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Special thanks to all Park and Planning Department staff and staff of various Montgomery County and State of Maryland agencies who contributed to this Plan.



PUBLIC HEARING DRAFT

WOODMONT TRIANGLE AMENDMENT TO THE  
SECTOR PLAN FOR THE  
**BETHESDA CBD**



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue, Silver Spring, Maryland 20910

# **Correspondence as of May 14, 2004**

# BETHESDA CHEVY CHASE COMMUNITY FOR ARTS AND AMENITIES

May 12, 2004

Mr. Derick Berlage, Chair  
Park & Planning Commission  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Reference: Staff Draft, Amendment to the Sector Plan, Bethesda CBD

Subject: Downtown Bethesda Amenity Fund Testimony,  
Public Hearing, May 20, 2004

Dear Derick:

The Bethesda Chevy Chase Community for Arts and Amenities is appreciative of your April 26, 2004 letter of support for the concept of the Downtown Bethesda Amenity Fund.

Enclosed is our testimony to be given at the Public Hearing on May 20, 2004 in support of the requirement to establish the amenity fund in the Amendment to the Sector Plan, Bethesda CBD. Also included are letters of support from the BCC Chamber of Commerce and the three largest contiguous residential communities, Edgemoor Citizens Association, East Bethesda Citizens Association and the Town of Chevy Chase.

We look forward to continue working with the Park & Planning Staff and the Board to implement the Downtown Bethesda Amenity Fund.

Sincerely,



Carol Trawick  
For the BCC Community for the Arts & Amenities

CC: Wendy Perdue, Vice Chair  
Meredith Wellington, Commissioner  
Allison Bryant, Commissioner  
John Robinson, Commissioner  
BCC Community for the Arts & Amenities e-mail list  
BCC Chamber of Commerce

# BCC Community for Arts & Amenities

## Summary of Testimony – May 20, 2004

### The Amenity Fund: Community Participation in the Process

**WHAT:** The Downtown Bethesda Amenity Fund will receive contributions from developers of property in Downtown Bethesda to facilitate the implementation of the streetscape and art focus entities that are outlined in the CBD Sector Plan and a Park and Planning Board authorized list of priorities. (See “How it works”, page 3)

Developers of new downtown projects would make tax deductible contributions to the existing, County/State designated Bethesda Arts and Entertainment District (A&E) 501(c)(3).

**HOW:** The Amenity Fund will be administered by Bethesda Urban Partnership, Inc., (BUP) which has significant experience in managing public funds and projects; BUP would coordinate the Amenity Fund management with the A&E District, which it manages.

BUP and A&E District are already established entities managed by citizen boards.

BUP is named in 1994 Sector Plan, Chapter 10, Implementation, as an “important instrument for implementing key objectives of the Sector Plan, including retail enhancement, cultural district, and streetscape objectives.”

A collaborative program.

Government retains its oversight and accountability functions, but is relieved of the burden for management and maintenance.

**WHY:** Why Art/streetscape amenities?

Because people need them and it makes good business sense. (See page 2)

Walkable Bethesda (See Exhibit 1, Map)

- Connectivity is what makes it work.
- Norfolk Avenue - “The Spine” links park to park and art venue to art venue.
- The right amenities provide motivation

Priority List of Amenities (See page 2)

1. a. **Norfolk Avenue Renovation:** A Linear park connecting three parks, the Capital Crescent Trail, our five present art anchors and two future art anchors. (See Attachment 3, Norfolk Avenue)
1. b. **An arts incubator building:** A building on Norfolk Avenue managed by BUP to provide studio space for emerging visual and performing artists. (See Attachment 2, Potential Funding Mechanism)
2. **Affordable artist live/work space.**
3. **The Art Park – aka Battery Park:** This Park would feature a swath of green space which would include a performance area for live entertainment or movies.
4. **Large spaces donated to the A&E District** and then leased at below market rates to non-profit arts organizations. The rent returns to the Amenity Fund for other amenities such as paying expenses on the art incubator building.

