freedman  
Sierra Club Montgomery County, Executive Committee Vice Chair

## MCP-CTRACK

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**From:** Veronique Marier <veromarier@hotmail.com>  
**Sent:** Wednesday, February 24, 2016 8:03 AM  
**To:** MCP-Chair  
**Cc:** Schneider, Tina; Howerton, Leslye  
**Subject:** Request to adress the Planning Board - Feb. 25th. Working Session #8, Item 8.  
Downtown Bethesda Plan  
**Attachments:** BG DBPlan testimony 16 02 25 SENT.pdf

Good morning Chair Anderson,

I am requesting (public) participation at the upcoming February 25th session on the Downtown Bethesda Sector Plan on Thursday February 25, 2015.

A copy of my written testimony is enclosed.

Regards,



**Véronique Marier, Executive Director**

p:240.396.2440 X- 101

| m:240.475.0024 e:veronique@bethesdagreen.org | w:www.bethesdagreen.org

a: 4825 Cordell Avenue, Suite 200

TESTIMONY TO MONTGOMERY COUNTY PLANNING BOARD

WorkingSession # 8

BY VERONIQUE MARIER, EXECUTIVE DIRECTOR, BETHESDA GREEN

February 25, 2016. ITEM 8. Downtown Bethesda Sector Plan

*Chair Anderson, members of the Board,*

Good afternoon. I am Veronique Marier, here as the Executive Director of Bethesda Green. Founded in 2009 as a unique public-private partnership, Bethesda Green is Bethesda-located organization core to supporting locally sustainability. On June 22, 2015, Bethesda Green testified at the Public Hearings in Bethesda in support of the Downtown Sector Plan. As this Board reviews the proposed Sector Plan, we hereby stress the importance of certain elements of the plan as they pertain to both the community we serve and our operations. The staff memo for this session clearly states the overarching goal of creating a "truly sustainable downtown." In this testimony, we specifically state our agreement with the 2 recommendations stating the need for: "Environmental Innovation" and for "Economic Competitiveness", both backbones to creating a competitive downtown that fosters innovation.

Let me read you Bethesda Green' (current) mission: "*To accelerate the sustainable economy locally with a focus on innovation, impact and community.*" Bethesda Green is an Incubator, a Connector and a Community Partner. Our values include the expression of triple bottom-line impact (people, planet, profit). And we, Bethesda Green, plan to continue our growth as a sustainability hub and innovation center, which is not only an asset to the current local community, but we also have the vision to "attract" to Bethesda.

It will be no surprise that we also have the vision of being located in a **Bethesda that can be recognized as a Green Destination**. The reality includes that we have regional competition. As noted in the Staff flyer: Arlington, Alexandria and some areas of DC display their current and upcoming innovative approaches to sustainable urbanization, for instance when it comes to energy and water management. Bethesda is nationally recognized for many things (health sector, number of PhDs, etc.). It only makes sense to also be a recognized Green Destination.

I am confident that the Board will hear convincing arguments about very visible elements such as green open spaces, bike lanes, etc. As Bethesda density



increases, these are key elements to creating not only livable but also as I often state, a happy city. But today, we must emphasize again the importance of the less visible aspects: energy (in buildings), stormwater management, high percentage of tree canopy, of green roofs (or even roof top farms: did you know there is one on top of the Equinox building in Bethesda? One of Bethesda Green's own incubator companies, UpTopAcres, partnered with Federal Realty Trust for this project). Those aspects are not only innovative, but they are 'Smart'. Integrating High Performance Areas in the Sector Plan will put Bethesda on the map of the "Best Of". The staff flyer on those environmental aspects makes the economic and community impact arguments very clearly and convincingly; *we urge the Board to consider and keep all of them as part of the plan presented for Council action*. It's the smart thing to do for the environment, for the local businesses, the local community, and for our children.

NOTE: I can stop to read here if needed.

I have said on other occasions, we are on this Mission and want to make sure Bethesda is this "Kind / Happy Place" that focuses on a vibrant, innovative Green Urban Model that will attract and enhance our local economy. Successful urban planning is the result of cooperation between planners, developers, local organizations, businesses and residents. *The path forward will involve flexibility, continued and accelerated innovation, some failures and adjustments.*

Lastly, I am leaving behind a one pager showing the 2015 economic impact results from our green business incubator start-ups: more than \$2.1M in revenues were generated by the start-ups, \$1.5 million raised, and 50 FTEs (FT, PT, 1099s) employed. This over and above the 1000 participants at our educational and networking events in 2015, confirms Bethesda Green, as a unique public-private partnership, that is already positioned to support the advancement of a smart growth urban development.

Thank you.

