

MCPB DECEMBER 6, 2007 MEETING

ITEM#10

Documents received same day

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

RECEIVED #10
DEC 04 2007

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

December 4, 2007

Barbara A. Sears
301.961.5157
bsears@linowes-law.com

Erin E. Girard
301.961.5153
egirard@linowes-law.com

Dr. Royce Hanson, Chairman
and Members of the
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Falkland North – Historic Issues; Item 10 on December 6, 2007 Agenda

Dear Chairman Hanson and Members of the Board:

Home Properties is the owner of the Falkland Apartments in Silver Spring (the “Property”). Falkland Apartments consists of three distinct parcels – the north, east and west. These parcels contain a total of 450 units, 182 of which are on the North Parcel. Home Properties has filed a project plan and preliminary plan for the redevelopment of the North Parcel in accord with its CBD-R1 zoning and recommendations of the Silver Spring Sector Plan (the “Project”). The North Parcel is located 800 feet from the Metro Station, abuts the rail tracks and contains a portion of the right-of-way for the future Purple Line. On Thursday, December 6, 2007, the Board will consider the historical significance of the Property balancing the importance of the proposed resource with other public interests. The purpose of this letter is to inform you of the Affordable Housing and Relocation Assistance Program that Home Properties has developed in connection with the Project, summarize several of the other major public benefits of the Project and provide you with certain letters in support of the Project which were not attached to the Staff Report.

Home Properties has developed an Affordable Housing Program and Relocation Assistance Program to enhance its plans for the redevelopment of Falkland North and meet the important objectives of the County and the community to preserve and augment affordable housing and allow those residents that were located on the North Parcel to relocate to the East and West Parcels if they so desire. There are no MPDU units presently in the Falkland Apartments and the limited number of bond-restricted units that do exist will expire in 2014. Currently, Falkland market rents are significantly higher than MPDU or bond units rents.

As summarized in the Falkland North Affordable Housing and Relocation Program, attached as Exhibit “A”, the development of the Project will provide:

- 133 MPDUs will be constructed on the North Parcel and restricted for a period of 99 years.

Dr. Royce Hanson, Chairman
and Members of the
Montgomery County Planning Board
December 4, 2007
Page 2

- 50 additional units in the Project will be restricted to rents in compliance with the County's Workforce Housing Program for a period of 20 years.
- 50 additional total units in the East and the West Parcels will be restricted to rents in compliance with the County's Workforce Housing Program.
- 44 units under the Rent Supplement Program scheduled to expire in May of 2009 at the Woodleaf Apartments in Silver Spring, a rental property owned by Home Properties, will be extended for an additional period of 20 years, and 5 additional units in Woodleaf will be added to this Program.

In total, this program will result in the provision of 282 affordable units in connection with the Project, replacing 182 non-restricted units. Furthermore, the 268 units now located in the East and West Parcels will receive important upgrades, but otherwise remain untouched. Finally, an aggressive relocation program for the North Parcel units has been put in place, allowing existing residents in the North Parcel to relocate to the East and West Parcels and to assist those who choose to relocate elsewhere to do so.

In addition to these affordable housing benefits, the Project also achieves the following important public benefits:

- Compliance with the Silver Spring CBD Sector Plan, which recommends high-density mixed-use development for the northern portion of Falklands (the "North Parcel"), currently zoned CBD-R1;
- Development of a true transit-oriented mixed-use development located within 800 feet of metro¹;
- Provision of a 1.6-acre public plaza with outstanding urban design, a 15-foot wide shared-use path and enhanced streetscape along East-West Highway, underground parking, a major grocery store anchor, a restaurant fronting on the public plaza, and other street-fronting retail animating and enlivening this important pedestrian route to Metro;
- Restoration and revitalization of the existing stream valley on the East Parcel, with the creation of a 1+-acre park and path system with a public access easement (currently private and fenced);

¹ 200 acres would be required to provide the same amount of single-family housing elsewhere in the County.

Dr. Royce Hanson, Chairman
and Members of the
Montgomery County Planning Board
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Page 3

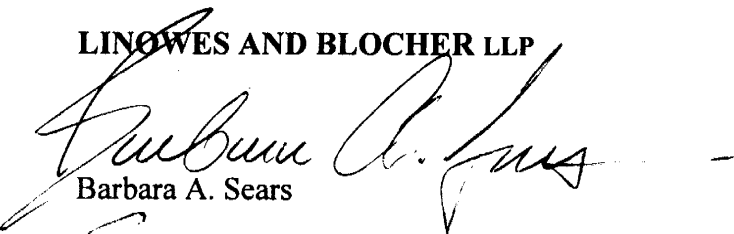
- Accommodation of the Purple Line (which would require demolition of several existing building on the North Parcel);
- LEED certification of the proposed buildings;
- The provision of access to the new amenities in the North Parcel for all residents of Falkland Apartments (East and West), including a pool, fitness center, business center, meetings rooms, tot lots and playgrounds; and
- The generation of an additional \$2 million in property tax revenue, as well as significant sales tax from the grocery and retail uses.

In recognition of these important public benefits, Home Properties' plans for the redevelopment of the North Parcel have been endorsed by the Silver Spring Urban District Advisory Committee, as evidenced by the letter attached hereto as Exhibit "B", and by the Smart Growth Alliance which has recognized the Project under its Smart Growth Recognition Program, as evidenced by the letter attached hereto as Exhibit "C".

We look forward to presenting this exciting project to you on December 6th. To ensure that we have sufficient time to address both the historic aspects of Falkland Apartments and public benefits, we respectfully request we be allowed thirty (30) minutes for our presentation. Thank you for your consideration.

Very truly yours,

LINOWES AND BLOCHER LLP


Barbara A. Sears


Erin E. Girard

cc: Ms. Gwen Wright
Mrs. Rose Krasnow
Mr. Robert Kronenberg
Mr. Nelson Leenhouts
Mr. Don Hague
Mr. Michael Eastwood

Falkland North Affordable Housing and Relocation Program

Falkland Apartments consists of 3 parcels, the North, West and East, and is improved with 450 units, 182 of which are located on the North Parcel. If the North Parcel is redeveloped as proposed, Home Properties has agreed to the following comprehensive affordable housing and tenant relocation program.

Affordable Housing Program

- Provide 133 Moderately Priced Dwelling Units (MPDUs). Under the County Code, these units will remain in the MPDU program for 99 years.
- Provide an additional 50 units on the North Parcel with rents in compliance with the requirements of the County's Workforce Housing Program for a period of 20 years.
- Extend the Rent Supplement Program that expires in May of 2009 at Woodleaf Apartments in Silver Spring for an additional 20 years and add 5 more units to the program.
- Provide a total of 50 units on the East and West Parcels with rents in compliance with the requirements of the County's Workforce Housing Program for a period of 20 years.

The provision of 133 MPDUs in the new development plus the 49 units in the Rent Supplement Program provide a "one-for-one" replacement of affordable units for the 182 units on the North Parcel that will be demolished as part of the proposed development. The additional commitment of 100 workforce housing units will provide a total of 282 affordable units, replacing 182 non-restricted units.

Tenant Relocation Program

- Notice of the redevelopment of the North Parcel was given to all Falkland residents on July 26, 2006.
- As of August 10, 2006, any resident moving into the North Parcel was given written notice of the redevelopment before signing a lease. From August 10, 2006 forward, 2-year leases were no longer offered on units.
- Residents in place on the North Parcel prior to August 10, 2006 are able to add their names to a waiting list that allows them priority over new tenants for units that become available on the East and West Parcels.

- o There are currently 88 residents who moved into the North Parcel prior to August 10, 2006.
- o At current turnover rates, approximately 200-230 apartments are expected to become available on the East and West Parcels prior to the beginning of redevelopment. Therefore, it is anticipated that any of these residents who wish to remain at Falklands will be able to do so.
- Home Properties will waive application fees and transfer security deposits from a North Parcel apartment to any other Home Properties-owned apartment for residents in good standing. For residents in good standing who opt to move to an apartment not owned by Home Properties, we will pay any reasonable application fee and security deposit offset by any security deposit refund due from Falkland Chase.
- Home Properties will also pay \$500 of North residents' relocation expenses (moving, utility hook-up, etc.). Once formal notice has been given that a resident must relocate, that resident would receive the assistance mentioned above, as well as being entitled to all rights under Montgomery County Code and Regulations including relocation assistance equal to two months' rent.
- Residents of the North Parcel who relocated to the East or West Parcels will continue to pay their current rent for the remainder of their lease term (e.g. a resident of the North Parcel who is paying \$1175 for a 1 bedroom unit with a lease that expires in May 2008 would continue to pay \$1175 for an East or West Parcel 1 bedroom unit through May 2008).



SILVER SPRING URBAN DISTRICT ADVISORY COMMITTEE

September 6, 2007

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

Dear Dr. Hanson:

The Silver Spring Urban District Advisory Committee has reviewed the redevelopment proposed for the Falkland Chase (Project Plan No. 920070080) located at 16th Street and East West Highway in downtown Silver Spring. We recommend that the Planning Board grant this project approval.

The proposal for Falkland Chase will add significant residential development within steps of the Silver Spring Metro Station. Residents will not have to cross a single street to reach the Metro Station. This high density project is not near any single family residential areas. This project will include retail development providing services to its residents and the residents of the surrounding apartment buildings making this area truly a walkable community. There is significant onsite public open space that will also be an asset to the surrounding community.

Montgomery County needs more affordable housing. This project will add significant affordable housing in a location where residents can live very comfortably without a car which eliminates a significant living expense.

We are also impressed with the proposal to preserve the remaining apartments of the original Falkland Chase development including the Cupola Building. These units should be preserved and will require a significant investment to ensure their useful economic life for the future.

This project is smart growth, concentrating mixed-use development adjacent to transit services, enhancing the urban environment, and preserving an important part of our history.

The Silver Spring Urban District Advisory Committee requests your approval of this addition to downtown Silver Spring. We appreciate your consideration of our comments.

Sincerely,


Barbara Henry
Chair

Silver Spring Regional Services Center

8435 Georgia Avenue • Silver Spring, Maryland 20910 • 301-565-7300 • 301-565-7365 FAX
www.montgomerycountymd.gov/silverspring

Exhibit "B"

SMART GROWTH ALLIANCE

February 8, 2007

Ms. Stephanie Marcus
Home Properties
4801 Kenmore Avenue #122
Alexandria, VA 22304

RE: Falkland North Apartments – Smart Growth Recognition

Dear Ms. Marcus:

We are pleased to inform you that the Smart Growth Alliance's Project Recognition Jury has recognized Falkland North Apartments as a Smart Growth Project Proposal.

The Smart Growth Alliance (the "SGA") is a joint effort of the Greater Washington Board of Trade, the Chesapeake Bay Foundation, Enterprise Community Partners, the Metropolitan Washington Builders' Council, the Coalition for Smarter Growth, and the Urban Land Institute Washington. The SGA's mission is to research, identify and encourage land use, development and transportation policies and practices that protect environmental assets and enhance our region's quality of life. The SGA's Recognition Program distinguishes specific development proposals that exemplify smart growth characteristics. Please note that this recognition is coming solely from the Smart Growth Alliance, and should not be construed or communicated as coming from any of the six organizations specifically or individually.

The Recognition Program uses criteria including project location, mobility and accessibility, density, design, diversity of uses, affordable housing, the environment, community assets, and public participation to evaluate project proposals. The Alliance's Recognition Jury meets quarterly to review project proposals and to select those best meeting the criteria.