**WHEN:** Initiate as part of the Stage II implementation.

# Bethesda Chevy Chase Community For Arts and Amenities

**Subject: The Establishment of a Downtown Bethesda Amenity Fund**

**Reference: Woodmont Triangle Amendment, Bethesda CBD Sector Plan**

**“Wonderful, walkable Bethesda!”**

**Believe it...and make it happen.**

The 1994 Sector Plan had a vision for downtown Bethesda as a bustling center ringed by quiet neighborhoods where residents could conveniently seek services. Its goal was to reinforce a unique sense of place and community through the themes of Bethesda as a “garden” and a “cultural district.” (*See Attachment 1 Bethesda CBD Sector Plan, July 1994, excerpt, Chapter 1*)

Government and citizens have worked together for 10 years and progress has been made. Now it is time to finish the job. **The Downtown Bethesda Amenity Fund is the tool that can help us build on our success and enhance our downtown.**

We think of the Woodmont Triangle section as a dearly loved, but aging “Spirit”. We want to tingle its spine! The “Spine” of course is **Norfolk Avenue whose five blocks have long been envisioned with an art identity:** diverse, spontaneous, festive, park like, eclectic; a Bohemian, Left Bank personality. **Connectivity is the adhesive that makes it work.** Our map (*See Exhibit 1*) illustrates how Norfolk Avenue **links Park to Park to Capital Crescent Trail** (*Art Park aka Battery Park, to Veteran’s Park to Cheltenham Park to Pearl Street to the Trail with a stop at Bethesda and Woodmont Avenues*) and **links all of our present six art anchors** (*Imagination Stage, Nederlander Theater, Round House Theater, Writers Center and two movie houses*) **plus links two potential anchors** that need to happen (*An arts incubator building and a dance education space for two soon to be displaced non profits*) (*See attachment 3, Norfolk Avenue*).

Downtown Bethesda is finite, only 13 blocks long and several blocks wide. Definitely Walkable! Over 50 thousand households surround it, and think of it as their downtown ...their hometown. Within the 13 blocks, over 6,000 households call downtown... Bethesda home.

Our Map reiterates how walkable Bethesda can be. All it takes is for the right enhancements to be put in place. **The right amenities will provide the motivation.** If we provide more housing, we must provide more public amenities. As we look to the future, our challenge is to continue to facilitate a creative, dynamic environment that attracts people to stay at home in their downtown Bethesda.

**The amenity fund is a concept whose time has come because it allows for community input and direction through the Bethesda Urban Partnership (BUP) and the A&E district which are already established entities managed by citizen boards. Government will retain its oversight and accountability functions, but is relieved of the burden for management and maintenance.** The BCC Community for Arts and

Amenities sees the Amenity Fund as a collaborative effort with the Park and Planning Board and Staff.

An amenity fund is a method to augment the amenities required in the Optional Method of Development and to build on Bethesda's thriving Arts and Entertainment District. In the case of small or Standard Method of Development projects, the amenity fund would help achieve specific community goals for public art amenities, public space, and streetscape. (*See How the Amenity Fund Works, Page 3*)

**Why Art Amenities?:** Because whether people live in a surrounding neighborhood in a bungalow or a mini mansion, or downtown in a MPDU unit or a half million dollar condo, **people need the arts.** The arts challenge our minds, warm our hearts and raise our spirits and sometimes, just make us laugh.

Then too, there is the bottom line. Downtown was designated as an A&E district by the State and County governments because it makes good business sense.

**The arts are business!** In the Woodmont Triangle alone, there is our art anchor "Imagination Stage" plus 3 art studios, 4 dance studios and 2 music studios all teaching classes to students of all ages, as well as 3 art galleries, an art supply store and 3 frame shops. **These art businesses generate pedestrian traffic and build synergism and use of the 80 Woodmont Triangle restaurants.**

**The BCC community for the Arts and Amenities formulated the following priority list of amenities for the Woodmont Triangle based on ideas that have been in our community for years.**