Véronique Marier  
Executive Director, Bethesda Green  
4825 Cordell Avenue, Suite 200  
Bethesda, MD, 20814  
Tel; 240.396.2440  
Veronique@bethesdagreen.org

## MCP-CTRACK

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**From:** Deborah Vollmer <dvollmer@verizon.net>  
**Sent:** Tuesday, February 23, 2016 9:11 AM  
**To:** MCP-Chair  
**Cc:** 'Town Office'; 'Al Lang'; 'John Bickerman'; 'Fred Cecere'; 'Vicky Taplin'; kstrom@townofchevyCHASE.org; 'Mona Sarfaty'; 'Mary Margaret Flynn'; townneighbors@yahoo.com; johnafreedman@gmail.com; 'Cecily Baskir'; 'Melanie Manfield'; 'Barbara Levitt'; 'Hassan Ali'; 'Elrich's Office, Councilmember'; 'Lila Asher'; anglofiles1@gmail.com; 'Berliner's Office, Councilmember'; info@bethesdamagazine.com; Dedun Ingram; 'Craig Brooks'; tips@patch.com; 'Stephen Seidel'; 'Katherine Shaver'; scottfosler@aol.com; 'Tina Coplan'; Elncln@aol.com  
**Subject:** RE: Living on the Edge (the Bethesda Sector Plan)

To: Casey Anderson. Chair of the Planning Board

Dear Mr. Anderson,

Please see my e-mail message to you sent on February 10, below. Here, in the Town of Chevy Chase, we are, indeed, living on the edge.

I wanted to add one more point, with respect to the parking lots (Lots 10 and 24), which I don't think I have mentioned in any of my previous e-mails on this subject; but I think it is an extremely important one.

By way of background, I have previously noted my observation that these two parking lots are an existing buffer between development in Bethesda and our Town, and that they are widely used both by our own Town residents and by folks from out of Town. Some of the folks who use the lots come to shop or patronize the local restaurants, and others use them for reasons of commuting to their places of employment in Bethesda. Many are reluctant to use underground parking due to concerns about safety; and some who shop in Bethesda have told me that they would look for other places to shop, if the parking lots were to be taken away.

The point that I believe I have previously neglected to raise, is the disastrous effect that removing these parking lots would have on our Town, in terms of increased vehicular traffic. This is already a major problem for residents of our Town who live at the edge; and other proposed development at the edge of our Town, including but not limited to the proposed development next to St. John's Church, threaten to create even more gridlock in our Town. Losing the parking lots (10 and 24) would exacerbate this further, as individuals deprived of their parking on the lots, would be driving through our Town, looking for the odd spot on the street to park. Our own residents need that scarce parking, and this competition for parking within our Town would become even more of a nightmare than it already is.

Thank you for considering these points, and please share my comments with your staff, and with the other members of the Planning Board.

Respectfully,  
Deborah A. Vollmer  
Resident, Town of Chevy Chase  
7202 44<sup>th</sup> Street  
Chevy Chase, Maryland, 20815

Telephone: 301-652-5762

**From:** Deborah Vollmer [mailto:dvollmer@verizon.net]  
**Sent:** Wednesday, February 10, 2016 9:14 AM  
**To:** 'MCP-Chair' <mcp-chair@mncppc-mc.org>  
**Cc:** 'Town Office' <townoffice@townofchevy Chase.org>; 'Al Lang' <al.lang@townofchevy Chase.org>; 'John Bickerman' <jbickerman@townofchevy Chase.org>; 'Fred Cecere' <fcecere@townofchevy Chase.org>; 'Vicky Taplin' <vtaplin@townofchevy Chase.org>; 'kstrom@townofchevy Chase.org' <kstrom@townofchevy Chase.org>; 'Mona Sarfaty' <msarfaty@gmu.edu>; 'Mary Margaret Flynn' <mmflynn@gmail.com>; 'townneighbors@yahoogroups.com' <townneighbors@yahoogroups.com>; 'johnafreedman@gmail.com' <johnafreedman@gmail.com>; 'Cecily Baskir' <cebaskir@verizon.net>; 'Melanie Manfield' <melbridgewrite@icloud.com>; 'Barbara Levitt' <bslevitt@gmail.com>; 'Hassan Ali' <hassanbekirali@yahoo.com>; 'Elrich's Office, Councilmember' <Councilmember.Elrich@montgomerycountymd.gov>; 'Lila Asher' <lilaasher@verizon.net>; 'anglofiles1@gmail.com' <anglofiles1@gmail.com>; 'Berliner's Office, Councilmember' <Councilmember.Berliner@montgomerycountymd.gov>; 'info@bethesdamagazine.com' <info@bethesdamagazine.com>; Dedun Ingram (idedun@gmail.com) <idedun@gmail.com>; 'Craig Brooks' <cbro@brookslittlefield.net>; 'tips@patch.com' <tips@patch.com>; 'Stephen Seidel' <stephen.seidel@verizon.net>; 'Katherine Shaver' <katherine.shaver@washpost.com>; 'scottfosler@aol.com' <scottfosler@aol.com>  
**Subject:** Living on the Edge (the Bethesda Sector Plan)

To: Casey Anderson, Chair of the Planning Board:

Please share this, with all members of the Planning Board.