SGA PARTNERS

Urban Land Institute
Washington

Chesapeake Bay
Foundation

Greater Washington
Board of Trade

Coalition for
Smarter Growth

Metropolitan Washington
Builders' Council

The jury met on January 11, 2007 to review a number of projects including Falkland North Apartments. The review included a careful analysis of each project based on specific information submitted with the application and independent research and review by staff. Applying all of the SGA criteria, the jury agreed to recognize your project as a Smart Growth Project Proposal. The jury believes your proposal will add great value to downtown Silver Spring, and especially the neighborhood near the Metro station. We believe the mix of residential and retail is correct, and including a grocery will be great amenity for the new tenants and the surrounding area. You also deserve great credit for incorporating the public plaza into your project since publicly accessible open space is at such a premium in downtown Silver Spring. Finally, the jury notes your commitment to work towards placing any of the displaced tenants in the subsidized units into similar units on the East or West parcels. As you move forward, the jury encourages you to look at the possibility of adding

Exhibit "C"

an entrance to the grocery store in the back, which fronts the plaza, to encourage better pedestrian circulation.

The jury recognizes a project proposal based on the project's design as of the time of the jury's review and based on the information available to the jury at the time of review. The jury reserves the right to modify or revoke its recognition if the project changes so significantly that it no longer meets one or more of the SGA criteria. For projects at an early development approval stage, we encourage work by the developer and the public authorities to fully utilize the Smart Growth Recognition Program criteria as such design details are finalized.

We consider this letter confidential, and will not share it with anyone without your approval. You may, however, use this letter as you choose. If we can provide more support, such as by submitting comments to any of the public reviewing bodies, we would be glad to do so.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Bailey', written over a light blue horizontal line.

John Bailey
Executive Director
Washington Smart Growth Alliance



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

RECEIVED
DEC 05 2007

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

Date: 5 December 2007

From: Senator Jamie Raskin and Delegate Heather R. Mizeur
(301) 858-3445 *fax*

To: Royce Hanson, Chairman, M-NCPPC
(301) 495-1320 *fax*

Re: December 6th Planning Board Hearing on Falkland Apartments Complex

Attached here please find a copy of a letter written by Senator Jamie Raskin and Delegate Heather R. Mizeur concerning the Planning Board hearing concerning consideration of the Falkland Apartments Complex for historical designation. Should you have any questions, please contact our offices at either (301) 858-3634 or (301) 858-3493.

Thank you,

Senator Jamie Raskin and Delegate Heather R. Mizeur



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

December 5, 2007

Mr. Royce Hanson, Chairman
Maryland-National Capital Park and Planning Commission
Montgomery County Planning Board
8787 Georgia Ave
Silver Spring, MD 20910-3716

Dear Mr. Hanson:

We are writing on behalf of numerous constituents and community groups in Silver Spring and Takoma Park who are seeking to protect the Falkland Apartment complex in downtown Silver Spring as an historic site and property. As members of the Maryland General Assembly representing the residents of this complex, we respectfully request that you and other members of the Planning Board give complete and careful consideration to the evidence and recommendations set forth by the Historic Preservation Commission staff, as well as those presented by the residents and civic groups.

As you know, the Montgomery County Historic Preservation Planning Division has recommended that the Falkland be included in the County's Master Plan for Historic Preservation based on its extraordinary historical, architectural, cultural and social significance. The Montgomery County Planning Board will now decide whether to accept this recommendation and protect the integrity of this property.

The historical record offers compelling evidence of the exceptional character of the Falkland Apartments. The Falkland's architect, Louis Justement, was a prominent mid-century planner who designed the magnificent Longworth House Office Building and the Prettyman Federal Courthouse in Washington. The original design and financing of the graceful garden apartment complex were steeped in New Deal planning and its creative thinking about nurturing vibrant neighborhood life. This significance was certainly recognized at the time, as Eleanor Roosevelt traveled to Silver Spring to cut the ribbon when the Falkland opened. These buildings have stood the test of time.

The historic character and architectural value of the Falkland are recognized and embraced widely in our community and by experts who pay attention to the preservation of historic institutions and properties. Supporters of placing the whole Falkland property on

the County's Master Plan for Historic Preservation include: Preservation Maryland, the National Trust for Historic Preservation, the Montgomery County Civic Federation, the Woodside Park Civic Association, the Seven Oaks-Evanswood Civic Association and Historic Takoma, not to mention numerous prominent local planners and architects. The Falkland is now eligible for inclusion on the National Register of Historic Places.

At the same time that we both welcome and champion the revitalization of Silver Spring and the construction of new buildings that will provide housing for residents, we also believe deeply in the values that gave rise to our historic preservation laws. As you move forward, therefore, it is our hope that you will carefully consider the evidence and recommendations offered by both the staff of the Historic Preservation Commission and the residents and civic groups of the greater Silver Spring community.

Thank you very much for your service, and for your attention on this important matter.

Very truly yours,

Jamie Raskin
Senator, District 20

Heather R. Mizeur
Delegate, District 20

MCP-Chairman

From: Rebecca Miller [rebecca@dcpreservation.org]
Sent: December 05, 2007 12:07 PM
To: MCP-Chairman
Cc: 'Marcie Stickle'; 'Jerry McCoy'; Ljpearsall@aol.com; 'Wayne Goldstein'; 'mary reardon'; Lampl, Joey
Subject: Falkland Apartments
Attachments: DCPL Falklands Letter.pdf

Mr. Chairman,

Please find attached the DC Preservation League's letter in support of designating and preserving the Falkland Apartment complex in Silver Spring. Thank you for your consideration of this letter.

Rebecca Miller

Rebecca A. Miller
Executive Director
DC Preservation League
401 F Street, NW, Room 324
Washington, DC 20001
(202) 783-5144
(202) 783-5596 (F)
www.dcpreservation.org

Join the League today at www.dcpreservation.org/join



DC PRESERVATION LEAGUE

The mission of the DC Preservation League is to preserve, protect, and enhance the historic and built environment of Washington, DC, through advocacy and education.

December 5, 2007

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

RE: Falkland Apartments

Edwin L. Fountain, Esq.
President

Dear Chairman Hanson,

John Bellingham, FCIOB, AIC
Vice President

On behalf of the DC Preservation League (DCPL), I am writing to express our support for the placement of the Falkland Apartments campus, in its entirety, on the Montgomery County Master Plan for Historic Preservation.

James A. Smailes, P.E.
Secretary

Touted as a major social experiment, Eleanor Roosevelt cut the ribbon for the Falkland Apartments at the grand-opening ceremony in 1937. Built by the Federal Housing Administration (FHA) as housing for middle-income residents, the Falkland Apartments was the second of only a handful of similar large development projects incorporating New Deal ideology and Garden City principles. The first such project was Colonial Village in Arlington, Virginia, which has already been awarded landmark status and protection.

James Abdo
Shalom Baranes, FAIA
Sean C. Cahill
John F. Clark, Esq.
Jacqueline Corbett
Edward D. Dunson, AIA
Colden Florance, FAIA
Constance W. Maffin, GRI
Loretta Neumann
Susan Neumann
Andrew S. Potts, Esq.
Francine Raizes
Deborah M. Royster
John Sandor
D. Peter Sefton
Chuck Wagner

Beyond the contextual significance, the Falkland Apartments is also noteworthy for its design and plan. Built in the colonial-revival mode, the structures feature not only noteworthy masonry but thoughtful detailing indicative of 1930's craftsmanship. Sited on 22 acres, the campus was designed to preserve the existing stream bed and to maximize open space, creating a park-like setting virtually impossible to re-create in today's rapidly developing urban areas. In short, it is irreplaceable.

The Falkland Apartments were celebrated at their construction and they continue to be celebrated and appreciated today. The potential destruction of any portion of this campus would be a tragic loss not only to the community of Silver Spring, but the surrounding area.

Sincerely,

Rebecca A. Miller
Executive Director

Erik M. Hein
Program Manager

Rebecca Miller
Executive Director

Coleman, Joyce

From: Healy, Sonya [Sonya.Healy@montgomerycountymd.gov]
Sent: Tuesday, December 04, 2007 1:57 PM
To: Coleman, Joyce
Subject: Letter on Falklands from Councilmember Ervin
Attachments: Falkland Chase.doc

Importance: High

R E C E I V E D
DEC 04 2007

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

Joyce,
Would you please make sure that the attached letter is part of the record on Falkland Chase (Plan Number 920070080)?
The hearing is Thursday. I will forward copies as well.

Thanks,

Sonya E. Healy

Chief of Staff

Councilmember Ervin

For more information about our office visit:

<http://www.montgomerycountymd.gov/content/council/mem/Ervin/index.asp>



December 3, 2007

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

Dear Chairman Hanson,

I am writing to ask for your support in approving the project plan for Falkland Chase (Plan Number 920070080) in Silver Spring. I believe that this project should move forward because Home Properties has shown its commitment to maintain affordable housing units and has plans to provide additional units above what is required. In addition, Home Properties has agreed to preserve two historically sensitive parcels.

As you know, the current Sector Plan, which was approved and adopted in 2000, says that high-density residential development under the CBD R1 Zone is appropriate on the north parcel. Redeveloping this parcel would produce 133 new MPDUs at this location. In addition, Home Properties has agreed to extend the existing rent supplement program for 44 units at Woodleaf Apartments in Silver Spring for 20 years and to add 5 more units to the program for a total of 49 units. This commitment would result in a total of 182 affordable units in connection with this project which is equal to the total number of units now located on the north parcel. Moreover, Home Properties has committed to provide a total of 100 workforce housing units (50 units on the north parcel and 50 total units on the east and west parcels).

If the north parcel project is approved, Home Properties has agreed not to object to the historic designation of the east and west parcels, which is comprised of approximately 15 acres and 258 units. The east parcel includes the Cupola Building, which as you know is currently designated on the County's Master Plan for Historic Preservation. Protecting the east and west parcels will ensure that 268 apartments will be maintained, restored and renovated in the garden style. These improvements will benefit existing and new residents.

In addition to the affordable housing component, the Falklands project is an example of transit-oriented development. The location of the north parcel is approximately 800 feet from the Silver Spring Metro entrance and allows residents to take Metro without crossing the street. The Silver Spring Urban District Advisory

Committee recognized this factor as being key to “enhancing the urban environment” in Silver Spring and also recommends project approval.

As a Councilmember who is committed to generating additional affordable housing units and encouraging residents to take mass transit to work, I support the Falkland Chase project plan. If you have any comments or questions, please do not hesitate to contact my office.

Sincerely,



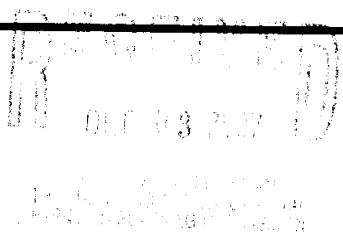
Valerie Ervin
Councilmember

- c: Isiah Leggett, County Executive
John Robinson, Planning Board Vice Chairman
Allison Bryant, Planning Board Member
Jean Cryor, Planning Board Member
Gene Lynch, Planning Board Member
Gwen Wright, Acting Chief, Countywide Planning Division, M-NCPPC
Barbara Henry, Chair, Silver Spring Urban District Advisory Committee

Montgomery County Council 100 Maryland Avenue, Rockville, MD 20850
240-777-7960 or 240-777-7900 TTY 240-777-7914

MCP-Chairman

From: hjanules@cedarlane.org
Sent: November 30, 2007 3:28 PM
To: MCP-Chairman
Subject: Choose Affordable Housing



Please send the following letter to these members of the Montgomery County Planning Board:

Royce Hanson, Ph.D., Chairman
John M. Robinson, Vice Chairman and Commissioner Allison Bryant, Ph.D., Member and Commissioner Jean Cryor, Member and Commissioner Gene Lynch, Member and Commissioner

Thank you!