## **Priority List of Amenities**

- 1.a. **Norfolk Avenue Renovation: A Linear park connecting three parks, the Capital Crescent Trail, our five present art anchors and two future art anchors.** (*See Attachment 3, Norfolk Avenue*)
- 1.b. **An arts incubator building:** A building on Norfolk Avenue managed by the BUP to provide studio space **for emerging visual and performing artists** on a scholarship/intern basis and open to the public. (*See Attachment 2, Potential Funding Mechanism*)
2. **Affordable artist live/work space.**
3. **The Art Park – aka Battery Park: This park would feature a swath of green space which would include a performance area for live entertainment or movies and a children's play area. (accessible for special needs).** The green space gives the flexibility for audiences and picnicking as well as accommodating walkways and small gardens for rotating sculpture displays/shows.
4. **Large spaces donated to the Arts and Entertainment District and then leased at below market rates to non-profit arts organizations (such as the MD Youth Ballet, Joy of Motion and the Washington Ballet).** The rent returns to the Amenity Fund for other amenities such as paying expenses on the art incubator building.



## How the Amenity Fund Works:

**The Amenity Fund will receive contributions from developers of property in Downtown Bethesda** to facilitate the implementation of the streetscape and art focus entities that are outlined in the Bethesda Central Business District (CBD) Sector Plan and a Park and Planning Board authorized list of priorities.

**Developers of new downtown projects would make tax deductible contributions to the existing, County/State designated Bethesda Arts and Entertainment District (A&E) 501(c)(3).**

The A&E District is managed by Bethesda Urban Partnership (BUP) which would in turn manage the Amenity Fund for any identified public, amenity projects.

**Optional Method** - An Amenity Fund can serve a valuable purpose in the consideration of Optional Method Projects (those projects using a larger land area, enabling the developer to increase density of building area in exchange for devoting significant resources for public amenities). MNCPPC is likely to require all Optional Method projects to provide first class on-site amenities required for the occupants of the project, plus improvements to public rights-of-way in the immediate vicinity of the project (e.g. brick sidewalks, Bethesda lanterns, landscaping, utility upgrades, etc.). **However, for the additional public amenity spaces required for such Optional Method projects beyond those just mentioned above, the Amenity Fund can play a crucial role to implement the Communities Priority Amenity List.**

The MNCPPC Staff has recognized in the Sector Plan Amendment Draft, and reinforced in the ULI report, that it is preferable for Optional Method Projects to minimize fragmented public amenity spaces on-site, and instead has recommended that developers contribute to an Amenity Fund through the Bethesda Arts and Entertainment District (A&E) 501(c)(3). **This Amenity Fund will be administered by Bethesda Urban Partnership, Inc., which has significant experience in managing public funds and projects in downtown Bethesda; BUP would coordinate the Amenity Fund management with the Arts & Entertainment District, which it also manages.** The Planning Board and its Staff can establish priorities with community input for use of Amenity Fund moneys in the Sector Plan Amendment (See Page 2, Amenity Priority List). **The Amendment should establish guidelines about how much money should be paid by developers on a formulaic basis given the size of the project.** Contribution legislation in the City of Rockville may be a source of guidance. Periodically, BUP can identify prioritized projects to which Amenity Fund monies can be devoted. The Amenity Fund need not be the sole source of funds for Sector Plan Amendment projects in the Woodmont Triangle, but can be used to supplement or leverage governmental Capital Improvement Program funds, other grants and funds in order to facilitate the development and construction of the prioritized projects.

**Small or Standard Method Development:** In the case of small or Standard Method of Development projects, **the amenity fund would help achieve specific community goals for public art amenities, public space, and streetscape by establishing a fair and equitable formula based on the amount of square footage similar to the Rockville fee structure.**

# ATTACHMENT 1

## Excerpts From Bethesda CBD Sector Plan, July 1994

### Chapter 1

#### 1.1 VISION

“The future Bethesda will be a bustling downtown ringed by quiet neighborhoods, where residents can watch a play or visit an artist’s studio, eat, at an ethnic restaurant or sit at an outside café, meet friends while shopping on the main street or the farmers’ market, listen to a band concert in summer in the center of town. They can catch the Metro to the nation’s capital or walk to work on brick sidewalks under leafy trees”.

