

GOVERNMENT OF THE STATE OF MARYLAND

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THE MARYLAND-NATIONAL CAPITAL PARK  
AND PLANNING COMMISSION

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THE MONTGOMERY COUNTY PLANNING BOARD

+ + + + +

PUBLIC HEARING

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IN THE MATTER OF: :  
 :  
BETHESDA DOWNTOWN :  
SECTOR PLAN :  
 :  
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Wednesday,  
June 24, 2015

Bethesda Chevy Chase  
Regional Service Center  
4805 Edgemoor Lane  
Bethesda, Maryland

The Public Hearing by the Montgomery  
County Planning Board convened at 2:00 p.m.,  
Casey Anderson, Chair, presiding.

PLANNING BOARD MEMBERS PRESENT:  
CASEY ANDERSON, Chair  
MARYE WELLS-HARLEY, Vice Chair  
NORMAN DREYFUSS, Commissioner  
NATALI FANI-GONZALEZ, Commissioner  
AMY PRESLEY, Commissioner

STAFF PRESENT:

LESLYE HOWERTON, Planning Coordinator, Area 1

MARC DEOCAMPO, Master Planning Supervisor, Area 1

ROBERT KRONENBERG, Chief, Area 1

LAURA SHIPMAN, Senior Planner, Urban Design,  
Area 1

MATT FOLDEN, Planner Coordinator, Area 1

TINA SCHNEIDER, Senior Planner, Environment,  
Area 1

RACHEL NEWHOUSE, Park Planner, Parks Department

GWEN WRIGHT

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Adjourn

1 P-R-O-C-E-E-D-I-N-G-S

2 (2:15 p.m.)

3 MS. HOWERTON: For the record, Leslye  
4 Howerton, Project Manager for the Bethesda  
5 Downtown Sector Plan. I would like to open the  
6 hearing by reading a statement of submittal to  
7 the record that describes all the documents that  
8 make up the official public record.

9 The following plans will be amended by  
10 the Bethesda Downtown Sector Plan. This plan  
11 contains the text and supporting maps for a  
12 comprehensive amendment to the approved and  
13 adopted 1994 Bethesda CBD Sector Plan, and the  
14 2006 Woodmont Triangle Amendment to the 1994  
15 Bethesda CBD Sector Plan.

16 It also amends the general plan for  
17 the physical development of Maryland Washington  
18 Regional District in Montgomery County and Prince  
19 George's Counties. As amended, the Master Plan  
20 of Highways and Transitways within Montgomery  
21 County, the Purple Line Functional Plan, the  
22 Countywide Bikeways Functional Master Plan, the

1 Master Plan for Historic Preservation, and the  
2 Bethesda/Chevy Chase Master Plan.

3 Transmittal letters along with a copy  
4 of the public hearing draft document were sent to  
5 the County Executive, his staff, and all  
6 pertinent county agencies within the Executive  
7 Branch. And they were received on May 26, 2015.

8 The Notice for the Public Hearing was  
9 placed in the Washington Post, which I have a  
10 copy here. The ad appeared in the Washington  
11 Post on Monday, May 25th, 2015. This is a copy  
12 of the newspaper ad, along with the certified  
13 public hearing notice for the newspaper.

14 A transcript of today's public hearing  
15 is being recorded and will be available to the  
16 public in the next few weeks on the Bethesda  
17 Downtown website.

18 The Planning Board Commissioners have  
19 been provided a hard copy of the staff memo,  
20 along with all correspondence received from the  
21 public and government agencies between staff  
22 draft presentation that took place on May 21st,

1 2015, to June 18th, 2015. That's the small  
2 binder, Commissioners. This is included in the  
3 agenda item posted on the Planning Board's  
4 website.

5 In addition, the Planning Board has  
6 been provided all correspondence received to  
7 date, on the project, since the start of the  
8 project in January 2014. This is this large  
9 binder here, Commissioners.

10 Staff recommends that the public  
11 record remain open for one week from today to  
12 allow for additional correspondence on the  
13 Bethesda Downtown Sector Plan. That would be  
14 July 1st.

15 This completes the statement of  
16 submittal to the record.

17 CHAIR ANDERSON: Okay. So without  
18 objection the record will be open for a week.  
19 That means anybody who brought written testimony  
20 that was not submitted in time for our deadline  
21 for that to make it to the Board in these  
22 notebooks, you can email it to us or leave it

1 with one of the staff here.

2 And that will get into the record,  
3 even though we can't read it live here. Because  
4 we do not have time to get that into the binder.  
5 Okay?

6 Mr. Ossont.

7 MR. OSSONT: Thank you, Mr. Chairman,  
8 All set?

9 Good afternoon, Commissioners. Greg  
10 Ossont, Deputy Director, Department of General  
11 Services, testifying on behalf of County  
12 Executive, Leggett.

13 Thank you for the opportunity to  
14 comment on the public hearing draft of the  
15 Bethesda Downtown Plan. We appreciate the time  
16 and effort that the Planning Board and staff have  
17 invested in developing this comprehensive plan.

18 Many of the recommendations compliment  
19 the County Executive's commitment promoting  
20 targeted redevelopment opportunities that create  
21 healthy, sustainable communities while preserving  
22 existing affordable housing, and creating

1 opportunities for additional affordable housing.