The Rev. Heather K. Janules
Cedar Lane Unitarian Universalist Church

Dear Montgomery County Planning Board:

I am the Rev. Heather Janules and I serve Cedar Lane Unitarian Universalist Church as the Assistant Minister and Minister for Pastoral Care, one of the founding communities of Action in Montgomery. While I am a minister called by the congregation, my views do not necessarily reflect the perspectives of all of our members.

On Thursday, December 6th, you will be asked to determine whether the Falkland Chase apartment complex should be placed on the Master Plan of Historic Preservation. Should the planning board choose to do so, this will end plans to develop a section of the complex, "Falkland North," with a new building that will secure the number of affordable housing units in Silver Spring.

I plan to attend the hearing on December 6th and will testify to the environmental benefits of redeveloping Falkland North. However, I also wish to articulate my support for the affordable housing that will be secured through this plan.

My support for this plan is rooted in my vocation as a parish minister. I have the privilege of entering the homes and lives of our congregants. I have heard countless stories that speak to the significant need for affordable housing in Montgomery County.

The cost of living in our community is formidable. This impacts our county's citizens in a myriad of ways - from the elders who bought their homes decades ago but may need to move due to rising property taxes to their children who are trying to raise children on a tight budget to the next generation, the young adults who may not be able to live near their parents and grandparents due to the high expense of local housing.

In short, the cost of housing in our county puts undue stress on our families and communities, the fabric of our county. Choosing affordable housing initiatives promotes real diversity and equity. Choosing affordable housing means, in many circumstances, choosing people over corporate profit.

In conclusion, we should be mindful that replacing Falkland North with a development that ensures affordable housing echoes the original hopes behind constructing Falkland Chase in the 1930's. The complex was the first in Montgomery County to be funded by the Federal Housing Administration and was intended for individuals

and families of modest means. In other words, Falkland Chase was built as as intentionally affordable housing, as Home Properties plans to do with Falkland North.

As an ordained religious leader, I know first-hand that there is great value in following and preserving "tradition" but following tradition without recognition of the ethical impulse behind the original endeavor renders the preservation of tradition an empty gesture. We should not deny our citizens an affordable place to live out of "tradition for tradition's sake."

I appreciate your time in considering my support for Falkland North.
Should you have any questions for me, please contact me at this email address or 301.493.8300, x204. Thank you.

With respect,
The Rev. Heather K. Janules

MCP-Chairman

From: Marie Carpenti [marie.carpenti@nara.gov]
Sent: November 30, 2007 4:24 PM
To: MCP-Chairman
Subject: Royce Hanson, Chairman

Importance: High

RECEIVED
OCT 03 2007
MONTGOMERY COUNTY PLANNING BOARD

11/29/07

Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3716

EMAIL mcp-chairman@mncppc-mc.org

Dear Mr. Hanson,

I go to Silver Spring frequently and I wish very much to move to the Falklands apartment complex since it is an oasis in bustling Silver Spring.

It has green spaces and is built in a charming colonial style that sets it apart from the newer construction that is appearing frequently in downtown Silver Spring. The Falklands stands apart. What makes Silver Spring unique is that its architectural heritage is distinct and attracts locals and tourists alike. Tourists visit places that are distinctive.

Preserving valuable historical landmarks increases the "wealth" of a community by creating a sense of place which evolves into a sense of community. The residents want to stay because of it's sense of place and the tourists come in to appreciate what is distinctive.

It will become apparent as the years pass that the preservation of the Falklands was a wise choice by the Montgomery County Planning Board.

Sincerely,

Marie Carpenti
Resident of Md.
Silver Spring devotee

MCP-Chairman

From: Bbuonora@aol.com
Sent: December 01, 2007 8:55 AM
To: mcp-chairman@ mncppc-mc. org
Subject: (no subject)

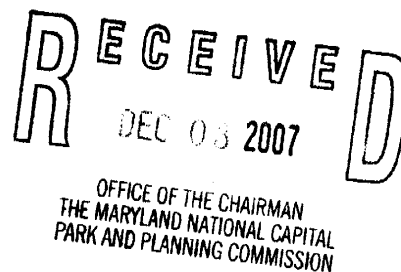
Please designate all of Falkland in Silver Spring as an historic preservation site. Do not build high-rise apartment/retail complex.

Barbara and David Buonora
9617 Evergreen Street
Silver Spring, MD 20901

Check out AOL Money & Finance's list of the hottest products and top money wasters of 2007.

December 3, 2007

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



Dear Chairman Hanson,

Thank you for considering the recommendation of the Historic Preservation Commission to place the Falkland Chase apartments on the Montgomery County Master Plan for Historic Preservation at the December 6, 2007 Planning Board meeting. As residents of Falkland Chase, we strongly urge the Planning Board to accept the Commission's recommendation and protect these historic buildings that serve as a tangible connection to our community's history.

The Silver Spring Historical Society will present ample evidence that Falkland Chase deserves this designation and we concur for the following reasons. First, we have chosen to live at Falkland Chase for the quality of life these types of apartments provide, which is not available anywhere else in the area. At Falkland Chase we know our neighbors, walk our dogs together and feel safe in our apartments. Also, we believe designation is essential to preserve one of the few remaining natural green spaces in the Silver Spring Central Business District. As Silver Spring continues to grow and revitalize its downtown core, real parks will be all the more vital to maintaining a high quality of life for all residents. The design and location of our apartment buildings make our green space inviting and available to all community members, whether they live at Falkland Chase or not.


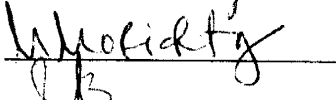
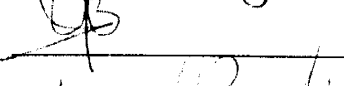
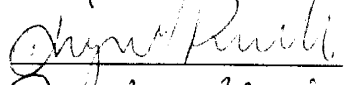
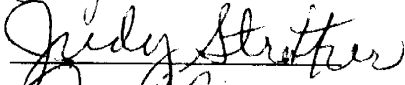


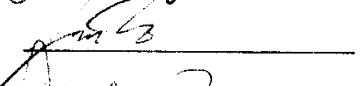
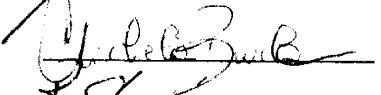

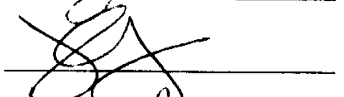
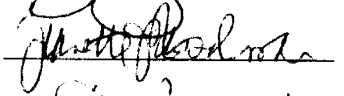
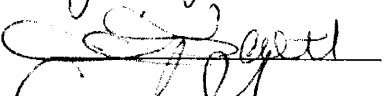



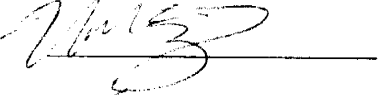
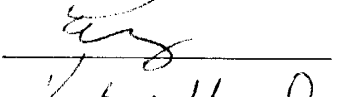
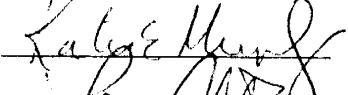
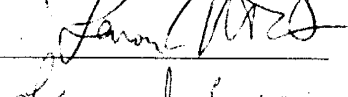
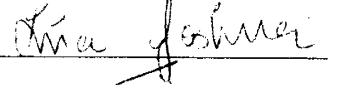
Nearly 60% of Silver Spring residents are renters and just like homeowners, we deserve amenities such as historic buildings, open space and dog parks. In addition to the significant preservation issues, as residents of Silver Spring, the project proposed for the North Parcel seriously concerns us. Silver Spring prides itself on its diverse population; however, new housing projects threaten the mixed-income nature of our community. Preserving Falkland Chase ensures renters will continue to have equitable housing choices in Silver Spring.

For those of us who live at Falkland Chase, these buildings we call home are invaluable and we ask you to protect them.

Thank you for your consideration,

Residents of Falkland Chase
(signatures on following pages)

Signatures: Letter to Royce Hanson from Falkland Chase residents regarding historic designation

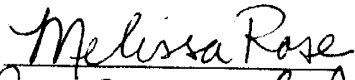
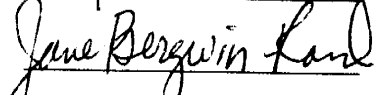
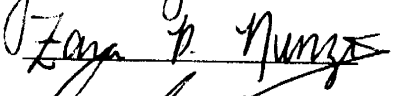
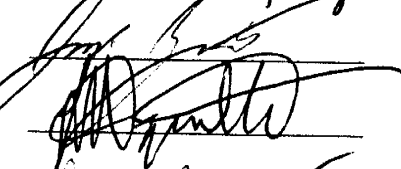
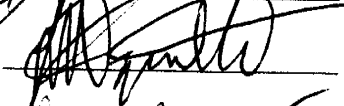
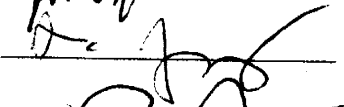
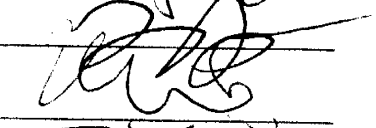
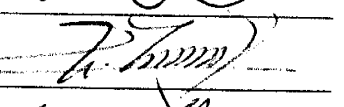
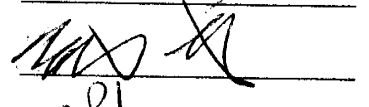
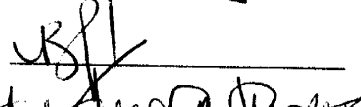
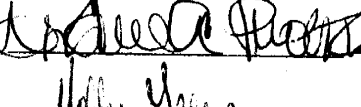
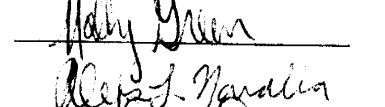
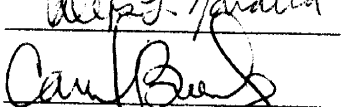
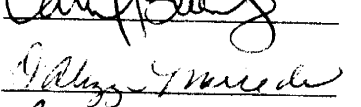
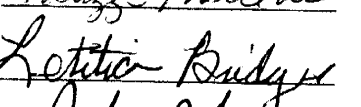
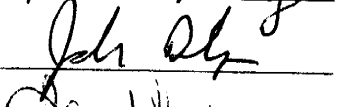
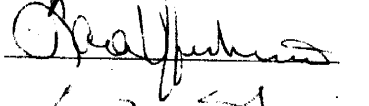
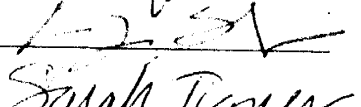
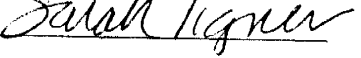


Resident Signature	Name	Address
	Chanda Jones	1535 W. Falkland
	Megan Moriarty	1535 W. Falkland #232
	Lynn Boshara	1549 N Falkland Ln #229
	Ingrid Pacowski	1535 W. Falkland #134
	Judy Strother	1529 W. Falkland #242
	David Akers	1539 N. Falkland #216
	Cara Tenenbaum	1521 E. Falkland #251
	JOSEPH TROYAN	1517 E Falkland #252
	MICHELA BURLA	1535 W FALKLAND #233
	Rebecca Szirmai	1521 E. Falkland #251
	Jennie Simpson	8339 16TH ST., APT 113
	Jeanette J Kesselman	1533 W. Falkland Lane #337
	Sandra Seoit	1847 N Falkland #125
	Amanda Graham	1543 N. Falkland #321
	DEIRDLE CRONIN	1541 N. FALKLAND #119
	Shelly Collins	8407 16th St #212
	Ursula Kazarian	1543 N Falkland #120
	Erin Katz	1523 E Falkland #125
	Katie E Murphy	1539 N Falkland Ln #310
	LENORE ROUSE	1535 W. FALKLAND #315
	EVA JOSHUA	1539 N. Falkland Ln #317