“The Plan endorses the concept and vision of Bethesda as a ‘cultural district.’”

#### 1.2 GOALS

##### (5) COMMUNITY CHARACTER

“Enhance Bethesda as an appealing environment for working, shopping, and entertainment. Strengthen its attraction as a destination for visitors while ensuring that residents find a sense of community. Reinforce a unique sense of place through the themes of Bethesda as a ‘garden’ and a ‘cultural district’.”

### Chapter 10 Implementation

#### 10.3 BETHESDA URBAN PARTNERSHIP

“The Sector Plan favors cooperation between the public and private sectors to administer and coordinate enhanced public services and private initiatives in the Bethesda CBD.”....

...”The organization will be an important instrument for implementing key objectives of the Sector Plan, including retail enhancement, “cultural district,” and streetscape objectives.”

# **ATTACHMENT 2**

## **ARTS INCUBATOR BUILDING**

### **Potential Funding Mechanism**

If a suitable arts incubator building can be located, its purchase can be facilitated through the use of a tax-exempt entity. Once the fair market value of the property is established, the payment of the purchase price can be structured as a combination charitable gift by the seller and an installment purchase by the buyer. Stated very simply, the seller can choose to donate a portion of the purchase price by agreeing to sell the property for less than its value, and declaring the residual to be a charitable gift. For the balance of the purchase price, a willing seller could accept a deferred purchase promissory note secured by the property, allowing the buyer to pay the purchase price to the seller over a period of years to match the buyer's available cash flow from operational revenues, grants, donations or otherwise.

# ATTACHMENT 3

## AMENITY PRIORITY LIST

(See Page 2)

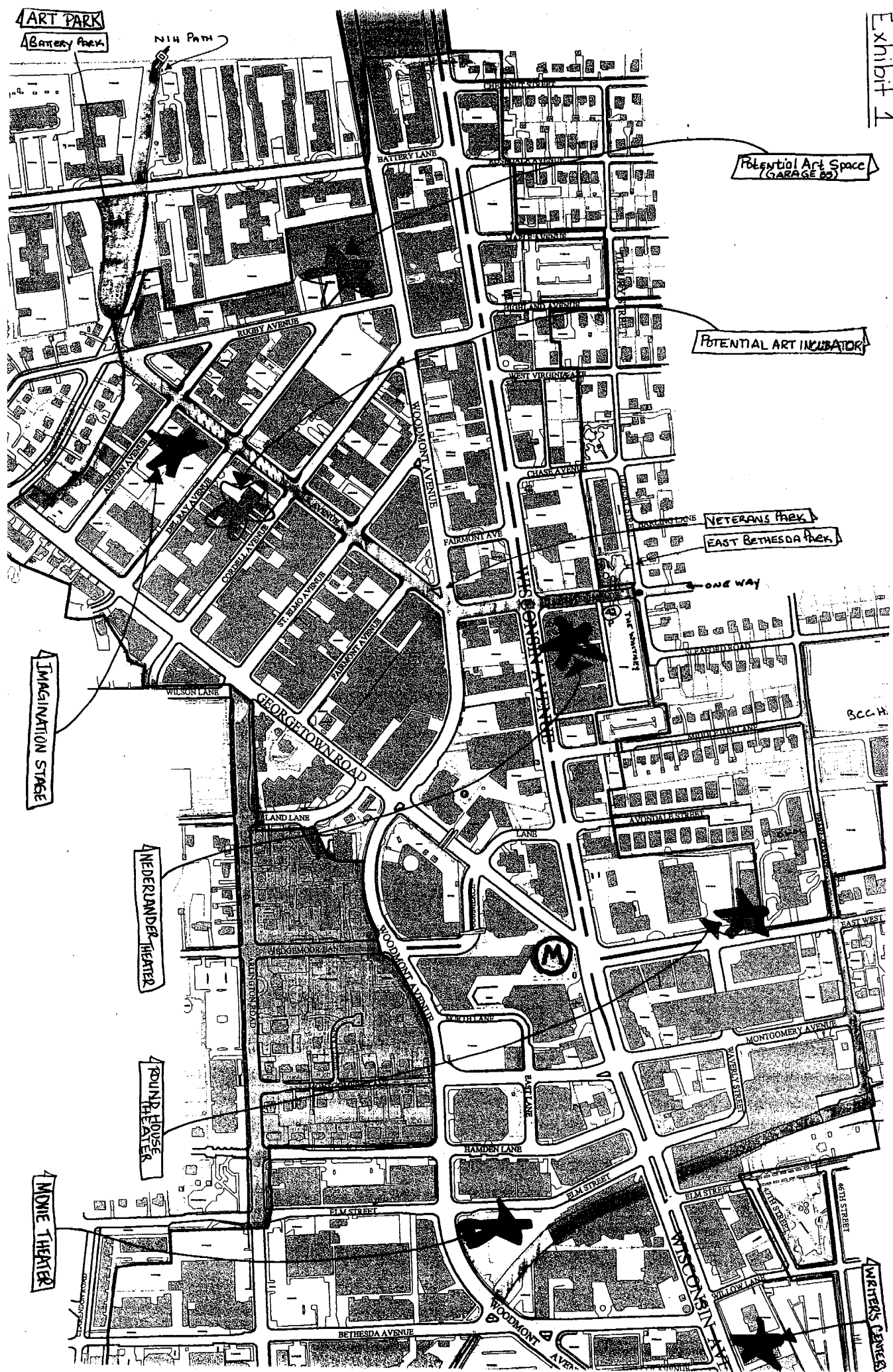
1.(a) **Norfolk Avenue – Further Detail**

