

APPENDIX C



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

March 7, 2006

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

Re: Proposed Developments on Edson Lane, Rockville, MD
Site Plan 8-06005 - 5420 Edson Lane
Site Plan 8-06006 - 5500 Edson Lane
Site Plan 8-98010A - 5504 Edson Lane

Dear Chairman Berlage and Board Members,

I am writing regarding the proposed developments on the referenced properties. I am the property owner at 11109 Waycroft Way directly behind and adjacent to these three properties.

During the summer of 2005 I was notified by Site Solutions, Inc (SSI) that the owner of 5500 Edson Lane had submitted an application to develop this property. In early August I called MNCPPC's offices and was told Mary Beth O'Quinn was handling this site plan. After numerous attempts to reach her by phone (the voice mail was constantly full, so I was not able to leave messages) I visited her office in late August. She was not in but I was able to review some of the material on this development.

I was finally able to contact her and met with her on September 2. We discussed numerous aspects of the proposed plan. Specifically, the tree save plan, the landscape plan (primarily any proposed barrier along my property line), the lighting plan, the location and height of the proposed structure, the layout of the parking area and number of spaces, the placement of a dumpster and most importantly the proposed use of the facility. I conveyed to her at that time that I was very concerned about the landscape, lighting, height and dumpster issues but foremost was the proposed use, specifically the purpose of the "tourist homes" noted in the plan. She explained she had similar concerns on these issues and that she still needed answers to these items. She advised that she was no where near ready make a decision on this plan. A copy of her August 28, 2005 Memo to File on these issues is attached.

On November 16th I again spoke to Mary Beth on the status of the plan. She advised me the owner had just submitted a "composite plan" that she had not yet reviewed and that I should check back in 2-3 weeks. I should note that the composite plan is due to the fact that there appears to be common ownership of 5500 and 5504 Edson Lane. 5504 Edson Lane is an existing structure (built approximately 1999) and operates as the Wellness Center. The intent for the development at 5500 Edson Lane (to operate as the Peace Palace) will be to operate in conjunction with the Wellness Center. The legal owner of 5504 did apply to modify their site so as to share traffic flow and parking with 5500 Edson Lane.

In early December I called Mary Beth to check on the status of the plans. I advised her that our homeowners' association was meeting in mid December and I wanted to advise them on the status of



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THE
COUNCIL
OF INSURANCE
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Derick P. Berlage, Chairman
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Page 2

these developments. On December 7th I met with Mary Beth and Kristin O'Connor. In attendance at that meeting was my brother Dennis Cassidy who is the president of the Wickford Homeowners Association. In scheduling this meeting Mary Beth advised she could discuss all *three* proposed developments. I told her I was completely unaware of the third development at 5420 Edson Lane. I have attached a copy of my e-mails to her which confirm this. I was never notified by (SSI) of any proposed development at this location. The Wickford Homeowners Association has been notified of changes surrounding the area, the development at Georgetown Prep, the proposed development at the ASHA property and other smaller changes in the area. Yet we were not notified of any of the changes that are proposed at all three of these locations which directly adjoin our community.

At this December 7th meeting we again discussed all of the issues that I presented at my September 2nd meeting with respect to 5500 Edson Lane. All of these same issues were also discussed as respects 5420 Edson Lane. Mary Beth confirmed that most of these issues were still outstanding at 5500 Edson Lane and that she still had unanswered issues on 5420 Edson Lane. She provided me a copy of her Memo to File on this location dated September 12, 2005 (copy attached). We discussed in detail the following items on both properties:

1. Height of each of the proposed structures. I could not get a firm answer as to where and how elevation was measured and whether the proposed height was allowed.
2. The landscaping plan. I did not see where the 5500 Edson Lane plan had been amended to improve the barrier at the common property line which was in the August 28th memo. The 5420 location did not have a landscape plan but I expressed similar concerns as respects any proposed plan.
3. Lighting. It was my understanding that neither of the locations had submitted sufficient detail as respects location and type of lighting.
4. Dumpsters. Both locations proposed placing dumpsters close to my property line. I am strongly against this due to the potential for rats, which have been a problem in our community and noise from emptying them. Given that neither of the owners had submitted a project description which would outline the intended use of these buildings, I did not know what these dumpsters would contain or how often they would need emptying.
5. As noted in number 4 neither of the owners had submitted project descriptions. During this meeting it was difficult to put either of the proposed plans in any context due to not understanding the intended occupancies. More importantly, there was still no answer to the intended use of the "tourists homes" referenced at the 5500 Edson Lane location.

Shortly after our December 7th meeting, my brother tried to reach Mary Beth to clarify several items and learned she was on extended leave. In late January I tried to contact her and found she was still on leave. At the end of February I tried again to contact and she was still out. Her e-mail gave me two other people to contact; one was Michael Ma who was also out on extended leave. I then left a message for Rose Krasnow who advised me that Kristin O'Connor would be handling the case. Kristin called me to advise

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that Robert Kronenberg would actually be handling the case and she arranged a meeting for the three of us on March 1st.

My brother and I met with Kristin but Robert was out that day. We once again reviewed all of the same issues as in my previous two meetings. Items 1 – 5 noted above still were unresolved except that SSI had submitted a project description for 5420 Edson on February 24, 2006. Kristin could not find a copy of a project description for 5500 Edson Lane. In reviewing the files for both properties, Kristin agreed that it did not appear that any of the issues I had raised going back to early September 2005, and noted in Mary Beth's Memos to File had been effectively addressed. One of the staff members with expertise in landscape reviewed the files with us and agreed that improvement was needed, not only in the proposed barrier at my property line but throughout both lots. Subsequent to this meeting I did receive a fax from Kristin of a letter from the attorney handling all three of these plans. The letter was dated February 28, 2006 and is the project description which outlines the possible uses of the property at 5500 Edson Lane. I say possible uses since it lays out several scenarios at this location, one of which is a school which raises additional questions. It does not identify how they intend to use the tourist homes, which to me appear effectively to be a motel use which is not permitted in a C-T zone.

I set my meeting for March 1st on February 27th and was advised at that time that both of these plans were set to go to the Planning Board on March 30th. I fail to understand how these proposed developments can be ready to be presented to the Board. I have been actively involved with the staff at MNCPPC since I first learned of these proposed developments. I have identified numerous specific concerns with these plans which were also concerns of staff. I have had multiple meetings with staff and the plans presented to me at the March 1st meeting are nearly identical (lighting, landscape, parking, etc.) as the plans in the file dating back to early September 2005. None of them appear to have been addressed with or by the owners. In fact, it appears that these site plans were scheduled to be heard by the Planning Board before the owners of 5500 Edson Lane had even submitted a project description.

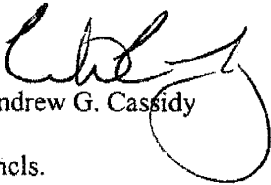
When I purchased my home in January 2000 I understood the adjoining properties on Edson Lane were zoned C-T. I accepted the fact that the single family residence use would likely change, and the current owners of the Wellness Center are good neighbors. But the proposed developments (in their current form) at 5500 and 5420 Edson Lane at the same time present a significant change from my (and my neighbors) perspective which could be mitigated by adequately dealing with my (and staffs) concerns presented in this letter.

I cannot determine if the staff at MNCPPC has effectively presented these issues to the owners or whether they have been presented and simply ignored, but there has been ample time to do so and nothing has been done. As a property owner in the Wickford Homeowners Association I absolutely oppose these plans going before the board on March 30th until these issues have been adequately addressed. Our Association has taken the same position.

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As time is of the essence, I would appreciate an immediate response to my letter.