Signatures: Letter to Royce Hanson from Falkland Chase residents regarding historic designation

Resident Signature

Name

Address

	Melissa Rose	1531 W. Falkland Ln. #339
	Jane Bergwin-Rand	1531 N. Falkland Ln #338
	Zara Nunziata	1533 W Falkland Lane # 237
	Joseph Trojan	1517 E Falkland #256
	Leslie S. Duquette	1851 N. Falkland Ln #232
	Stephanie Young	1529 W. Falkland #241
	Loony Branson	1531 N. Falkland Lane #138
	Chuck Tigner	1531 W. Falkland #138
	Abese MENGESHA	8407 16th ST #111 9915
	Nathan Gerratt	1541 N. Falkland #318
	Brenda Browne	1539 N. Falkland Ln #217 31
	Andrea Proena	1551 N Falkland Ln #132
	Molly Green	1533 W Falkland Ln, #236
	Alexis Nardella	1523 E. Falkland #248
	Cardi Brant	1535 E Falkland #247
	Dalizza Mercedes	1531 W. Falkland Ln #138
	Letitia Bridges	1531 W. Falkland Ln. #142
	JAKE COSTANTIN	1531 W. FALKLAND #238
	Leida Uffentlicher	1531 W Falkland Lane #240
	LINDA SUZUKI	8401 16th ST #313
	Sarah Tigner	1531 W Falkland Ln #139

Item #10

DEC 06 2007

MCP-Chairman

From: David Paris [davidparis.takoma@yahoo.com]
Sent: December 06, 2007 1:37 PM
To: MCP-Chairman
Subject: Falkland Historic Designation
Attachments: 3 William Blair Falkland Article 1937.pdf; 2 Koski-Karell Qualifications Memo 03-04-05.pdf;
1 D Paris Falkland Testimony_12-06-07.pdf

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

Attached

- 1 D Paris Falkland Testimony_12-06-07
- 2 Koski-Karell Qualifications Memo 03-04-05
- 3 William Blair Falkland Article 1937

Dear Chairman Hanson-

The attached material is submitted as a supplement to my November 25 submission regarding December 6 Planning Board Agenda Item #10, considering placement of the Falklands Apartment on the Montgomery County Master Plan for Historic Preservation. Thank you for your attention.

David Paris

davidparis.takoma@yahoo.com

301-270-3168

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David B. Paris

901 LARCH AVENUE, TAKOMA PARK, MD 20912

December 6, 2007

Via Email: MCP-Chairman@mncppe-mc.org

Royce Hanson, Chair,
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Ref: Review of Falkland Apartments for listing on Master Plan for Historic Preservation

Dear Dr. Hanson:

This letter is intended to supplement my November 25 testimony regarding a March 21, 2005 letter from Dr. Daniel Koski-Karell that has been reintroduced by Home Properties.

Purporting to be an architectural historian, Dr. Koski-Karell claims that Falkland was not a prototype for garden apartments, that it was not inspired by the garden city movement, that it was not designed by a master architect, and that it was not constructed pursuant to a unified design vision. Dr. Koski-Karell's qualifications to make such pronouncements warrant scrutiny, particularly because his views are so radically at variance with the prevailing opinion of architectural historians, historic preservation organizations and the staff of the Historic Preservation Commission.

It appears that Dr. Koski-Karell is better suited to conduct an analysis of anthropological matters relating to the Falkland Islands than the architectural history of the Falkland apartments. Although portrayed on his letterhead as an Architectural History Consultant, Dr. Koski-Karell appears to be a distinguished marine anthropologist, rather than an architectural historian. He failed to attach his curriculum vitae to his testimony. However, it has been reported that in 2003 he was awarded a Ph.D. in anthropology from the Catholic University of America, and that he previously received a similar M.A. degree from the same institution.

According to the attached 2005 memorandum submitted by a respected architectural historian regarding the COMSAT Laboratories historic preservation application, it appears that the bulk of Dr. Koski-Karell's practice involves marine anthropological matters rather than problems involving architectural history. See attached Dr. David Rotenstein, Memorandum to Montgomery Historic Preservation Commission, Re COMSAT Laboratories Supplemental Information, April 3, 2005.

Moreover, the accuracy of Dr. Koski-Karell's sweeping conclusions appears to be suspect. His letter asserts that the Falkland apartments were not a prototype for other garden apartments because its design "copied heavily from earlier apartments developments such as Colonial Village in Arlington, Virginia." Yet the construction of the Virginia apartment began only a year before the Falkland project, and his analysis is at variance with those of a number of qualified architectural historians including James M. Goode in his well-known book *Best Addresses*. Home Properties' own website states that Falkland was a prototype for other apartment complexes that followed.

David Paris
Montgomery Planning Board
Falkland
December 6, 2007
Page 2

The claim that Falkland is divided into "three distinct parts" is refuted by one of Dr. Koski-Karell own sources. At the time that the second section of Falkland was under construction, William D. Blair, President of Falkland Properties, described the combined west and north parcels as the "second section, which will contain 301 family units." See William D. Blair, Solving an Estate Investment Problem, Insured Mortgage Portfolio, November 1937, p. 8. For Blair the result of the Falkland effort "is that we have transformed 24 acres of land, which 2 years ago were a liability to the Blair estate, into a community providing housing completed or under construction, for 479 families." *Id.* at 9. Further, the second section was financed as a single unit by the Union Central Life Insurance Company. *Id.* at 27.

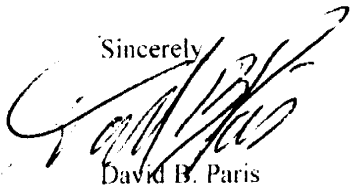
Falkland was also a prototype with respect to construction financing. Blair indicates that the insurance company, which paid a premium when it purchased the mortgage on the first section from the Reconstruction Finance Company (RFC), became interested in the project "through contact with the Federal Housing Administration." *Id.* at 10. The first section of Falkland was the "first rental housing project financed by the RFC Mortgage Company through an FHA-insured mortgage." *Id.* The FHA cooperated with the RFC by making "all of its data available to the Company." *Id.*

The claim that Louis Justement should not be considered a master architect is yet another example of Dr. Koski-Karell's strained advocacy. Blair reports that Justement, an "excellent architect...had the advantage of FHA architects' and landscape architects' checking and suggestions." *Id.* at 27. Moreover, the role that Dr. Koski-Karell assigns to Justement is inconsistent with the architect becoming the only person outside the Blair family to obtain a block of Falkland Properties stock. See Blair, p. 10. Koski-Karell places great weight on the absence of Justement buildings in the American Institute of Architects guide to the architecture of Washington, DC. However, Justement's 1952 Barrett Prettyman Courthouse, a National Register eligible building, is found in the fourth edition of the guide, a volume that includes 2006 material.

In summary, the 2005 letter by Dr. Koski-Karell is an inaccurate advocacy document that contains obvious inaccuracies and oversights. The writer's conclusions are at odds with the weight of professional and community judgment that the Falkland Apartments, which was designed as an integrated unit, remains an important architectural and historic resource that is worthy of historic designation and preservation.

Thank you for your attention.

Sincerely



David B. Paris

Attachments:

1. Dr. David Rotenstein, Memorandum to Montgomery Historic Preservation Commission, Re COMSAT Laboratories Supplemental Information, April 3, 2005.

2. William D. Blair, Solving an Estate Investment Problem, Insured Mortgage Portfolio, November 1937, p. 8.

Solving an Estate Investment Problem

By WILLIAM D. BLAIR

President, Falkland Properties, Inc.

IN SILVER SPRING, Maryland, adjacent to Washington, D. C., is the housing development known as Falkland Properties. The first section of the development, providing housing for 178 families, was completed last spring and is now 100 percent occupied. The second section, which will contain 301 family units, is now under construction and is expected to be ready for occupancy next spring.

As the representative of the Blair estate most closely associated with the planning, financing, and operation of this property, my experience may be of interest to others concerned with the investment of estate funds and the practical development of estate properties.

A problem in land utilization

The Falkland project is essentially an attempt to solve a problem in land utilization. For more than a century successive generations of the Blair family have held extensive acreage in Montgomery County, Maryland, on the northern border of the District of Columbia. This land was bought not for speculation, but as a family plantation by Francis Preston Blair, my great-grandfather, who came to Washington as a newspaper editor during the administration of Andrew Jackson.

In recent years, with Washington expanding northward, Silver Spring has grown rapidly as a suburban community. A main traffic artery, Sixteenth Street NW., was improved to the edge of our property, and new boulevards running east and west cut through. The land had long since become unproductive as farm acreage, and although it continued to appreciate in value, mounting taxes and lack of earnings made it a considerable liability insofar as the estate income was concerned.

Several possible solutions presented themselves. One was outright sale of the land for cash. Another was sale of the property under a purchase-money mortgage to a real-estate developer. A third plan open to us was to develop the tract ourselves.

Large-scale rental housing, as developed under the FHA program, offers some definite advantages as an investment for landed estates. Mr. Blair describes the problems of one such estate and how FHA-insured rental housing is solving them

We were not experienced in land development, however, and we knew that it ordinarily involved considerable risk. Furthermore, we did not feel that the estate could afford to tie up the funds necessary to complete a development, and adequate mortgage financing appeared unobtainable.

But cash offers for the tract were far below its actual value, and while the offers of little cash and much mortgage approximated what we regarded as fair value, they would entail our loss of control of the land and at the same time subject us to the risks of development in the hands of others. Another disadvantage in either type of sale was the fact that we would be disposing of land which had appreciated rapidly in recent years and which, we believed, would continue to appreciate.

Own development most practical

Weighing all these considerations, development of the tract ourselves appeared our most practical course. In studying how this might be accomplished we examined the experience of other estates which had developed land holdings either as exclusive residential areas or as subdivisions for moderate-priced homes.

One idea that we gave serious consideration called for developing part of the tract as a cooperative community for a group of Government employees. Very attractive preliminary plans were prepared by a Washington architect, but the plan finally fell through, largely because of the inability of the prospective cooperators to provide the equity funds necessary to support adequate mortgage financing.

Meanwhile, the National Housing Act had been passed and the Federal Housing Administration established. We became familiar with the Administration's insurance of loans to

*Insured Mortgage Portfolio
IMP 2 (11.57)*

modernize houses, and with its insurance of mortgages on individual residential properties. But it did not occur to us that a mortgage on a large-scale rental property might also be insured under the terms of the Act.

In the spring of 1935, however, Washington newspapers carried the announcement that the Administration had approved a rental housing project, Colonial Village,¹ to be located in Arlington County, Virginia, just across the Potomac River from Washington, and had made a commitment to insure a mortgage loan advanced by a large insurance company.

That announcement at once started us on a new line of attack. The result is that we have transformed 24 acres of land, which 2 years ago were a liability to the Blair estate, into a community providing housing, completed or under construction, for 479 families. The rental income from the property, after substantial allowances for vacancies and rent losses, is calculated to be sufficient (1) to cover the cost of operation, taxes, interest on the mortgages, and other charges incidental to the financing; (2) to retire the mortgage debt in approximately 26 years; and (3) at the same time to provide an income of some \$30,000 a year for the holders of the equity in the property.

¹ See "Large-scale Housing as a Business", by Gustave Ring, President, Colonial Village, Inc., Vol. 1, No. 12, INSURED MORTGAGE PORTFOLIO.—Ed.