A linear park connecting NIH, and The Art Park, aka Battery Park, the Woodmont Triangle's side streets, Imagination Stage, Veteran's Park, to Cheltenham Street across Wisconsin connecting the Nederlander Theater to East Bethesda Park to Pearl Street connecting Round House Theater, to the Capital Crescent Trail, The Writers Center, and Woodmont and Bethesda Avenues, the movie theater and metro (See Map, Exhibit 1).

Create an "art" identity with an image similar to the "left bank" model (eclectic, Bohemian, spontaneous, "young," park-like, festive, etc).

Need:

- New development, must be people-scaled, 2 to 3 stores with windows at sidewalk
- Gateways at appropriate side streets; also, Cheltenham renamed Norfolk Avenue to provide entrance and easy direction to the triangle from Wisconsin Avenue
- Festive lighting connecting main portion of "the spine"
- "Destination" signs pointing to venues on side streets
- Waiver from sign ordinance for "the Spine" and side streets to allow festive flags/banners hanging at different heights from buildings
- Café seating
- Brick sidewalks, underground utilities, benches, trees
- Street animation: Marketing budget used to attract boutique/arts retail, and café sidewalk restaurants as well as provide for street performers, etc.



ART PARK  
BATTERY PARK

N.H. PATH

POTENTIAL ART SPACE  
(GARAGE 02)

POTENTIAL ART INCUBATOR

VETERANS PARK  
EAST BETHESDA PARK

IMAGINATION STAGE

NEDERLANDER THEATER

ROUND HOUSE THEATER

MOVIE THEATER

B.C.C.H.

WRITERS GARDEN

ONE WAY

# EAST BETHESDA CITIZENS ASSOCIATION

P.O. Box 41020  
Bethesda, MD 20824-1020


May 12, 2004

Mr. Derrick Berlage, Chair  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Mr. Berlage:

I am writing to you on behalf of the residents of East Bethesda and the East Bethesda Citizens Association (EBCA) in response to the potential improvements to the Bethesda Central Business District (CBD). Our neighborhood supports the creation of a Bethesda Arts and Amenities Fund with the list of priority projects. We believe that this would benefit not only the business district but the surrounding community as well. This would allow the communities bordering the CBD to participate in the process of community enrichment.