Sincerely,



Andrew G. Cassidy

Encls.

cc: Dennis M. Cassidy, President, Wickford Homeowners Association

Montgomery County Planning Board:

Wendy C. Perdue, Allison Bryant, Ph.D., John Robinson, Meredith K. Wellington

Montgomery County Council:

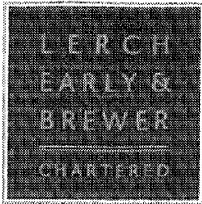
George Leventhal, Phil Andrews, Mike Knapp, Tom Perez, Howie Denis,

Marilyn Praisner, Steve Silverman, Mike Subin, Nancy Floreen

William Chen, Esq.

Robert Kronenberg

Steven A. Robins, Esq.



ATTORNEYS

STEVEN A. ROBINS
DIRECT 301.657.0747
SAROBINS@LERCHEARLY.COM

February 28, 2006

BY HAND DELIVERY

Robert Kronenberg
Development Review
Kristin O'Connor
Community Planning Division
Maryland-National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20850

MAR 1 2006

Re: Vedic Center/Site Plan Amendment No. 8-98010A

Dear Mr. Kronenberg and Ms. O'Connor:

On behalf of our client, Maharishi Global Administration Through Natuaral Law (the "Applicant"), we are submitting the revised site plan amendment and related materials for review by Staff and the Planning Board for property located at 5504 Edson Lane with an existing facility better known as the Vedic Center or the Wellness Center (the "Property"). This submission is based, in large part, on certain revisions to the proposed site plan on the adjacent property for the Global County of World Peace, applicant for Site Plan No. 8-06006.

The site plan for the Wellness Center has been revised to reflect one internal driveway connection with the Peace Palace property instead of two connections (as shown on the previously filed plan). The revised site plan also continues to propose the following uses in the Wellness Center:

- 3,770 square feet of office/commercial and 1,800 square feet of clinic space.
- 1 tourist home unit.

These uses generate 15 AM and 18 PM peak hour trips and are significantly less than the 30 trips needed to trigger a Local Area Transportation Review analysis. The number of parking spaces that are needed to support this development use program is 21 spaces. A total of 20

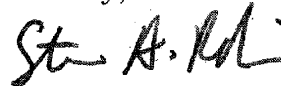
Robert Kronenberg
Kristin O'Connor
February 28, 2006
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parking spaces will be provided on the Property and one parking space will be provided by easement on the adjacent Peace Palace property for use by the Wellness Center.

Finally, as part of this revised site plan, the Applicant also will remove the brick wall located in front of the Property in conjunction with the removal of the wall in front of the Peace Palace property. Site distance and visibility for vehicles and pedestrians will be greatly enhanced once the wall is removed.

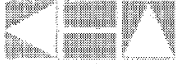
We look forward to presenting the site plan amendment to the Planning Board. Please notify us of the proposed Board date and if there is any other information you need regarding this submission. Thank you in advance for your consideration regarding this matter.

Sincerely,



Steven A. Robins

Cc: Jeffrey Abramson
Alfred Blumberg II
Edward Papazian



Kimley-Horn
and Associates, Inc.

MEMORANDUM

To: Steven A. Robins, Esq.
Lerch, Early & Brewer

From: Edward Y. Papazian, PE *EYP*

Date: February 27, 2006

Subject: Vedic Center-5504 Edson Lane
Updated Traffic Statement

■
Suite 400
13221 Woodland Park Road
Herndon, Virginia
20171

This memorandum serves as an updated traffic statement for the site plan amendment for the Vedic Center located at 5504 Edson Lane in North Bethesda. This updated statement reflects modifications made to the previously submitted site plan amendment.

The proposed amendment will result in 3,770 square feet of office space, 1,800 square feet of clinic space, and 1 guest room. Peak hour trips were estimated based on the Local Area Transportation Review (LATR) Guidelines for the office and the ITE Trip Generation Report for the clinic and guest rooms.

The resulting AM and PM peak hour trips are shown below.