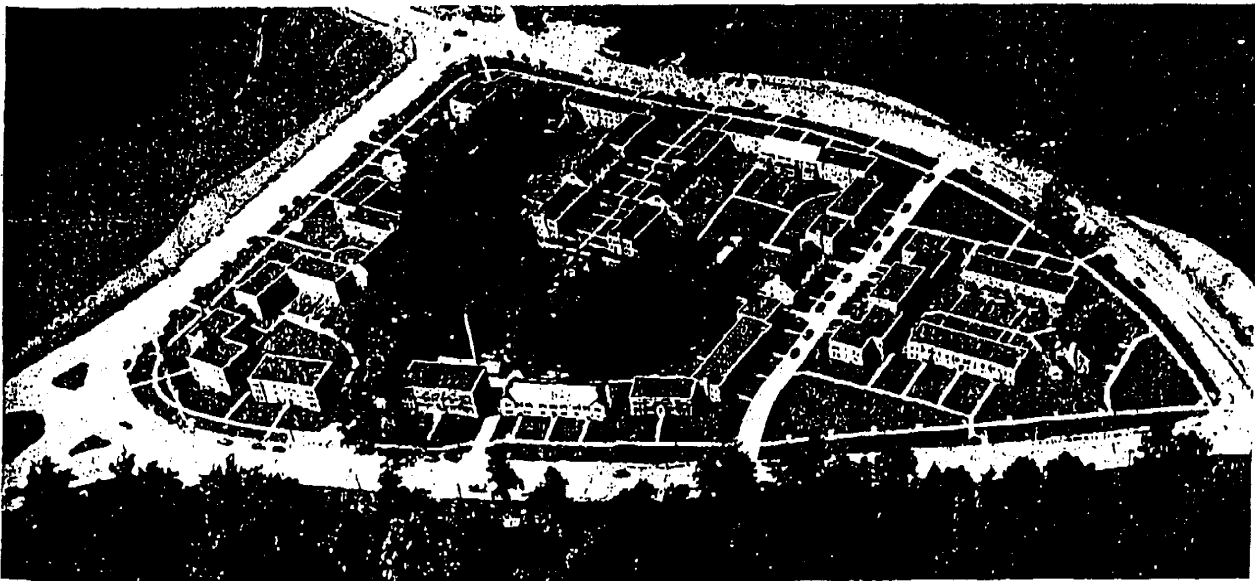
Details of how this development was made possible under the Federal Housing Administration plan and how it was arranged were briefly as follows:

After learning about the possibilities of insured mortgage financing for rental housing projects, we got in touch with what is now the Rental Housing Division of the Federal Housing Administration and laid our problem before it. From then on, the story of the development has been one of close teamwork between this agency and our own organization.

Housing situation was studied

First, the whole housing situation in metropolitan Washington was canvassed, in the light of the complete and up-to-the-minute data assembled by the Administration. Second, the advisability of a large-scale rental housing project in the northern suburbs was considered, in view of conditions then existent and those likely to develop during the next 20 to 30 years. These studies indicated that our proposed project was feasible and economically sound. This was not our judgment alone, but the composite opinion of FHA economists, land planners, architects, appraisers, and construction and management specialists.

With this assurance we felt it safe to venture



Copyrighted by Alexus Associates, College Park, Md.

On a 10-acre tract at the end of Sixteenth Street NW. (at left above), the first Falkland Properties project provides 178 apartments. The second project, with 301, occupies 14 acres lying along the far sides of the first

further. We organized Falkland Properties, Inc., with a small block of stock to our architect, Louis Justement, of Washington, and another to B. L. Jackson, Inc., the general contractor. The remainder was retained by the estate. The land was transferred to Falkland Properties and work was begun on detailed plans for a 178-apartment project, occupying approximately 10 acres, right at the northern end of Sixteenth Street NW. Every detail was worked out carefully and definitely, including the rental scale per room, with the active aid of the FHA technicians and in light of their specialized information.

Large mortgage loan needed

* Total capitalization, including land and all improvements, carrying charges during construction, and cash to be reserved for working capital, was estimated at \$1,100,000. While we had substantial funds available for financing the cash equity requirements, a large mortgage loan was needed in order to keep our other funds liquid. We approached the insurance company which had agreed to finance the insured mortgage for Colonial Village. The reply was that Colonial Village was an experimental investment and that it would consider further lending on this type of security only after this first development had proved a success as an income producer. Other insurance companies sufficiently large to finance our project appeared unwilling to make even an experimental investment, and no bank large enough to handle the loan could be interested.

In this extremity, we approached the RFC Mortgage Company. In presenting our case there, the Federal Housing Administration cooperated by making all its data on the project available to the Company and by demonstrating the grounds upon which it had adjudged the project economically sound. What happened then was told in these columns last month by Jesse H. Jones, Chairman of the Reconstruction Finance Corporation. Falkland Properties became the first rental housing project financed by the RFC Mortgage Company through an FHA-insured mortgage. The loan amounted to \$840,000.

Final details were worked out, including arrangements for the mortgagee to advance

construction funds under the insured mortgage as the work progressed. Contracts were let and construction begun in the fall of 1936.

The RFC Mortgage Company, as a matter of course, made the construction loan as an integral part of the mortgage loan. To my mind, that is logical. The institution offering only a permanent mortgage loan on the completed property has no opportunity to supervise the construction processes and misses the chance to put its funds to work at an earlier period. Where one institution makes both loans or actually one loan serving the purpose of both, time and expense of a double investigation is saved, the costs of negotiating two separate loans are avoided by the borrower, and the lending institution emerges with a better investment than if it had made only the construction loan. Under an FHA-insured mortgage of this type, it should be noted in this connection that funds for construction are fully insured as they are advanced by the mortgagee. The task of the borrower in obtaining a construction mortgage loan is considerably simplified, therefore, if the project is insurable by the Federal Housing Administration.

First project now complete

Getting back to the story of Falkland Properties, the first project was completed in the spring of 1937. Meanwhile, the Union Central Life Insurance Company had become interested in insured rental housing mortgages through contact with the Federal Housing Administration. We had not approached this company when we were seeking our first loan, but we were more than pleased to learn that its representatives had opened negotiations with the RFC Mortgage Company for the purchase of the mortgage which the latter held. They had inspected Falkland Properties and liked the project. They bought the mortgage at a premium, a Mr. Jones stated.

We also liked what we saw at Falkland Properties. In fact, it looked so good to us, both from the land-owning and estate-investment standpoints, that we began planning a more ambitious project, still with the active cooperation of the FHA.

The addition of 301 apartments, occupying

Continued on page 27

Solving an Estate Investment Problem

Continued from page 10

the remaining 14 acres of the tract and capitalized at \$1,625,000, was finally agreed upon, and the Administration gave a tentative commitment to insure a mortgage of \$1,225,000. We approached the Union Central Life Insurance Company directly on this loan, and while its general policy was to make no single mortgage loan for more than \$1,000,000, it made an exception in our case because of the FHA insurance and because of the way in which our first project had worked out.

The loan on the second section was granted on about the same terms as the first, save that the amortization period was 22 years. Construction of the addition began in August 1937 and by the spring of 1938 we expect Falkland Properties, comprising 479 apartments set in landscaped gardens, to be fully completed and occupied. The total capitalization of the land and improvements is \$2,725,000, with mortgages for \$2,065,000, bearing interest at 4½ percent.

Equity will increase monthly

The equity in both projects, exceeding \$650,000 at present, will increase monthly by reason of the fact that the scheduled monthly amortization payments will retire the debt at a much faster rate than the property will depreciate. Repairs, maintenance, and replacements will be taken care of in the operating charges. From our present and prospective rentals, it is estimated that not only will sufficient cash income be available, after all charges, to pay the limited dividends of some \$30,000 a year, but also that a substantial cash surplus will remain after dividend payments to be applied to additional debt reduction.

In achieving these results, the service we received from the Federal Housing Administration, through its Rental Housing Division, was invaluable. We did not have the fact-finding facilities to determine whether the project was feasible from the economic standpoint. Obviously, the services of a good architect and good contractor were necessary. We had an excellent architect in Mr. Justement. In developing details of the plans, he had the advan-

tage of FHA architects' and landscape architects' checking and suggestions. We also had an excellent contractor in Mr. B. L. Jackson, Jr. He was aided by the experience and knowledge of the FHA construction men and developers, as well as by FHA inspections during construction. We had had some experience with apartment-house operation and management, but here again the advice of FHA specialists was available.

Even in the financing, FHA participation in the project was of vital service. The RFC Mortgage Company and the Union Central Life Insurance Company hardly would have been interested had the project not been approved and the mortgages insured by the Federal Housing Administration.

Regulations protect owner

True, under the FHA regulations, we have surrendered a measure of our control during the lives of the mortgages. But our experience indicates that those regulations are, on the whole, based on conservative operating policies, and therefore tend to protect the owner's interest in the property.

In the matter of rentals, I have no doubt that at present we could get considerably higher rents than we are allowed under FHA regulations. To an investment manager of an estate, however, this reduction in income is offset by the additional security which results from this policy. Our existing rents, while relatively low, place the property in a much broader and hence a much safer rental market, and vacancies should be reduced to a minimum.

With the attractiveness of the property as a place to live already proven, we feel confident that the occupancy ratio will continue at or near the present 100 percent. The vacancy allowance which was made in setting up the project is thus a true safety factor, and we expect the excess income over the normal expectancy materially to accelerate amortization of the mortgages.

As to the FHA operating requirements, these are designed to keep the property in first-class condition and hence to maintain its appeal to the renting public. They bring housing opera-

tion into line with the policy followed in sound industrial enterprises; that is, they require due provision for maintenance and replacements and the building up of adequate cash reserves to meet requirements on these accounts. Thus the FHA regulations provide still another safety factor and one which is of particular importance to the equity owners. Certainly we have not found the regulations constituting in any sense a restrictive interference in our operation of the property.

Finally, as to the matter of dividend limitation, we feel that the annual cash income allowed by the FHA on our equity investment is adequate, especially in view of the fact that the cash dividends constitute only part of our real return from the property. Each year part of the rental income, as I have already indicated, is applied to debt retirement, so that when the mortgage loans are paid off the full amount of the rental income now applied to interest, mortgage insurance premiums, and amortization will become available for dividend payments. With proper maintenance assured during the amortization period and with the expected appreciation of land value, we should have at the close of that period a property worth at least as much as it is today, free of all debt, and released from all regulation by the FHA.

What more could the investment manager of an estate ask? We keep our original land investment. We convert it from a liability into an income-producing asset with prospects of steady income and appreciation. We find a safe investment for some of our liquid funds. We realize eventually a good, unencumbered, income-producing housing property.

Forum Speakers Announced

LEADING authorities on real-estate appraisal and mortgage economics are among the speakers on the program of the National Appraisal Forum, which will meet in Washington, D. C., November 19-20 to discuss real-estate research and data facilities.

Daniel C. Roper, Secretary of Commerce, will deliver the opening address. Other speakers include Dr. Mordecai Ezekiel, Department of Agriculture; Walter S. Schmidt, former president, National Association of Real Estate

Boards; Horace Russell, Federal Home Loan Bank Board; and Dr. Ernest M. Fisher, Federal Housing Administration.

Group sessions will be led by S. F. Westbrook, Aetna Insurance Company; Roy M. Green, Bureau of Agricultural Economics; Earl Schwulst, Bowery Savings Bank; and Dr. N. H. Engle, Bureau of Foreign and Domestic Commerce, under whose direction the Real Property Inventories of 1934 were made.

The presiding officer will be Frederick M. Babcock, Director of the Underwriting Division of the FHA and chairman of the Joint Committee on Appraisal and Mortgage Analysis. It is under the auspices of the latter committee, composed of representatives of both private and governmental agencies interested in appraisal problems, that the Forum is being held.

