

12-8-2004

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

Dear Chairman Berlage:

I am writing on behalf of the B-CC Community For The Public Space, Arts and Amenities (is it the Woodmont Advocacy Group) in regard to the proposed Woodmont Triangle Amendment that is before the Planning Board. This is a follow up to our previous correspondence in which we identified several concerns with the proposed amendment. Again, we want to emphasize our belief that the initial Planning Board draft of the Woodmont Triangle Plan was a visionary document that would have accomplished various goals for the Triangle that balanced development with the community needs for public space and amenities.

The Woodmont Triangle Amendment should be more than just a series of zones . This Amendment should reflect the goals that are articulated in the interduction and should provide the specific guidance needed to implement these goals.

One of the key elements needed to implement the vision of the Woodmont Triangle Plan is the establishment of a real amenity fund, to fund public amenities and public use space. Such fund a would ensure that the citizens had input, receive something of value in return for the increased density. It could also become a model for other CBD zones elsewhere in the County. NOTE(Under the recently approved Moderate Priced Dwelling Unit legislation, developers will be able to provide public use space offsite if they provide MPDUs within their projects.)

The appropriate steps need to be taken to codify such an amenity fund. Using the City of Rockville legislation as an example, there should be a baseline for all properities with a "multiplier" for optional method developments. Such a fund should be monitored by a representative citizens board with resident and business representation. We have attached a prioritized list of amenities and public use spaces that have been endorsed by the community.

We also support the create of an overlay zone for Norfolk Avenue. It is very important to assure stepbacks in building height along Norfolk Avenue in order to protect the existing building edge an preserve the walkable, people friendly street. Stepbacks would also protect the Veterans Park from overshadowing by the taller buildings and maintain a pleasant sunny pedestrian environment along Norfolk Avenue.

The community would oppose any reduction in the minimum permitted lot size below 18000 SF. This figure of 18000 SF is below what the planning staff had initially recommended but we are sensitive to the concerns that led to the reduction. We support the tranfer of delevopment rights with in the district.

We appreciate the opportunity to provide our recommendations and input. We would be happy to provide you and the Planning Board members with additional information if requested.

Sincerely,



Jack Hayes



The Greater Bethesda-Chevy Chase Chamber of Commerce



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

Ph (301) 652-4900 • Fax (301) 657-1973

Email staff@bccchamber.org • Web www.bccchamber.org

Your Business Is
Our Only Business

December 8, 2004

Derick P. Berlage, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Woodmont Triangle – Amendment to the Sector Plan for the Bethesda CBD
Work session No. 4 – December 16, 2004

Dear Chairman Berlage and Members of the Planning Board:

On behalf of The Greater Bethesda-Chevy Chase Chamber of Commerce (the “B-CC Chamber”), specifically the Woodmont Triangle Advocacy Committee (the “Advocacy Committee”), we wanted to reiterate the critical components in the Planning Board Draft Amendment to the Sector Plan for the Bethesda CBD (the “Draft Amendment”). Overall, the recommendations in the Draft Amendment address the concerns of the B-CC Chamber members and the Advocacy Committee agrees that the proposals will encourage the redevelopment and reinvestment in the Woodmont Triangle area and thus maintain all of downtown Bethesda as a successful and vibrant business and residential community. However, the recommendations to revise the current prohibitive restrictions in the CBD zones and alleviate the current minimum lot size and height restrictions for optional method projects are of particular importance.

The Advocacy Committee supports the vision of the Draft Amendment and encourages the adoption of the recommendations that will promote redevelopment that will utilize the optional method of development and thus provide appropriate amenities and densities for this urban community. Specifically, the Advocacy Committee supports the Draft Amendment recommendations to: 1) significantly reduce or eliminate the arbitrary 22,000 square foot minimum lot size for an optional method development (lower than the current recommended 18,000 square feet) and give the Planning Board the ability to review on a case-by-case basis during project plan review; 2) eliminate the height restrictions and utilize the development standards in the underlying zones (and recommend additional height where requested as necessary for redevelopment); 3) increase the flexibility to satisfy a portion or all of the 20% on-site public use space requirement for an optional method development through off-site improvements or contributions to an amenity fund for meaningful public improvements, including streetscapes, park enhancements, and arts projects; 4) rezone certain properties within the Triangle as recommended; and 5) permit transfers of density between CBD zoned properties to allow flexibility and preserve existing businesses.