Vedic Center Trip Generation						
	AM Peak Hour			PM Peak Hour		
	In	Out	Two-way	In	Out	Two-Way
Office 3,770 SF, from LATR Guidelines	4	1	5	1	7	8
Clinic 1,800 SF from ITE Trip Generation Land Use Code 630	5	4	9 ²	4	5	9 ¹
Guest Rooms 1 Unit, from ITE Trip Generation Land Use Code 311	1	0	1	0	1	1
Total	10	5	15	5	13	18

¹ PM peak hour trips obtained from trip generation table based on 1,000 gross square feet.

² AM peak hour trips were assumed to be the same as PM peak hour trips.



The resulting AM and PM peak hour figures of 15 and 18 respectively are less than the 30 trips needed for an LATR review. Accordingly, as noted in the LATR Guidelines, the proposed Vedic Center will have no measurable traffic impact on the local area and a traffic study is not needed.

The number of parking spaces that is needed to support this development program is 21. A total of 20 parking spaces will be provided on this property and one parking space will be provided in an easement at the next property to the east at 5500 Edson Lane.

As part of this site plan amendment, the wall along Edson Lane at the edge of the property will be removed. The wall needs to be removed mainly due to the existing safety deficiencies. There is inadequate sight distance for drivers exiting the property. The existing wall serves as a barrier that prevents exiting drivers from seeing vehicle traffic along Edson Lane and pedestrians along the sidewalk along the south side of the street. The wall was erected at the time the properties along Edson Lane were single family residential units. With the changes in the uses on these properties, the trips resulting from these changes are increased resulting in a greater sensitivity to the sight distance issue. Of secondary importance, the wall needs to be removed to assure visibility of signage that identifies the use on the property for people walking or driving along Edson Lane.

PREPARED AND PROVIDED BY:



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D'ANNA CHESHMEDIEV

REVISIONS

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1 DC 12/18/05

APPROVED BY:

DATE

SIGNATURE

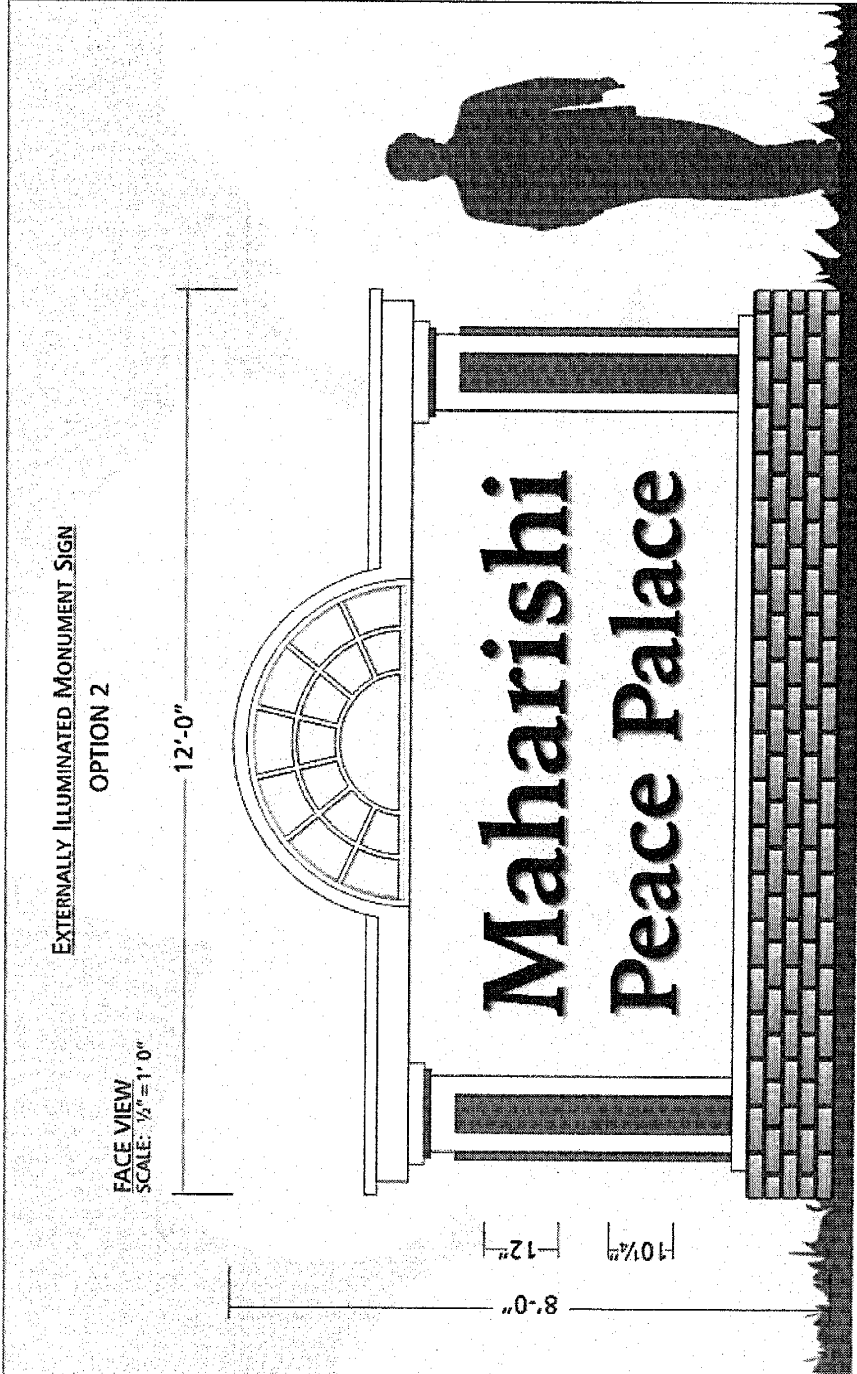
PRODUCTION

DATE/LOCATION

NOTES

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1772-0-DC Maharishi Peace Palace (Monument Sign)



- Black Letters
- PMS 4715C
- PMS 4685C
- White Trim & Columns

1772-0-DC Maharishi Peace Palace (Monument Sign)



CHECKLIST Site Plan / Project Plan Review

Plan # **81998010A** Name: **WELLNESS CENTER**

Zone: **C-T** Tract Area: **0.53 AC.** Proposed Use: **OFFICE, TOURIST HOME CLINIC**

Number of Units: **1** TOURIST HOME square Footage: **7,570** **SP**

Development Method: **STANDARD** Other: _____

Referral Comments:

M-NCPPC

	Staff	Date
Transportation	EA	3/6/06
Environmental	AL	10/24/05
Community Planning	KO	3/6/06
Historic Planning	N/A	_____
Park Planning	N/A	_____
Research/Housing	N/A	_____

Other Agencies

	Staff	Date
SHA	N/A	_____
DPS (SWM)	RB	10/30/97
DPS (Traffic)	SN	4/6/06
Public School	N/A	_____
Utility	RS	10/24/05
Fire & Rescue	JF	2/15/06
DPW & T	_____	_____

Development Standards / Requirements

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Zoning Requirements | <input checked="" type="checkbox"/> MPDU Calculation | <input checked="" type="checkbox"/> Building Restriction Lines |
| <input checked="" type="checkbox"/> Development Data Table | <input checked="" type="checkbox"/> TDR Calculation | <input checked="" type="checkbox"/> Building Height |
| <input checked="" type="checkbox"/> Recreation Calculation | <input checked="" type="checkbox"/> Timing/Phasing Conditions | <input checked="" type="checkbox"/> Master Plan Conformance |

Prior Approvals

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Development Plan | <input checked="" type="checkbox"/> Preliminary Plan | <input checked="" type="checkbox"/> Prior Site Plan Approvals |
| <input checked="" type="checkbox"/> Record Plat | | |

Community Input

- Civic Association
- Individuals **Early, Cassidy and Schilling, Rolanda Berry**

Supervisor Review _____

Chief Review _____