I have previously sent you e-mails, and followed up briefly in person with you at breaks during the most recent Planning Board meeting, on the subject of the future of the parking lot behind the Farm Women's Market and adjacent businesses, and the parking lot behind several small businesses and across from the Writer's Center (Lots 10 and 24, the two large County-owned parking lots between Walsh Street and Willow Lane). I told you about the leafletting that I have done at the beginning of this year, speaking directly with people who were using the parking lots, some from the Town of Chevy Chase, some from other parts of Montgomery County, and some of whom had come from as far as D.C., Delaware, and Virginia.

I probably talked to approximately forty people when I leafletted at the beginning of the year. To a person, all were surprised at the plans to allow building on the parking lots; and all were strongly opposed to these plans. They were appalled by the idea that the surface-level parking might go away, and that there might be the construction of buildings on these parking lots. Some told me they came to Bethesda to shop, that this was the only convenient place for them to park in order to shop, in all of Bethesda, and that they hated underground parking. Some told me that they came to Bethesda to work. In short, virtually everyone that I talked to was contributing to the economy of Bethesda in some way.

When you and I talked about this issue of the parking lots, and I asked that you reopen the matter for additional public hearings, you told me that this was not likely to happen; and that if it was, I would have to present some very compelling reasons to reopen the subject. While I think that I already have done so, I do have some additional points.

You have stated on the record at Planning Board meetings that you are sensitive to the needs of single-home, residential communities, positioned on the edge of Bethesda development. The Town of Chevy Chase is one of those communities. We are at the edge. Directly in front of one of the parking lots, along Wisconsin Avenue, and between Walsh Street and Leland Street, is a row of buildings with a low profile, topped with Tudor-style pitched roofs, in multiple colors. The buildings are of human scale, in contrast to the high buildings in close proximity, and they house several small businesses, four of which have been at that location for many years (two restaurants, a dry cleaners, and a jeweler's).

These buildings date back to my childhood, yet they have been well-maintained, and the owners of the businesses there take obvious pride in their establishments, which serve both residents of our Town and the greater Bethesda downtown area. When I walk by these businesses with their Tudor style roofs and low profile, I marvel at the old-town character and human scale. They are a comfortable reminder of the past, still thriving in the present. In my opinion, they should receive historic designation.

When we are considering the effect of the Bethesda Sector Plan on edge communities like our Town, I think it is important to consider the Tudor style buildings on Wisconsin Avenue between Walsh Street and Leland Street, and the parking lot behind them, as well as the parking lot behind the Farm Women's Market and the adjacent businesses (between Leland Street and Willow Lane), together.

I ask that the Planning Board reopen the issue of the future of both the two parking lots and the Tudor buildings, as this is an important edge between the Town of Chevy Chase, and development in Bethesda.

Respectfully,  
Deborah A. Vollmer  
7202 44<sup>th</sup> Street  
Chevy Chase, Maryland, 20815

Telephone: 301-652-5762

## MCP-CTRACK

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**From:** Don MacGlashan <grouse75@verizon.net>  
**Sent:** Tuesday, February 23, 2016 11:43 AM  
**To:** MCP-Chair  
**Subject:** Green Parks

Dear Mr. Anderson,

It's been my observation that there are not many down-county parks where people can go to sit quietly, have lunch, or let their kids run around. Yes, there is Elm Street Park and it has been a real benefit to business people wanting to get outside for air and perhaps lunch. I see them frequently on my walks. Given that there will be new high-rise buildings along Wisconsin Ave, it makes sense to me that there needs to be ample green park space for these businesses and residents. What better place to put them on than the land along the edge of existing communities where they abut these new buildings. These parks would act as a buffer for the various communities, giving them breathing space and open skyline.

I note that the planning board is considering a 60-foot buffer space between a community and the *new* Bethesda. A sixty feet wide park seems inadequate to me. I would like to see a 120 foot buffer so the parks would give some feel of openness. These parks will be important towards providing improved quality of life for everyone. As members of the long range planning board, you can set that standard. I hope you agree that 120 feet buffers makes the right choice.

Thank you for considering this suggestion for the down-county citizens.

Don MacGlashan

4114 Woodbine Street

Chevy Chase

## MCP-CTRACK

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**From:** Fairlie Maginnes <fairlieam@gmail.com>  
**Sent:** Tuesday, February 23, 2016 11:53 AM  
**To:** MCP-Chair; toownoffice@townofchevy Chase.org  
**Subject:** Parking lots

We are writing to advocate strongly that the current parking lots between Farm Women's Market and Writer's Center be retained as parking lots, very important for town residents. they should not be made to have buildings and u;underground parking. they are an important buffer between the neighborhoods and the encroaching development in Bethesda. They should not also be just converted into green space, though that is of course preferable to allowing building there. They offer parking which could hold down the enormous impact of traffic with all the new development. No buildings with underground parking should be permitted on the parking lots space!

j

Respectfully yours,

Fairlie and David Maginnes

## MCP-CTRACK

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**From:** Dlhopsky, Heather - HXD <HDlhopsky@linowes-law.com>  
**Sent:** Tuesday, February 23, 2016 1:04 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; 'Ellen Rader'  
**Subject:** 2/25 Bethesda Downtown Plan worksession - Request for Ellen Rader to speak (owner of the property located at 4841 Leland Street)  
**Attachments:** 201504131318.pdf

Members of the Planning Board,

I am submitting this email in request that Ellen Rader be permitted to speak briefly at Thursday's Planning Board worksession regarding the parks, open space, and environment recommendations of the Bethesda Downtown Plan, particularly as they relate to her property in the Sacks neighborhood. Her remarks will focus on our suggestion in our April 2015 letter to MNCPPC Staff (attached) that the County's BLT program could be used to provide green and/or open space possibilities in the Sacks neighborhood, particularly for properties that abut the Capital Crescent Trail as Ms. Rader's property does.