Losses to the Insurance Fund

Out of \$713,562,307 in premium-paying mortgages insured by the Federal Housing Administration, net losses charged against the Mutual Mortgage Insurance Fund amounted to \$8,748.27 through September 30, or around one one-thousandth of 1 percent. Only 37 mortgages out of the total of 175,888 insured since inauguration of the Insured Mortgage System 3 years ago had been foreclosed by mortgagees and the properties securing them turned over to the Administrator.

Government-guaranteed debentures amounting to \$156,869.28 were issued the mortgagees in exchange for these properties, as provided in the mortgage-insurance contract. Nineteen of the properties had been sold, with the aforementioned \$8,748.28 net loss. Debentures issued in connection with 10 of the 19 properties, amounting to \$44,987.76, were retired and an additional \$37,879.11 authorized to be retired. This left \$74,002.41 in debentures outstanding.

The net worth of the Mutual Mortgage Insurance Fund as of September 30 was \$20,597,733.08 and the income from fees, insurance premiums, etc., was averaging about \$600,000 monthly.

Part of this revenue is now being used to defray field-office expenses of the Administration. Eventually it is expected that the Administration will be entirely self-sustaining.

MEMORANDUM

TO: Montgomery County Historic Preservation Commission

FROM: David S. Rotenstein, Ph.D., RPA, Commissioner

RE: COMSAT Laboratories Supplemental Information

DATE: 3 April 2005

In accordance with the motion to continue the hearing regarding the COMSAT Laboratories property, I have reviewed documentation provided to the Montgomery County Historic Preservation Commission (HPC) by the property owner's counsel, Linowes and Blocher, and its consultant, Mr. Daniel Koski-Karell. I am greatly troubled by Mr. Koski-Karell's 9 March 2005 testimony and his written report bearing the same date. Mr. Koski-Karell presented his testimony as an expert in architectural history and asked the HPC to review the documentation prepared in rebuttal to a HPC staff report and various documents prepared documenting the historical and architectural significance of the COMSAT Laboratories property.

Mr. Koski-Karell did not append a copy of his curriculum vitae to his report; however, several academic and government databases provide some insights into his credentials. I believe that it is essential for the HPC to understand Mr. Koski-Karell's credentials as an architectural historian. He has taken it upon himself to infer that interpretations made by HPC staff and by internationally recognized architectural history experts of the COMSAT property's significance are incorrect and that these experts have ineptly interpreted standard academic sources in American social and architectural history.

Mr. Koski-Karell in 2003 was awarded a Ph.D. in anthropology from The Catholic University of America. His doctoral dissertation, titled "Prehistoric Northern Haiti: Settlement in Diachronic Ecological Context," evaluated previously collected archaeological data to understand Pre-Columbian environments and settlement patterns.¹ Mr. Koski-Karell's other graduate credentials include a M.A. degree in anthropology, again awarded by The Catholic University. His 1976 thesis was titled "The Boucaniers of Hispaniola: An Ethnohistorical Reconstruction."²

Mr. Koski-Karell has nearly three decades of experience as an archaeologist. The National Park Service's National Archaeological Database cites sixty-seven reports that Mr. Koski-Karell has authored since 1979.³ These citations include many cultural resource management reports prepared on behalf of clients complying with Section 106 of the National Historic Preservation Act as well one article published in the journal *Maryland Archeology*. The academic database, America History and Life has one entry for Mr. Koski-Karell: a 1985 book review of treasure

¹ Daniel Koski-Karell, "Prehistoric Northern Haiti: Settlement in Diachronic Ecological Context" (Ph. D. diss., Anthropology, The Catholic University of America, 2002), *DAI-A* 63/12 June: 4363.

² Koski-Karell, "Prehistoric Northern Haiti," 315. Washington Research Library Consortium, 2 April 2005 <<http://catalog.wrlc.org>>.

³ United States. Department of the Interior. National Park Service, *National Archaeological Database*, 2 April 2005 <<http://www.cast.uark.edu/other/nps/nadb/>>.

hunter Duncan Matthewson's book on the Spanish shipwreck, *Nuestra Señora de Atocha*. Archaeological expertise, however, is not synonymous with historical and architectural historical expertise.

Historic Property's Name

The document submitted by Daniel Koski-Karell, a consultant to the property owner's attorneys, purports to be a Maryland Inventory of Historic Properties Form documenting the COMSAT Laboratories property.⁴ Mr. Koski-Karell's report gives the property's historic name as the "Lockheed Martin Building."⁵ According to the MIHP form prepared in November 2004 by University of Maryland architectural history professors Isabelle Gournay and Mary Corbin Sies, the property's historic name is "COMSAT Laboratories."⁶ Koski-Karell provides no guidance on his decision to identify the property's "historic name" as the "Lockheed Martin Building." The MHT offers detailed instructions for the completion of MIHP forms. "The historic name is generally the name associated with the historic significance of the property. The historic name of the property will be used to identify the property in the Maryland Inventory of Historic Properties and any other publications," offers the MHT publication Standards and Guidelines for Architectural and Historical Investigations in Maryland.⁷ MIHP forms offer consultants and others a second place to enter a historic property's name. "In the space provided," the MHT instructs, "enter any other names by which the property has been commonly known."⁸ Since Lockheed Martin was a successor to COMSAT at the property, a more reasonable approach would have been to retain the historic name COMSAT (a name by which the building is commonly known among Montgomery County residents) and use the second space, "other," for the Lockheed Martin name.

Design by Cesar Pelli

Mr. Koski-Karell strongly asserts that attribution of the COMSAT Laboratories building to architect Cesar Pelli "is patently absurd."⁹ The consultant further suggests that the substantive record based on primary documents research and Mr. Pelli's own recollections introduced by professors Gournay and Sies and complemented by HPC staff research is fatally flawed. Among the reasons Mr. Koski-Karell provides are his evaluations of Mr. Pelli's handwriting. Although Mr. Koski-Karell's credentials would appear to be impressive – he is an underwater and terrestrial archaeologist and architectural historian, based on the needs of particular projects – he does not appear to be an expert in handwriting analysis.

⁴ Daniel Koski-Karell, "Lockheed Martin Building," Maryland Inventory of Historic Properties Form (9 March 2005).

⁵ Koski-Karell, "Lockheed Martin Building," 1.

⁶ Isabelle Gournay and Mary Corbin Sies, "COMSAT Laboratories," Maryland Inventory of Historic Properties Form (1 November 2004), 1.

⁷ Maryland Historical Trust, *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (Crownsville: Maryland Historical Trust, 2000), 24.

⁸ Maryland Historical Trust, *Standards and Guidelines*, 24.

⁹ Koski-Karell, "Lockheed Martin Building," 3.

Associative Significance

Professors Gournay and Sies prepared a thoroughly-researched historic context in their 2004 MIHP form and its substance does not leave much ambiguity regarding the property's historical significance. The Communications Satellite Corporation was chartered by the U.S. Congress under Title III of the Communications Act of 1962.¹⁰ The act required that the company be incorporated in the District of Columbia and it explicitly detailed the new corporation's governance, financing, and its purposes.¹¹ Among the requirements in the 1962 law was that the new corporation was "to acquire the physical facilities, equipment and devices necessary to its operations, including communications satellites and associated equipment and facilities, *whether by construction, purchase, or gift.*"¹²

Incorporated in February 1963, the new corporation moved its headquarters into an existing building in Washington, DC.¹³ COMSAT, as the company came to be known by its Cold War era acronym, by default became the private sector representative of the United States in the communications satellite sector. The company also became the United States' agent in the international satellite consortium, INTELSAT.¹⁴ COMSAT emerged at a critical point in history. The 1960s represented the height of the Cold War and was a period of revolutionary developments in the telecommunications and broadcast industries: the first cracks in AT&T's monopoly on long-distance telephony began to emerge with the ascendance of MCI and television was rapidly overtaking radio as the nation's leading information and entertainment medium.

Mr. Koski-Karell refuted the documentation supporting the COMSAT property's significance in both his report and oral testimony before the HPC 9 March 2005. Mr. Koski-Karell suggests that the property's associations with events and people prior to construction of the COMSAT Laboratories building are tenuous and are not consistent with Chapter 24A of the Montgomery County Code that requires that historic properties have "value as part of the development, heritage or cultural characteristics of the county, state or nation."¹⁵ COMSAT's entire history, including its legislative, economic, and social elements, is essential to understanding the property's significance. "For history to be significant to a building," wrote Mr. Koski-Karell, "it should be directly associated with that building. It should not be history associated with some other time and place."¹⁶

Legislated by Congress and grown during the period 1963-1967, COMSAT established its first headquarters in Macomb Street located in the Northwest Washington, DC, neighborhood of

¹⁰ 47 U.S.C. §731, "There is authorized to be created a communications satellite corporation for profit."

¹¹ 47 U.S.C. §§ 732-735.

¹² 47 U.S.C. §753. Emphasis added.

¹³ Gournay and Sies, "COMSAT Laboratories," 8/12.

¹⁴ Erik Barnouw, *The Image Empire: A History of Broadcasting in the United States* (New York, New York: Oxford University Press, 1970), 208-09; Leonard S. Hyman, Edward DiNapoli, and Richard C. Toole, *The New Telecommunications Industry* (Vienna, Virginia: Public Utilities Reports, Inc., 1997), 117.

¹⁵ §24A(3)(b)(1)(a).

¹⁶ Koski-Karell, "Lockheed Martin Building," 17.

Cleveland Park. Shortly thereafter, it then moved to L'Enfant Plaza. As the company matured and its capital increased, it followed the legislative mandate to construct facilities by acquiring its property in Montgomery County and building its laboratories. The particular site COMSAT selected also is an artifact of its historical setting: the Cold War. Washington, DC, was considered a primary target in a heavily anticipated nuclear war that never materialized. Government agencies and contractors sited themselves beyond the perceived nuclear threat downtown Washington presented. Mr. Koski-Karell's suggestions that the HPC should divorce the COMSAT property from its historic context are a disingenuous attempt to decontextualize the property and obfuscate its ties to the events and people that contributed to its construction.

The Machine in the Garden

Mr. Koski-Karell's discussion of Leo Marx's 1964 book, *The Machine in the Garden*, ranks among the most spurious, specious, and unsupported scholarship in his report. Mr. Koski-Karell wrote that Marx's landmark study of nineteenth century social history "is a book about literature in American history."¹⁷ He also wrote that Marx's book "is most definitely NOT a book about architecture."¹⁸ Koski-Karell underscored his arguments by citing the index in Marx's book: "Before someone calls the LMB a machine in the garden they should become more familiar with Leo Marx's book. They should take note of how many times the word 'architecture' is mentioned in it, which is zero. A page from this book's index is provided as Figure 5 [in Koski-Karell's report]. The word 'architecture' is not listed."¹⁹

I am impressed by Mr. Koski-Karell's initiative in acquiring Leo Marx's book and for reading it as part of his involvement in the COMSAT proceedings.²⁰ I am unimpressed, however, by Mr. Koski-Karell's cavalier and unprofessional comments regarding the substance of Marx's book and the inference that the HPC staff and the esteemed architectural historians who prepared the original Maryland Inventory of Historic Properties form inappropriately cited the book in their evaluations of the property's historical significance. Mr. Koski-Karell compounded the factual and interpretive errors in his written report during his 9 March 2005 testimony before the HPC:

[A]nother thing I found really a, you know, a little bit funny was the Machine in the Garden business. Everybody remembers the machine in the garden. That's, you know, listed down here and one of the reasons why it should be nominated or listed because it shows the Machine in the Garden idea, a futuristic building. Well, Machine in the Garden, what's the Machine in the Garden? This is the Machine in the Garden is a choo choo train. The book that they cite as the design aesthetic or establishing the, you know, the

¹⁷ Koski-Karell, "Lockheed Martin Building," 9.

¹⁸ Koski-Karell, "Lockheed Martin Building," 9, emphasis in the original.