The critical issues for the Advocacy Committee that are not fully addressed in the Draft Amendment are the reduction of the minimum lot size requirement for optional method development projects and the necessary, and timely, changes necessary to the other CBD zone standards. Without these recommendations and changes, the redevelopment and revitalization of this area of downtown Bethesda will not occur. The Staff recommendation to reduce the minimum lot size requirement to 18,000 square feet based on the R-60 zone basis of 6,000 square foot lots is not consistent with the 2,500 square foot lots that exist throughout the Woodmont Triangle and does not create the dynamic change to encourage more optional method development. Further, the changes to the CBD zones that are itemized in the Draft Amendment, plus the changes to add flexibility in the height recommendations, are necessary to be specifically recommended and implemented for the redevelopment to proceed.

Derick P. Berlage, Chairman
December 8, 2004
Page 2

The adoption of these recommendations in the Draft Amendment and implementation of innovative zoning tools and flexibility will encourage redevelopment with significant housing and meaningful amenities in the Woodmont Triangle, an important area of Bethesda with access to two Metro Stations. Further, the private reinvestment in the community with high quality redevelopment projects will address the B-CC Chamber and the community desire to enliven pedestrian activity and business in the Woodmont Triangle area of downtown Bethesda. All of these individual projects will proceed pursuant to the optional method of development and thus undergo significant review and community input.

We thank you again for your vision and anticipated recommendations to the County Council for the Amendment to the Bethesda CBD Sector Plan to encourage redevelopment in the Woodmont Triangle area.

Sincerely,



John Chaplin
Chairman
(Robert A. Pumphrey Funeral Homes)



Kevin Maloney, Chairman
Chair, Woodmont Triangle Advocacy Committee
(Maloney & Metz)

- cc: The Honorable Douglas M. Duncan
The Honorable Allison Bryant
The Honorable John Robinson
The Honorable Wendy Purdue
The Honorable Meredith Wellington
Mr. John A. Carter
Ms. Marilyn Clemens

LINOWES |
AND BLOCHER LLP
ATTORNEYS AT LAW

November 16, 2004

Stephen Z. Kaufman
301.961.5156
skaufman@linowes-law.com
Erin E. Girard
301.961.5153
egirard@linowes-law.com

Derick P. Berlage, Chairman
John Carter
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 8011 and 8015 Old Georgetown Road; Christ Lutheran Church Property

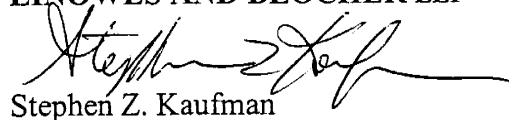
Dear Chairman Berlage, Mr. Carter and Members of the Planning Board:

On behalf of our client, Bozzuto Development Company ("Bozzuto") and their project partner, Christ Lutheran Church, and as a follow-up to our November 9th letter to you, attached please find a third sketch for the proposed development of a senior housing project at 8011 and 8015 Old Georgetown Road in Bethesda, Maryland (the "Property"). This sketch shows a development under the PD-88 zone, the zoning requested in our previous letter. Although we continue to believe that PD-88 is the proper zone for the Property, we now understand that staff will be recommending a PD-44 zone for the Property, as the density in the PD-44 zone is similar to the R-10 densities on the properties located along Battery Lane. In response to this recommendation, we do note that the attached sketch would be virtually the same in the PD-44 zone, with the exception of building height. While there may be a height issue with the proposed layout, we understand from staff that this can be addressed as the sector plan amendment proceeds.

Thank you again for your consideration of this matter. If you have any questions or concerns, or require any additional information, please feel free to contact us.

Sincerely,

LINOWES AND BLOCHER LLP



Stephen Z. Kaufman



Erin E. Girard

LINOWES |
AND BLOCHER LLP
ATTORNEYS AT LAW

cc: Wendy Perdue
John Robinson
Allison Bryant
Meredith Wellington
Marilyn Clemens