Thank you very much, and we look forward to seeing you on Thursday.

Heather

Heather Dlhopsky  
Linowes and Blocher LLP  
7200 Wisconsin Avenue, Suite 800  
Bethesda, MD 20814-4842  
(301) 961-5270 (direct phone)  
(301) 654-0504 (switchboard)  
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hdlhopsky@linowes-law.com  
www.linowes-law.com

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**LINOWES**  
**AND BLOCHER LLP**  
ATTORNEYS AT LAW

April 13, 2015

Heather Dishopolsky  
301.961.5270  
hdlhopolsky@linowes-law.com

VIA EMAIL AND FIRST CLASS MAIL

Ms. Leslye Howerton  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Feedback on Bethesda Downtown Plan Concept Materials

Dear Ms. Howerton:

On behalf of Ellen Rader, owner of the property located at 4841 Leland Street in the Sacks neighborhood of Bethesda (the "Property"), I am submitting this letter in response to the briefing presented by Planning Staff to the Montgomery County Planning Board (the "Planning Board") on December 11<sup>th</sup> regarding the ongoing Bethesda Downtown Plan (the "Sector Plan") process, as well as the conceptual materials that were presented by Planning Staff at a community meeting held on January 29<sup>th</sup> regarding the Sector Plan, and several meetings that Planning Staff has had with members of the Sacks neighborhood, including Ms. Rader, over the past year or so of Planning Staff's work on the Sector Plan.

As Ms. Rader and several members of her community indicated to Planning Staff previously, the Sacks residential neighborhood is undergoing rapid change, not just because of ongoing redevelopment in the adjacent Bethesda Central Business District (CBD), but dynamics internal to the Sacks neighborhood itself. Many longtime owners have or are considering selling to single-family builders and, when this occurs, the existing single-family home is torn down and replaced with a large, new dwelling that in essence seeks to maximize square footage and height. The effect is a significant change in the nature and feel of the neighborhood. In addition, the Sacks neighborhood is becoming increasingly an island in the middle of a multi-family area, with the new Lot 31 mid- and high-rise, mixed-use project directly to the north, and longstanding multi-family uses directly adjacent to the east between the Sacks neighborhood and Wisconsin Avenue, and to the south on the other side of Bradley Boulevard. It seems that many residents of the Sacks neighborhood are very conscious of the rapidly changing nature of the area, and are viewing their only "out" as selling their existing homes to single-family builders as teardowns. Given that the neighborhood is significantly changing on its own notwithstanding the current Bethesda CBD Sector Plan recommendations and the neighborhood's R-60 zoning, the new Sector Plan is an ideal opportunity to more actively plan for the neighborhood and its ongoing transition.

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Ms. Leslye Howerton  
April 13, 2015  
Page 2

We believe that there are other options for the Sacks neighborhood than simply remaining a single-family, R-60 teardown neighborhood. Specifically, we request that Planning Staff's draft of the Sector Plan, which we understand will be presented to the Planning Board in the end of May, suggest that either or both of the following two proposals may be appropriate for the Sacks neighborhood:

(1) Retain base R-60 zoning, but incorporate floating zone recommendation: The Sacks neighborhood would retain its base zoning of R-60, but a recommendation could be included in the Sector Plan that all or a portion of the neighborhood may be appropriate for a future rezoning to a townhouse floating (TF) zone. The Zoning Ordinance in effect until October 30, 2014 contained townhouse zoning options for 8, 10, and 12.5 units/acre, and we believe that these densities would be most appropriate for the Sacks neighborhood in order to provide a transition from the higher densities directly to the north, and also to ensure compatibility with single-family homes remaining in the Sacks neighborhood. The Sector Plan could also recommend that sufficient contiguous lot area be amassed before any property could become eligible for filing a TF floating zone application. By recommending that all or a portion of the Sacks neighborhood may be appropriate for a TF floating zone, this ensures that a local map amendment application would have to be filed and reviewed by the Planning Board, Hearing Examiner, and Montgomery County Council, with its inherent review of conformance with the Sector Plan, compatibility with existing and approved adjacent development, analysis of any adverse impacts, etc., before any zoning changes could be approved.