¹⁹ Koski-Karell, "Lockheed Martin Building," 10.

²⁰ Daniel Koski-Karell, Testimony, *Montgomery County Historic Preservation Commission*, Amendment to the Master Plan for Historic Preservation: COMSAT Laboratories, 22300 Comsat Drive, Clarksburg, MD (Silver Spring, MD, 9 March 2005).

concept, architectural concept of Machine in the Garden, this is a book about American literature.²¹

Mr. Koski-Karell's assessment of the book is not supported by the many scholars spanning a wide breadth of the academe who have cited Marx's book, and more specifically, Marx's introduction of the concept of the "middle landscape" to the fields of landscape architecture, architectural history, cultural geography, history, and others. Scholars as from such divergent backgrounds as environmental historian Michael Williams and anthropologist Anthony Wallace have cited book and its concepts their discussions of nineteenth century American social and material culture history.²² And then there are the architectural and landscape historians, among them Thomas Bender,²³ who have cited Marx and his book as a prominent influence. "Scholars such as Leo Marx, Henry Nash Smith, and Annette Kolodny had had a decisive impact on the study of American landscape," reflected cultural geographer George Henderson in a 2003 essay on landscape architecture.²⁴ Indeed, Marx himself wrote in an afterward to the 2000 edition of *The Machine in the Garden*, "At first, *The Machine in the Garden* was well received inside and outside the academy. It was translated into several languages and cited approvingly by scholars in fields other than history and literature – **notably art history, architecture, landscape architecture, and planning.**"²⁵

²¹ Koski-Karell, *Testimony*.

²² Anthony F.C. Wallace, *Rockdale: The Growth of an American Village in the Early Industrial Revolution* (New York, New York: W.W. Norton, 1972), 260; Michael Williams, *Americans & Their Forests: A Historical Geography* (Cambridge, England: Cambridge University Press, 1989), 15.

²³ Thomas Bender, "The 'Rural' Cemetery Movement: Urban Travail and the Appeal of Nature," in *Material Life in America, 1600-1860*, ed. Robert Blair St. George (Boston, Massachusetts: Northeastern University Press, 1988), 505-18; Paul Groth, "Frameworks for Cultural Landscape Study," in *Understanding Ordinary Landscapes*, ed. Paul Groth and Todd W. Bressi (New Haven, Connecticut: Yale University Press, 1997), 1-21; Kenneth Blair Hawkins, "The Therapeutic Landscape: Nature, Architecture, and Mind in Nineteenth-Century America" (Ph. D. diss., Department of History, The University of Rochester, 1991).

²⁴ George L. Henderson, "What (Else) We Talk About When We Talk About Landscape," in *Everyday America: Cultural Landscape Studies After J.B. Jackson*, ed. Chris Wilson and Paul Groth (Berkeley, California: University of California Press, 2003), 180.

²⁵ Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (Oxford, England: Oxford University Press, 2000), 381, emphasis added.

Item #10

MCP-Chairman

From: Megan Moriarty [megan3532@gmail.com]
Sent: December 06, 2007 11:58 AM
To: MCP-Chairman
Subject: Falkland Letter
Attachments: Falkland Chase Testimony 12.6.07.doc

Dear Chairman Hanson,

Attached please find a letter regarding your discussion this afternoon about Falkland.

Regards,
Megan Moriarty
Falkland Resident

December 6, 2007

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

Dear Chairman Hanson,

I am writing to you today about the issue of historic designation for Falkland Chase and the proposed redevelopment of the North Parcel (Item #10, Dec. 6, 2007). I live at Falkland Chase in the North Parcel and am a graduate student in Community Planning at the University of Maryland. In addition, I am a volunteer Community Builder at IMPACT Silver Spring and recently developed a report on ten stories from apartment buildings in Silver Spring that documents how the changing rental housing market affects our community. I also co-lead a new program called Renters Exchange to better engage potential leaders in Silver Spring's rental communities. I cannot participate in person today because we are hosting one such session at Paddington Square Apartments and I am in the middle of final exams.

I support Home Properties' proposal for the North Parcel because it produces more affordable housing for the long term for Silver Spring. This policy goal should be the highest priority for our community at this moment in time. As Silver Spring has worked hard to revitalize its commercial and retail sector, housing all of our neighbors has taken a back seat.

I struggled with this decision for a number of reasons. First, I greatly value the quality of life my current living situation offers and previously testified on behalf of preserving the buildings. I also find it difficult to support a project located so close to the Metro that is required by the County to provide a large number of parking spaces. This is not Smart Growth. Most importantly, unlike most people you will hear from tonight, I know the residents of Falkland Chase and have talked to many of them about this issue. We all worry about losing the mixed-income nature of our complex; however, Home Properties has responded to these concerns and has a plan to better support residents wishing to relocate to other parcels. In the end, I have chosen to support this proposal because it will provide needed affordable and workforce rental housing, while respecting the needs of the current residents.

I hope that in addition to hearing my position on the particular situation facing Falkland Chase, you will also hear three additional points I feel strongly about:

1. The preservation of existing rental housing is very important to the future of Silver Spring, even though this is not the best option in the case of the North Parcel for Falkland Chase.
2. Our community needs a comprehensive vision and plan for preserving rental housing. Formulating this plan needs to go well beyond the standard processes of planning for

suburban communities. We are an urban community and we must develop new tools and processes that meet our specific needs.

3. In order to be successful in creating a comprehensive plan, we must invest more in developing authentic leaders in rental communities. Renters must be included in all conversations we have about their homes. We must also embrace and engage property owners, asking them to come to the table too – to share their interests and concerns.

I find the circumstances of this debate today a very poor setting for creating the kind of creative solutions needed to preserve this precious asset of Silver Spring – rental housing.

Thank you for your consideration,

Megan Moriarty
1535 W. Falkland Lane, Apt. 233
Silver Spring, MD 20910
Megan3532@gmail.com

MCP-Chairman

From: mary reardon [mareardon3@yahoo.com]
Sent: December 06, 2007 11:05 AM
To: MCP-Chairman; Kelly, Clare; Wright, Gwen
Subject: Falkland in today's Examiner

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THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

http://www.examiner.com/a-1089124~Redevelopment_would_ruin_landmark_group_says.html
There will probably be an article in the November Silver Spring-Takoma "Voice."

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Local

Redevelopment would ruin landmark, group says

Kathleen Miller, The Examiner

2007-12-06 08:00:00.0

Current rank: # 94 of 11,029

WASHINGTON -

A builder's efforts to redevelop a Silver Spring apartment complex would destroy a historic property that is a landmark from Franklin Roosevelt's New Deal era, according to Montgomery County preservation groups.

Representatives of the Silver Spring Historical Society say the 450-unit Falkland Chase Apartments on Silver Spring's 16th Street is "one of the most significant historic properties in the county."

According to Mary Reardon, the group's preservation chairwoman, it was the second large-scale apartment complex in the country to be underwritten by the Federal Housing Administration.

"Eleanor Roosevelt cut the ribbon on the complex in 1937 because it was a New Deal experiment to provide housing for moderate income people in a suburb," Reardon said.

"It was built along the garden city principles, which means it follows the contours of the land, saves as many trees as possible and provides green space."

Developer Home Properties acquired the complex in 2003.

Don Hague, vice president of development for Home Properties, said the company wants to build a high-rise unit on one of the property's three parcels as part of a redevelopment plan that would provide 282 new, moderately priced housing units.

"If our proposal is approved, we will invest \$3 million for the preservation," Hague said. "We would effectively be preserving 62 to 63 percent of the total units."

Hague, who will be at a county development committee meeting today to defend the project, said developers believe they will be retaining the more historically significant portions of the property, which officials with the Maryland Historical Trust have said are eligible for the National Register of Historic Places.

"The parts that will remain 'as is' are the ones that are architecturally truer to the planning and design principles that were popular back then," Hague said.

Reardon said only redeveloping a portion of the complex is not a satisfactory solution.

"It's like chopping off one arm and allowing you to keep the other arm," Reardon told The Examiner.

Regardless of historic designation, construction on the property is barred through next July because additional development would increase the student population of the area beyond the capacity specified in the county growth policy.

kmiller@dcexaminer.com

Examiner

MCP-Chairman

From: Frankie Blackburn [frankie@impactsilverspring.org]
Sent: December 06, 2007 12:04 PM
To: MCP-Chairman
Subject: IMPACT Silver Spring Written Testimony on Item 10 - December 6 2007
Attachments: Real Stories - booklet.pdf

December 6, 2007

RECEIVED
DEC 06 2007

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

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

Dear Mr. Hanson,

We attempted to testify at this afternoon's session regarding Item No. 10, but were told that all slots were filled. In lieu of an oral statement, please review our written testimony as you make a decision on the matter of proposed historic designation of the north parcel of the Falkland Chase apartments.

My name is Frankie Blackburn. I am Executive Director of IMPACT Silver Spring. I am not here to testify to support or oppose historic designation for the north parcel of Falkland Chase. I am here to offer some reflections and to make a request for a joint step we can take together.

IMPACT is a capacity building and a community broker. In that role, we have supported an active volunteer and resident of Falkland Chase, Megan Moriarty, in presenting her position in written testimony to you and in meeting directly with Don Hague of Home Properties. We are proud of Megan, her courage to speak up in support of the project and the fact that her conversations with Home Properties are leading to stronger protections for all current residents of the North Parcel, beyond their offers for affordable units in the future. (Please see her testimony, also submitted to you in written format).

We offer three reflections for your consideration:

- 1. Affordable housing is the top concern among many in Silver Spring.** After nine years and hundreds of hours of dialogue with over 300 very diverse residents, most of whom were not previously engaged in civic life, it is clear that the lack of affordable rental housing is the top issue of concern among those who have participated in our leadership programs. At least 60% of this network lives in apartment buildings. Other top issues of concern are: employment, the achievement gap, health access, youth engagement and small business preservation.
- 2. Escalating rents have displaced many long time residents.** After making a decision two years ago to devote our core leadership program to residents of apartment buildings similar to Falkland Chase and becoming active in 12 buildings, we can tell you that there are many, many people who have been forced to leave their homes – against wishes – due to escalating rents and many who are fearful of this happening. These are long time residents and not transients, contrary to popular belief. Please take a moment to review our collection of ten stories of rising rents from ten buildings in Silver Spring, attached. It was conceived by

Item #10

a team of tenant leaders and developed by Megan Moriarty during her internship with IMPACT this summer.

3. **We have been talking unsuccessfully about affordable housing in Silver Spring for over 20 years.** A lot of good people are here tonight to argue at each other and at you because it is extremely difficult to create a shared vision for affordable housing, especially in this kind of setting where the sides win or lose in one specific situation. Through our nine year history, we've supported three different affordable housing action teams, each of which came to an end, either because the leaders were overwhelmed by the task at hand, team members could not agree on a common strategy or housing professionals dominated and discouraged the new, emerging leaders on the team. However, we learned many valuable lessons along the way, opening the door to a new and fresh approach.

What is IMPACT Silver Spring doing to help mount these challenges?

In partnership with others in our leadership network, we are committed to approaching the affordable housing issue from a different angle, in hopes we can help Silver Spring achieve a shared vision and solutions that can actually be realized. We have devoted our core leadership program to only residents and workers in apartment communities in Silver Spring. We recently embarked on a campaign to raise awareness among non-renters regarding the value of rental housing to each of us - as individuals and as a diverse community - through our Silver Spring Loves Renters campaign. We are also meeting one-on-one with key property owners to understand their concerns and engage them in a dialogue. With these efforts serving as a foundation, we hope to spark and help guide a new type of community-driven planning process and provide the platform needed for finding common value, vision and solutions.

What is our request to the Planning Board?