Sincerely,

  
Jack Hayes  
President

# EDGEMOOR CITIZENS ASSOCIATION

Len Simon, President  
Julie Doll, Vice President  
Bill Dodge, Vice President  
Susan Rubel, Secretary  
Nancy Leopold, Treasurer

P.O. Box 30459  
Bethesda, MD 20824

May 12, 2004

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

Dear Planning Board Chairman Berlage and Commissioners,

As president of the Edgemoor Citizens Association, a neighborhood of over 500 homes on the western edge of the Bethesda Sector Plan area, I am writing to express our support for the idea of a Bethesda Arts and Amenities Fund and a permanent and broadly representative committee to oversee that fund.

It was an excellent idea to require arts-based amenities from developers as part of the Bethesda "beauty contest" in the 70s and 80s. The program failed, however, in several important respects. Community members had no input into which amenities were created. The program provided no funding for ongoing maintenance of the pieces that were installed. And developers were not required to maintain, or even retain, the amenities over time.

Many people who live and work in Bethesda are disappointed in the amenity program's outcome. Developers promising amenities were granted additional height and density for their projects but, in some cases the amenity--such as the Metro Center ice rink--no longer exists. These developers got what they wanted, but the community now has nothing in exchange.

The proposed Bethesda Arts and Amenities Fund addresses these concerns, making both developers and the community winners. It requires community input in the creation of these amenities, as well as the allocation of monies to maintain them. Furthermore, for the first time, donations made by developers to this 501(c)(3) non-profit fund would be tax-deductible to the full extent of the law.

Finally, all will benefit from the proposed more comprehensive approach to creating amenities and open space. Rather than the parcel-by-parcel method that has given us the occasional mural here and neon sculpture there, the committee will have the opportunity to choose, where appropriate, to assemble developer donations to create a larger scale amenity. In no way, however, should developers be able to misinterpret these donations as a license - or even a loophole - by which they could circumvent longstanding building

standards. Nor should purely monetary donations to this Fund be construed to meet the 20% open space requirement for Optional Method development.

Implicit in this proposal is creation of a committee within the Bethesda Urban Partnership that will hold potentially enormous power over the evolving face of Bethesda. This power must be wielded in as transparent and equitable a fashion as possible. The proposed committee must be as representative of the neighbors and neighborhoods that make up Bethesda as of the developers and building owners.

Chapter 68A of the county code governing urban district corporations states that persons other than Board members may be appointed to corporation committees. We propose that one-third of the committee's membership be comprised of developers or their attorneys, one-third area business owners or their representatives (who do not qualify for the first category), and one-third residential representatives (who do not qualify for either of the other two categories). This will help assure composition of the committee cannot be overly weighted toward developer interests.

Bethesda is at a turning point in its evolution from an amorphous hodgepodge of neighborhoods, small businesses, schools, churches and open space to a vibrant, mixed-use downtown that works for residents, workers, employers, and landlords. We now see the possibility of becoming the cohesive suburban community envisioned in the 1994 Sector Plan. Your support for the Bethesda Arts and Amenities Fund can help turn that vision into reality, and help us maintain that reality well into the future. Thank you.

Sincerely,



**Len Simon**  
President, Edgemoor Citizens Association

cc: Carol Trawick  
Dave Dabney, Bethesda Urban Partnership





4301 Willow Lane  
Chevy Chase, MD 20815  
phone: 301-654-7144  
fax: 301-718-9631

May 12, 2004

Derick Berlage, Chairman  
Montgomery County Planning Board  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Derick:

We are pleased to lend our strong support of the Downtown Bethesda Amenities Fund and in particular the priority amenities set forth by the Bethesda-Chevy Chase Committee for Arts and the Environment. Breathing life into Norfolk Avenue and surrounding area will bring even more vigor and joy to the Bethesda Central Business District. We hope to testify to this effect on May 20.

In the meantime, thank you for this consideration and best to you.

Sincerely,

A handwritten signature in black ink that reads "Mier Wolf". The signature is written in a cursive, flowing style.