(2) Use the BLT program to provide green and open space possibilities: The Transferable Density Rights (TDR) and Building Lot Termination (BLT) programs are currently used to preserve agricultural land in the up-county and to remove from properties the future ability to redevelop with single-family homes. We are well aware that Planning Staff is actively seeking green and open space and park sites as part of the ongoing Sector Plan process, given that Bethesda has few of these sites left and very few obvious future sites available. We believe that a program similar to the TDR or BLT programs could be used to create green or open space in the Sacks neighborhood, which could be easily accessed by residents, employees, and visitors to the adjacent Bethesda Downtown and also by users of the Capital Crescent Trail.

The 2012 Park, Recreation and Open Space (PROS) Plan recognized the challenges faced by smaller urban sector plan areas in providing opportunities for parks and recreation, and noted that dog parks, community gardens, urban wooded areas, trails, and community open space and places for gathering are particularly important to residents of urban areas. The PROS Plan acknowledged the limited funds available for park and open space acquisition, but mentions that acquisition via land development with subsequent transfer to Parks ownership is oftentimes a viable option. Given the property values in the Sacks neighborhood, it is probably not feasible for Parks to acquire directly any properties in the neighborhood for use as parks or open space.

Ms. Leslye Howerton  
April 13, 2015  
Page 3

However, under the current CR (Commercial/Residential) Zone requirements, which most every property in the Bethesda CBD is currently zoned, in order to achieve maximum density permitted under the optional method of development developers are already required to purchase BLTs. Currently, these BLTs come from the up-county area. However, we believe that a similar program, valued appropriately to account for the property values in the Sacks neighborhood, could be used in order to terminate building lots in the Sacks neighborhood for those property owners who are interested and volunteer. Under such a program, developers could be incentivized to purchase BLTs from the Sacks neighborhood through identification of the Sacks neighborhood as a priority sending area, or valuing the BLTs from the Sacks neighborhood at a greater incentive density than those from the up-county. Once a developer purchased the BLT from a property, with the property essentially being stripped of its value the property could be acquired by Parks for long-term use in implementing the goals of the PROS Plan and the Sector Plan for green and open space or parks directly adjacent to downtown Bethesda.

Obviously, the current BLT program is a very complex program, and this new twist on it adds further layers of complexity, but we believe that it is worthy of analysis and evaluation as part of the Sector Plan process as a possible way to address the challenges and changes currently facing the Sacks neighborhood.

We thank you for consideration of these comments. As noted, the Sacks neighborhood is already rapidly changing under its own momentum, and we believe that a more active role in planning for its transition should be taken by Planning Staff as part of the Sector Plan process. We look forward to continuing to work with you and the rest of the Planning Staff. If you have any questions or require any additional information, please do not hesitate to contact us.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Heather Dlhopsky

cc: Members of the Planning Board (MCP-Chair@mncppc-mc.org)  
Mr. Robert Kronenberg  
Mr. Marc DeOcampo  
Ms. Ellen Rader



ideas that work

*Attorneys at Law*

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Fax (301) 347-1779  
rrharris@lerchearly.com

**Robert R. Harris**

February 23, 2016

VIA E-MAIL AND FIRST CLASS MAIL

Casey Anderson Esq.  
Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Bethesda Downtown Sector Plan – Worksession No. 8

Dear Chairman Anderson:

We represent Brookfield Office Properties, the owner of 3 Bethesda Metro Center. We are writing to you to request an opportunity to speak at the Planning Board worksession on February 25, 2016 with respect to the topic of public open space. More specifically, our client owns the majority of the Plaza area at the Metro station. In connection with their planned redevelopment on the site pursuant to both the existing zoning and the recommendations in the Draft Bethesda Downtown Sector Plan, our client also intends to make significant improvements to the Plaza and open space and to the connections to the Metrobus/Metro station area below the Plaza. We would like the opportunity to brief the Planning Board on these improvements. We understand the owner of the adjoining Hyatt Hotel intends to participate in this discussion as well.

Cordially yours,

Robert R. Harris

cc Gwen Wright  
Robert Kronenberg  
Leslye Howerton  
Laura Shipman  
Simon Carney  
Rich Fernicola  
Scott Wallace

## MCP-CTRACK

---

**From:** Dlhopsky, Heather - HXD <HDlhopsky@linowes-law.com>  
**Sent:** Monday, February 22, 2016 10:39 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert  
**Subject:** 2/25 Bethesda Downtown Plan worksession - Request to speak on behalf of F&L Associates, LLLP (owner of the property located at 4809 Auburn Avenue)

Mr. Anderson,

At Thursday's worksession, I would like to briefly speak on behalf of F&L Associates regarding the effect that the Battery Lane Urban Park recommendations would have upon their property. As we noted in our testimony at the public hearing in June, the Public Hearing Draft recommends that the Norfolk Avenue/Rugby Avenue intersection and adjacent properties be reconfigured to expand the Battery Lane Urban Park and improve the street connection to Norfolk Avenue. This proposal and the graphic included on page 105 of the Public Hearing Draft (Figure 3.06) reflect that the entire western half of the subject property (all of the surface parking and it appears that even part of the building) would be converted to a park/open space, which would result in the removal of all of the surface parking on the property and essentially put out of business the Sherwin-Williams store currently on the property. A paint/home improvement store cannot survive without easily accessible surface parking. In addition, if the property were to seek to redevelop in the future, given the already very small size of the property (approximately 12,900 square feet), the recommendation to convert the western half of the property to park/open space would essentially render the rest of the site so small as to be undevelopable.