We ask you to take three steps: (1) Hold a small listening session with our recent leadership program graduates and participants, so you can hear first hand the concerns of renters in Silver Spring. (2) Hold a similar listening session with the property owners we are engaging. (3) Participate with us in developing a different kind of community planning process focused on preserving rental housing.

On a final note, I want to honor the passion and commitment of the preservationists who are speaking so clearly and effectively tonight. They must be included in a new and more creative conversation about affordable housing.

I also want to honor the work of Don Hague with Home Properties. Many do not realize his longstanding leadership role in our community, both as a real estate professional and as a concerned parent. Over eight years ago, in a previous job, he forged a new kind of partnership with a tenant leader at Woodside Manor on Georgia Ave and built a relationship of trust which allowed the two leaders to negotiate an agreement which benefited the tenants as well as the owner.

Thank you for your time and careful consideration of our request.

Sincerely,

Frankie Blackburn
Executive Director
IMPACT Silver Spring

Item #10

Frankie Blackburn
Executive Director
IMPACT Silver Spring
1313 East-West Highway
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MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

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FAX COVER SHEET

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

12/6/07
Date

TO: Chairman Hanson
Falklands today

FROM: Council member Elich
c/o Dale Tibbitts
240 777-7966

MESSAGE: For today's session

Number of Pages INCLUDING Cover Sheet: 3

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MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

MARC ELRICH
COUNCILMEMBER AT-LARGE

December 6, 2007

Dr. Royce Hanson
Maryland National Capital Park and Planning Commission
8787 Georgia Ave.
Silver Spring, MD 20910

Dear Dr. Hanson and Board Members,

I wanted to take a moment to share some thoughts regarding the matter of the Falkland Chase Apartments that are being considered for historic designation. I believe that it would be correct to support their designation on the Historical Atlas. Others will make the historic case more eloquently than I can, so I won't belabor those points that, I think, argue for its inclusion.

There are a number of other points that I think bear consideration. I am concerned that there is talk that two of the three complexes should be included, but not the northeast quadrant. If this project is indeed historic, then all three quadrants are historic – the northeastern quadrant no less than the others. I think that the designation of any, or all of the corners, comes down to a question of whether or not the project is historic. If the answer is yes, then all three quadrants meet the criteria and that is the fundamental question you have to answer.

The applicant suffers no financial hardship from the extension of historic status. The Falkland Chase complex is profitable right now, as it is, and after the renovations have been done – and the source for this information is the HOME's own documents. HOME followed the model of development that they have outlined, again in their documents: they invest in undervalued properties, add amenities and raise rents. Not designating one corner is not in any way essential to insuring the economic viability of the project as a whole.

This project does not result in a "no net loss of affordable housing." Only by creative accounting, can the owners make that claim. The last presentation I saw showed that the achievement of the so-called no net loss was accomplished by counting the preservation of affordability in other off-site units. If you look at the total number of units you start with, both at Falkland Chase and off-site as they propose, then the total at the end of the building process is a net loss. What HOME is saying is that you either allow them to count preserving other existing units as an offset to the Falklands, or they will end the affordable status of those off-site units when they get the opportunity. Hardly the position one would expect from an "affordable housing provider."

Approving this project does not prevent sprawl. First, a building such as this could not be built in most places in the County, particularly outside the urban centers, so it is not the case that this will get built here, or somewhere else. Beyond that, the County (unfortunately) has no policies in place that could lead to that conclusion because we lack the tools to say that the provision of

additional density here will be offset by a reduction of density in outlying areas. Allowing additional density here does nothing to reduce permitted density and development elsewhere in the County.

The destruction of a vibrant, successful, low-rise community is bad planning policy. It is simply not the case that a healthy urban core is achieved only when every scrap of land has been developed to the maximum extent. A vibrant community has a mix of housing, not a monolithic assemblage of high rises. And I'm concerned that the logic of turning this to high-rise use based on Metro proximity could then be used at every Metro station to tear down existing neighborhoods and build to the maximum density, whatever that is, if someone decides it is suitably close to a Metro. The loss of smaller more affordable apartment units, and the loss of small affordable business space when this logic is applied to commercial areas, will not result in livable walkable communities. Just up East-West Highway, opposite the Blairs, we have an example of a condo community built to a lower density that fits nicely along the road. Non-high-rise building can be built more affordably as well, making it easier to secure affordable housing stock without massive subsidies. But the important thing is that the replacement of the Falklands with a massive high-rise will not make Silver Spring a better, more livable community, but it will further reduce those things that provide relief and exist on a more human scale.

The proposed amenities follow in the County tradition of accepting worthless amenities. A grocery store is not an amenity in a community that has absolutely no shortage of grocery stores. An internal open space in that complex is absolutely worthless as an amenity to the rest of Silver Spring. No one is going to walk to the middle of this complex, on the impossible corner of 16th and East-West, with a grocery store that by itself will make traffic there immeasurable worse in the PM rush hour, and marvel at the open space and thank Park and Planning for "winning" such an amenity from the developer. The community gets nothing of value from this, but it will add significantly to traffic at the horrendous intersections at East West and 29, and 16th and East West. In addition, we should expect a substantial amount of traffic to head north on 16th toward the Beltway where it will merge into the two-lane back-up of cars trying to access the Beltway.

But the basics of it are that if this historic, then it's all historic. There is no hardship suffered by the developer because their properties are already profitable – not designating all or part of the complex as historic is not necessary to preserve the economic viability and therefore the survivability of the other historic structures. There are no amenities worthy of the name that will contribute to the well-being of Silver Spring, but there are serious implications for the roads that have to handle the traffic that this project will generate. Because of the limitations of our Metro system, we continue to struggle to get decent ridership from communities that adjacent to Metro. Unless you have a job in downtown Washington, Metro proximity has limited value and we will continue to have most occupants leaving these projects by car to get to work. Finally, it sets a precedent that should concern any neighborhood that is near a Metro – there are a lot of healthy, stable, good communities in this County that are great places to live, even if they weren't built to the "highest and best (a debatable term) use."

I urge you to support all three corners for inclusion in the Historic Master Plan.

Sincerely,

Marc Elich

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DEC 06 2007

MCP-Chairman

From: Deborah Royster [Deborah.Royster@comcast.net]
Sent: December 06, 2007 12:35 PM
To: MCP-Chairman
Cc: jpaige@paigeandassociates.com
Subject: Testimony of Civic League of North Portal Estates
Attachments: Testimony of Jerome Paige and Deborah M. Royster. December 6. 2007.doc

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

Dear Chairman Hanson:

On behalf of the Civic League of North Portal Estates, attached is proposed testimony for today's hearing on the proposed historic designation of the Falkland Chase Apartment Complex in Silver Spring, Maryland. We respectfully request that this testimony be incorporated into the record of this proceeding. Please do not hesitate to contact me if you have any questions. Regards. Deborah M. Royster

**Testimony of Jerome Paige and Deborah M. Royster
On behalf of
The Civic League of North Portal Estates
Before the Montgomery County Planning Board
December 6, 2007**

Good afternoon, Mr. Chairman and members of the Commission. Thank you for the opportunity to speak to you today about the proposed historic designation of the Falkland Chase Apartment Complex (“Falkland Chase”).

The Civic League of North Portal Estates represents the approximate 200 homeowners of the Washington, D.C. neighborhood of North Portal Estates, which is located immediately adjacent to Falkland Chase.

On November 13, 2007, The Civic League of North Portal Estates voted unanimously to recommend the inclusion of all three parcels of the Falkland Chase Apartment Complex to be determined eligible for inclusion on Montgomery County’s Master Plan for Historic Preservation. This recommendation is based on the unique historic and cultural significance of Falkland Chase, and on the potential adverse impact of the proposed development of the northern parcel of Falkland Chase on the surrounding Silver Spring and Washington, D.C. communities, including the neighborhood of North Portal Estates.

Falkland Chase is an important part of the Washington, D.C./Silver Spring community. Its historical legacy as one of the first large scale, federally financed workforce housing projects contributes to the rich socioeconomic diversity of our community. In addition, the architectural design and scale of the buildings are consistent with the character of the single family homes that dominate the bordering upper northwest communities of Shepherd Park and North Portal Estates. This design, characterized by abundant trees and green space, is aesthetically pleasing and creates a seamless appearance between the two jurisdictions of Washington, D.C. and Montgomery County.

We are very concerned about the potential adverse impact of the proposed development of Falkland Chase on the surrounding communities, including our neighborhood of North Portal Estates. This project would significantly increase the population density in an area that is already congested. In addition, traffic is a significant concern at the intersections of 16th Street and East-West Highway and Colesville Road, and it is likely to be exacerbated by the proposed project. The proposed development would also result in the significant loss of trees and green space that contribute to the unique beauty and culture of the hidden gem known as the “Northern Corner” -- the park-like setting adjacent to federal Rock Creek Park that is enjoyed by residents of the District of Columbia and Silver Spring alike.

**Testimony of Jerome Paige and Deborah M. Royster
Before the Montgomery County Planning Board
December 6, 2007
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This is not the first time that the residents of North Portal Estates have supported the preservation of Falkland Chase. In the 1970's, our residents appeared before the Montgomery County Council in opposition to a planned redevelopment of Falkland Chase. Fortunately, Montgomery County decided against proceeding with the project at that time. Once again, we urge you today to preserve the unique historic, cultural, and aesthetic legacy of Falkland Chase for the benefit of future generations.

Finally, we are mindful of the large number of new projects that are currently planned and/or under construction in Silver Spring. We urge you to be cognizant of the impact of Falkland Chase and other planned projects on surrounding residential neighborhoods, including the bordering Washington, D.C. communities of North Portal Estates, Shepherd Park, and Colonial Village. Although not directly within your jurisdiction, the quality of life in these communities is profoundly affected by development activities in Silver Spring that are within your purview. Washington, D.C. residents are beneficiaries of certain of these initiatives. For example, we applaud Montgomery County for its initiative in rebuilding downtown Silver Spring into a vibrant community center that we all enjoy. However, we urge caution in approving development projects that adversely affect the adjoining, well-established neighborhoods of Silver Spring and Washington, D.C. that are critical components of the rich historic, cultural and aesthetic character of the wonderful, shared community – irrespective of jurisdictional boundaries – that we call home.

We sincerely appreciate the opportunity to speak to you today about this very important issue. We would be pleased to answer any questions that you may have.

Contact Information:

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December 6, 2007

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

Dear Chairman Hanson:

Montgomery Housing Partnership (MHP) would like to write in support of Home Properties' efforts to redevelop the North parcel of the Falklands. Montgomery County is in desperate need of affordable housing as rents are rising beyond the reach of our long time residents. This affordable housing crisis is especially acute in Silver Spring where redevelopment efforts have had a dramatic impact on the price of housing.

MHP is the largest private, non-profit developer of affordable housing in Montgomery County, with over 1,050 units of multi-family and single-family housing in its portfolio. MHP is dedicated to enhancing the quality of affordable housing in the County, and we witness daily families in desperate need of an affordable place to live.

Home Properties' redevelopment of the Falklands not only provides such needed affordable housing, it also goes beyond what would otherwise be required. Currently, the North parcel of the Falklands provides 90 income-restricted units and 92 units that are somewhat affordable but not income-restricted. The redevelopment project would replace the 182 units one-for-one with 182 affordable and restricted units – providing not only replacement housing, but also insuring long term affordability.

In addition to these 182 affordable units, the developer has agreed to provide 100 units of workforce housing even though this is not a requirement. To provide such a large number of affordable and workforce units within walking distance to the Silver Spring Metro is a real benefit to the community and serves as a model for other redevelopment efforts in the county.

As a result, MHP supports Home Properties' project. Thank you for your consideration.

Sincerely,

Robert A. Goldman, Esq.
President



Working Together to Build Strong Communities