Mier Wolf  
Vice Mayor



# The Greater Bethesda-Chevy Chase Chamber of Commerce



7910 Woodmont Avenue, Suite 1204, Bethesda, MD, 20814

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May 12, 2004

Your Business Is  
Our Only Business

Mr. Derrick Berlage, Chair  
Park and Planning Commission  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Downtown Bethesda Arts and Amenity Fund

Dear Mr. Berlage:

On behalf of The Greater Bethesda-Chevy Chase Chamber of Commerce, I am writing in support of the establishment of the Downtown Bethesda Arts and Amenity Fund. The concept of the fund is directly in tune with the Chamber's Woodmont Triangle Advocacy Committee goals. This would ultimately help to facilitate the implementation of the streetscape and art focus entities that are outlined in the Bethesda Central Business District Sector Plan.

We encourage the Montgomery County Planning Board to consider this option when reviewing and making recommendations for the future of the Woodmont Triangle community.

Thank you for your consideration.

Sincerely,

Thomas D. Murphy, President  
(EagleBank)

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31 signatures

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March 24, 2004

Mr. Derrick Berlage, Chairman  
Park & Planning Commission  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Mr. Berlage:

- Pennie Abramson
- Cathy S. Bernard
- Eric Burka
- Debra Lerner Cohen
- Thomas J. Collamore
- Patrick Delaney
- Darjan I. Drescher
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- John M. Ourisman
- Julie M. Reinhard
- Andy Shalal
- Mark K. Shriver
- Janet Stanford
- Debra A. Vodenos
- Judy Woodruff
- Mary G. Yeh
- Sid Yu

This letter is written in support of the Bethesda Arts and Amenities Fund. As you may know, *Imagination Stage*, and BAPA beforehand, have been passionate advocates for the development of Bethesda into a thriving and vibrant Edge City. In fact, we were among the early activists who advocated in the early 1990s for the Sector Plan to include a vision for arts development as a part of the vision for Bethesda.

We believe that this initiative has the potential to further the excellent work already so evident in some areas of Bethesda.

Sincerely,

Bonnie Fogel  
Executive Director/Founder

cc Carol Trawick

George M. Borababy  
*Legal Counsel*

Bonnie Fogel  
*Executive Director*

Janet Stanford  
*Artistic Director*


- Presidents Emeritus*
- J.J. Finkelstein
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- Nancy T. Greenspan
- Gail L. Jacobs
- Jerome Morenoff
- Frank Allen Philpot
- Mita M. Schuffer

A not-for-profit,  
tax-exempt organization

Imagination Stage — where the arts begin

We, the undersigned, agree with the attached proposal for the Downtown Bethesda Amenity Fund.

<u>Name</u>	<u>Affiliation and/or Address</u>	<u>Date</u>
E. Anne Tigel	<del>Imagination Stage</del>	3/23/04
Jeff	Imagination Stage	3/23/04
Sara Loehian	Imagination Stage	3/23/04
Sandy Page	Imagination Stage	3/23/04
Cate Buser	Imagination Stage	3/23/04
Kermit Kelly	Imagination Stage	3/23/04
[Signature]	Imagination Stage	3-23-04
[Signature]	Imagination Stage	3/23/04
Constance B. Lohse	Imagination Stage	3/23/04
Wendy Hamilton	Imagination Stage	3/23/04
Claire Newhall	Imagination Stage	3/23/04
Margaret	Imagination Stage	3/23/04
[Signature]	Imagination Stage	3/24/04
[Signature]	Imagination Stage	3/24/04
Kermit Kelly	Imagination Stage	3/23/04
Elizabeth Hamilton	Imagination Stage	3/23/04

Name	Affiliation and/or Field	Date
U. Maffei	Imagination Stage	3/24/04
M. Maffei	Imagination Stage	3/24/04
M. Maffei	Imagination Stage	3/24/04
E. Maffei	Imagination Stage	3/24/04
M. Maffei	Imagination Stage	3/24/04
Shannon Elizabeth	Imagination Stage	3/24/04
David Stern	Imagination Stage	3/24/04
Judith Ann Cutrone	Imagination Stage	3/24/04
Yael Galena	Imagination stage	3/24/04
	CARE X-press	3/24/04
P.H. Kueker	Imagination Stage	3/24/04
Sandra Vachon	CARE X-press	3/24/04
Cristina Al. Silva	Imagination Stage	3/24/04