We also note that the Public Hearing Draft (page 102, A, 1, second bulletpoint) expresses a goal of enhancing existing commercial/retail businesses with improved accessibility, visibility, and upgraded streetscape guidelines. This stated goal and the recommendation to create a park/open space on the property's surface parking lot are mutually exclusive. We do support enhancing the streetscape in the area and along the property's frontage, and we note that the property already has a significant green buffer and wide sidewalk along Norfolk Avenue, but this must be done without adversely affecting the surface parking and current business on the site.

Thank you very much, and I look forward to speaking with you on Thursday.

Heather

Heather Dlhopsky  
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## MCP-CTRACK

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**From:** Barbara McCall <mccall@capitaleedge.com>  
**Sent:** Friday, February 19, 2016 4:52 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Naomi Spinrad  
**Subject:** Results of Meeting on South Bethesda Aldon Properties

February 19, 2016

Chair Casey Anderson

Montgomery County Planning Board

Dear Chair Anderson:

As you requested at the last Work Session, representatives of the properties neighboring Aldon's buildings south of Bradley Blvd, 4720 Chevy Chase Drive and Bradley House Condominium Associations, met with Anthony Falcone, Aldon's CEO, and other representatives of Aldon on February 10. We reviewed their plan for their South Bethesda properties in detail and listened attentively to their concerns. Although their updated proposal included building heights lower than 70 feet on Chevy Chase Drive, overall the densities and heights remain inappropriate for this area and we are not persuaded that there is value to realigning Strathmore Avenue.

Therefore, we do not support any reconsideration of the decision the Planning Board made at the February 4 work session regarding Aldon properties south of Bradley Boulevard.

If you should decide to reconsider, I would be grateful for advance notice, as I am traveling over the next four weeks and would like to be sure we have a representative present.

Cordially,

Barbara T. McCall

cc: Leslye Howerton

Naomi Spinrad

## MCP-CTRACK

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**From:** Naomi Spinrad <nspinrad@gmail.com>  
**Sent:** Monday, February 22, 2016 9:14 AM  
**To:** MCP-Chair  
**Cc:** Wright, Gwen; Kronenberg, Robert; Howerton, Leslye; Barbara McCall  
**Subject:** Aldon properties - South Bethesda  
**Attachments:** Proposed Meeting with Aldon Management.pdf

Dear Chair Anderson,

Representatives of Aldon Management contacted Chevy Chase West about a week after meeting with representatives of 4720 Chevy Chase Drive and Bradley House condominiums regarding their properties in south Bethesda, to arrange a meeting with us. In the interim, the condos informed CCW that they did not support reconsideration of the decision the Planning Board made at the February 4 work session regarding these properties.

Based on communications with both Aldon and condo reps, Chevy Chase West seconds that position. A copy of our letter to Aldon is attached.

Best regards,

Naomi Spinrad  
Vice President/Development  
Chevy Chase West Neighborhood Association

**From:** Naomi Spinrad nspinrad@gmail.com  
**Subject:** Re: Proposed Meeting with Aldon Management  
**Date:** February 22, 2016 at 9:11 AM  
**To:** Maria Rico mhr@aldonmanagement.com  
**Cc:** Anthony Falcone at@aldonmanagement.com, Doug Wrenn Dwrenn@RODGERS.com, Nancy Regelin NRegelin@shulmanrogers.com  
**Bcc:** Naomi Spinrad nspinrad@gmail.com, Naomi Spinrad nspinrad68@verizon.net

Dear Ms. Rico:

I am writing on behalf of the board of directors of the Chevy Chase West Neighborhood Association. Thank you for your email regarding your preference for a meeting on Wednesday, February 24. In the time since my conversation last Wednesday with Mr. Wrenn, the board of the Chevy Chase West Neighborhood Association has learned that our neighbors in the Bradley House and 4720 Chevy Chase Drive condominiums have notified the Planning Board that they do not support reconsidering the zoning the Board approved for your properties at the February 24 work session. This in conjunction with our own concerns has persuaded us to second their position.

The condominium residents will bear the immediate effects of any redevelopment, and therefore have taken the lead on that part of south Bethesda, as Chevy Chase West has taken the lead on the property confronting our homes. We are confident that they considered the information you provided carefully and thoroughly.

Chevy Chase West has stated repeatedly from the start of the Bethesda Downtown Plan process two years ago that Bradley Boulevard is a clear dividing line between the urbanized downtown and the residential area transitioning to our single-family homes. When Mr. Wrenn and I talked, I asked for copies of your concept and any other materials you had provided to the Planning Board, or updated concepts/materials, but he said nothing would be provided in advance of a meeting. Based on our neighbors' decision and what we briefly saw on February 4, the heights and densities approved by the Planning Board come closest to what we think is appropriate for the area. As one commissioner noted prior to their unanimous vote, you presented a lovely plan but for the wrong location.

We also believe there are important planning principles involved, notably focusing density and height around transit and/or activity centers, reasonable decreases in height moving outward from those centers, and an equitable distribution of available density among all property owners within the plan area and in line with these parameters.

In light of all these elements, we do not feel there is any reason to meet and we will be notifying the Planning Board that Chevy Chase West does not support reconsidering the zoning for Aldon properties in south Bethesda.

Sincerely,

Naomi Spinrad

Vice President/Development

Chevy Chase West Neighborhood Association

On Feb 19, 2016, at 6:39 PM, Maria Rico <mhr@aldonmanagement.com> wrote:

Good evening Mrs. Spinrad,

Doug Wrenn has conveyed our mutual desire to arrange for a meeting next week. Our Team includes Anthony Falcone, Aldon CEO, Maria Rico Aldon VP, Doug Wrenn, Rodgers Consulting and Nancy Regelin, Shulman Rogers Law Firm. The dates you proposed for this meeting are Monday, February 22<sup>nd</sup> or Wednesday, February 24<sup>th</sup>. Our preference and schedules are best suited for Wednesday, the 24<sup>th</sup> at 7:30 pm and while we understand you would prefer Monday at 6:30 p.m., we are hoping you are amenable to scheduling our meeting for Wednesday evening at 7:30 p.m. We can provide the venue for the meeting and hold it at our Bradley Management Office located at 4740 Bradley Boulevard, Chevy Chase, Maryland. Please let me know and at your convenience, forward this email to your colleagues who also wish to attend the meeting. Parking can become a challenge in that area for which we can try to provide assistance. Thank you and we look forward to our meeting with you.

Regards,

Maria Rico  
Vice President

Aldon Management Corp.  
8180 Wisconsin Avenue  
Bethesda, MD 20814  
(301) 841-6763  
[mhr@aldonmanagement.com](mailto:mhr@aldonmanagement.com)  
[www.aldonmanagement.com](http://www.aldonmanagement.com)



## MCP-CTRACK

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**From:** Timothy Dugan <TDugan@shulmanrogers.com>  
**Sent:** Friday, February 19, 2016 3:11 PM  
**To:** MCP-Chair  
**Cc:** Wright, Gwen; Krasnow, Rose; Kronenberg, Robert; Howerton, Leslye; Al Roshdieh (al.roshdieh@montgomerycountymd.gov); Thommana, Jose V.; Xavius da Silva-Thompson (xavius.dasilva-thompson@montgomerycountymd.gov); Neil P. Cullen (ncullen@cullencos.com); 'William P. Maloney (willmaloney@verizon.net)'; C. Marty Bates (marty@batesarchitectspc.com); 'Forrest Popkin'  
**Subject:** Bethesda Downtown Plan = Consideration of PLD-owned Lot 41 and 7625 Wisconsin Avenue Block Together  
**Attachments:** Mr. Casey Anderson Chair Montgomery County Planning Board Re\_ Lot 41 and the 7625 Wisconsin Ave. Block\_20680265\_2.PDF; 7625 Wisconsin Ave. Block Section Illustrating Impact of Lot 41\_s R-60 THD Height Restriction with 45 Degree Angular Plane\_20717417\_1.PDF

(I am attaching a more legible pdf of the following message and the enclosure.)

February 19, 2016

By Email

Casey Anderson, Chair  
Montgomery County Planning Board  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

**Re:** Bethesda Downtown Plan Public Hearing Draft  
Upcoming Worksession  
Consideration of PLD-owned Lot 41 ("Lot 41")  
And the 7625 Wisconsin Avenue Block Together

Dear Mr. Anderson and Members of the Planning Board:

Perhaps as early as March 10, 2016, the Planning Board will be considering the Public Hearing Draft's pending designation for the 7625 Wisconsin Avenue Block, a property located within a three minute walk of the Bethesda Metro Station. We respectfully request that Lot 41 be reconsidered in conjunction with the 7625 Wisconsin Avenue Block.

Through the application of the Zoning Ordinance's height and related forty-five degree angular plane restrictions,<sup>(1)</sup> Lot 41's currently proposed R-60 THD designation would impose an inadequate and cramped ceiling for the redevelopment of the 7625 Wisconsin Avenue Block. The 7625 Wisconsin Avenue Block would have a maximum starting height of 35 feet at the north end of the rear alley and a forty-five degree angular plane extending up to Wisconsin Avenue. The angular plane-driven development ceiling would be cramped even further, because: (1) the topography rises about eight feet from the rear alley to Wisconsin Avenue; and (2) the Master Plan will impose a 24 feet wide bus rapid transit right of way which will reduce the available horizontal development space footprint. Please see the attached section illustrating the impact of the height restriction.

By way of background and to refresh memories of the area, a north/south public alley divides the 7625 Wisconsin Avenue Block, located on the alley's west side, from two properties fronting the alley's east side. Lot 41 is located on the east side of the alley's north end only. An apartment building is located on the east side of the alley's south end. The Public Hearing Draft recommends that the apartment building be zoned R-10, R-30, "residential multi-family," which zoning designation does not impose the height restriction referenced above.

Procedurally, "reconsidering" Lot 41's zoning designation of R-60 THD would really be the first time that Lot 41 would be considered in the context of the designation's effect on the 7625 Wisconsin Avenue Block. It had been announced that the 12/15/15 Worksession #5 would end promptly at 6PM. During the final seconds before 6PM, the Montgomery County Department of Transportation ("MCDOT") added their oral request that Lot 41 be designated CR 3.5 with 90 feet. Lot 41 was not listed in the chart of properties to be considered during Worksession #5. Only PLD Lots 24, 10 and 25 were listed. Regardless, the Planning Board rejected MCDOT's request concerning Lot 41. The raising of the issue for the first time and during the final few seconds before 6PM did not allow for adequate consideration of Lot 41's zoning, itself. Certainly, such few remaining seconds did not afford the Planning Board any opportunity to consider the designation's severe height restrictions on the 7625 Wisconsin Avenue Block. The matter was not raised.

Although Lot 41 is owned by the County, and although we have no authority to do so, we offer a *de minimis* alternative zoning designation for Lot 41. A zoning designation of R-30, "residential multi-unit low density," would limit Lot 41 to a maximum height of 35-40 feet for any: single family home, duplex, townhouse or apartment project, whether under standard method or optional method. Therefore, the designation would restrict Lot 41's height to virtually the same maximum height limitation that the R-60 THD designation would impose. The 35-40 feet height is the approximate height of the single family residences to the east. At the same time, because "R-30" is not an "Agricultural, Rural Residential, Residential Detached, or Residential Townhouse" zone, the height restriction, under Section 4.1.8B.2.b., would not impose the onerous 35 feet and forty-degree angular plane height restriction on the 7625 Wisconsin Avenue Block redevelopment.

However, we remain convinced that Lot 41's zoning designation should not only be changed to avoid the height restriction on the 7625 Wisconsin Avenue Block, but also to allow for the opportunity, albeit inchoate at this time, to have Lot 41's surface parking spaces and land area incorporated into a larger redevelopment that would provide most likely an underground public parking facility. We also remain convinced that the Master Plan could include language that would ensure that such a development would be compatible with the residences to the east. Such a project would be consistent with the Bethesda Downtown Plan's recommendation, under Section 2.3.6 "Parking," which reads, "This Plan adds a recommendation that future parking facility development consider opportunities for public-private partnerships . . . ." We see no harm in designating Lot 41 as a CR zoned property and including language in the Master Plan that:

(1) acknowledges that it would be advantageous to explore the redevelopment of the surface parking lot into a redeveloped project; (2) imposes a requirement that any improvement on Lot 41 must be compatible with the residential neighborhood to the east; and (3) imposes a requirement that Lot 41's maximum height may be no greater than a specific number of feet. If so, the Planning Board would set the stage and afford the opportunity to have Lot 41's CR density transferred and afford the opportunity for a project to be developed that would be similar to the existing Bethesda Theater/Cheltenham parking garage project, located immediately across Middleton Lane to the north.

We look forward to discussing the zoning for 7625 Wisconsin Avenue Block at an upcoming worksession and we hope that we have convinced you to include Lot 41 in such discussion.

Thank you for your consideration.

Respectfully submitted,

Timothy Dugan

Enclosure

cc:

Ms. Gwen Wright  
Mr. Robert Kronenberg  
Mr. Al Roshdieh  
Mr. Xavius da Silva-Thompson  
Mr. Neil Cullen  
Mr. Marty Bates

Ms. Rose Krasnow  
Ms. Leslye Howerton  
Mr. Jose Thommana

Mr. William Maloney  
Mr. Forrest Popkin

**TIMOTHY DUGAN**  
ATTORNEY AT LAW

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**SHULMAN  
ROGERS** | GANDAL  
PORDY  
ECKER

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<sup>[1]</sup> Please see the County Zoning Ordinance Section 4.1.8B.2.b., " b. When the subject property confronts a property in an Agricultural, Rural Residential, Residential Detached, or *Residential Townhouse* zone that is vacant or improved with an agricultural or residential use, any structure may not protrude beyond a 45 degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached house in the confronting zone at the front or side street setback line determined under Article 59-4." (*Emphasis added.*)

SHULMAN  
ROGERS

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ECKER

TIMOTHY DUGAN | ATTORNEY  
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February 19, 2016

By Email

Casey Anderson, Chair  
Montgomery County Planning Board  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

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<sup>1</sup> Please see the County Zoning Ordinance Section 4.1.8B.2.b., " b. When the subject property confronts a property in an Agricultural, Rural Residential, Residential Detached, or *Residential Townhouse* zone that is vacant or improved with an agricultural or residential use, any structure may not protrude beyond a 45 degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached house in the confronting zone at the front or side street setback line determined under Article 59-4." (*Emphasis added.*)