2 We look forward to working with  
3 planning staff on the technical elements of the  
4 plan. We would like to highlight a few items for  
5 your consideration today.

6 As you are aware, there are concerns  
7 regarding the Bethesda Fire Department, Inc.,  
8 property at 6600 Wisconsin Avenue or Fire Station  
9 6. Fire Station 6 is not a county owned property  
10 and any concept plans prepared or presented to  
11 the Planning Board by Bethesda Fire Department,  
12 Inc., are not representative of county plans.

13 Montgomery County Fire and Rescue  
14 Service is charged with supervision and  
15 operations of all the county's fire stations.  
16 The MCFRS will closely monitor any proposed  
17 changes to the property.

18 Redevelopment of county owned Parking  
19 Lot District, or PLD Parking assets, should be  
20 considered but particular attention should be  
21 given to the relative scale of development in  
22 relationship to adjacent land uses.



1                   Additionally, the Board should  
2                   consider the important matter of public versus  
3                   private cost assignment. In particular where the  
4                   plan references underground parking structures.

5                   While the county supports context  
6                   sensitive redevelopment of PLD Parking Lots, the  
7                   county does not anticipate any additional surface  
8                   or structured parking capacity in Bethesda at  
9                   this time.

10                   Any development or redevelopment of  
11                   PLD lots would require private contributions for  
12                   the replacement of publicly owned parking.

13                   In addition to county owned parking  
14                   facilities, the plan should consider potential  
15                   redevelopment opportunities for other county  
16                   owned land and facilities to create opportunities  
17                   for assemblage and public---private partnerships.

18                   As you are aware, the county has  
19                   entered in the public-private partnerships to  
20                   facilitate needed investment in new public  
21                   facilities.

22                   Redevelopment of public owned land

1 should fully consider public and private cost  
2 assignments, and of course consider scale and  
3 compatibility with adjacent neighborhoods and  
4 land uses. The Board may consider adding the  
5 private sector to the list of potential partners  
6 in Section 4.6.

7 As is the case with all Master Plans,  
8 the Board should consider impacts within and  
9 outside the sector plan area. The network and  
10 mobility in general should be considered. And  
11 should consider roadway and transit adequacy as  
12 well as many potential impacts to changes in the  
13 transportation network that might have impacts to  
14 emergency response times.

15 Intersections within and immediately  
16 outside the plan area should be considered in  
17 this analysis. The emerging centers identified  
18 in the plan are not necessarily new areas, but  
19 have not redeveloped at the same pace as some  
20 other areas in the plan.

21 Many of the properties in these areas  
22 have unique site conditions that should allow for

1 additional height with appropriate transitions.  
2 Ultimately these areas need to be flexible enough  
3 to attract new investment and to allow  
4 appropriate redevelopment opportunities.  
5 Delivering public benefits like creation of  
6 gateways --

7 CHAIR ANDERSON: I really hate to cut  
8 you off, but if we don't, we're going to have a  
9 big problem.

10 MR. OSSONT: That's fine, it's been  
11 said. Thank you.

12 CHAIR ANDERSON: Thank you.

13 Okay, Fred Cecere.

14 MR. CECERE: Thank you. My name is  
15 Doctor Fred Cecere, Council Member for the Town  
16 of Chevy Chase and I'm pleased to testify. Thank  
17 you for inviting us.

18 We've submitted our written testimony  
19 and I'm only going to summarize our key points.  
20 First, I want to thank the staff for a job well  
21 done. I think in the entire Bethesda Sector  
22 Plan, you've recognized the importance of a

1 vibrant community for those who work, reside, and  
2 travel to the greater Bethesda community.

3 Moreover, you've demonstrated that, by  
4 creating a series of centers of activity,  
5 especially along the Wisconsin Avenue District,  
6 and Pearl Street, we can not only have that, but  
7 maintain the character of our own unique  
8 communities, which I think is very important to  
9 make this a really attractive area for all of us.

10 We are committed in the town, and I  
11 say this for myself, for the mayor, and for the  
12 entire council, to work with the Board, the  
13 staff, our sister communities, business leaders,  
14 political leaders, and developers to continue to  
15 really participate in the building of this  
16 vibrant Bethesda.

17 We noticed that the staff plan is  
18 based on principles, four of which are,  
19 strengthening the centers of activity, developing  
20 pedestrian/bike corridors, focusing on the need  
21 for public and private greenspace, and for  
22 allowing the perpetuation of our community held

1 values and the character of our communities. We  
2 want to thank you for that.

3 Everyone agrees we need some more  
4 greenspace. Parking Lots 10 and 24 create a  
5 unique opportunity to expand that greenspace.  
6 The town submitted the Bethesda Commons plan, we  
7 urge you to look at it and adopt it. We'll be  
8 happy to discuss it and talk about the  
9 proportionality.

10 But what it would allow is a  
11 greenspace that not only would exist associated  
12 with the Farmers' Market and with Elm Park, but  
13 would be become a greenway that could connect  
14 right through the Bethesda Crescent Trail, and  
15 create almost a High Line, like experience.

16 So that as we bring visitors to  
17 Bethesda, there's actually a destination to go  
18 all the way out to the trestle in Connecticut  
19 that would allow us to actually have a  
20 destination for those people coming in to  
21 conventions or whatever within the area.

22 We do recognize that this will take a

1 great deal of planning and that also incorporates  
2 the Pearl Street District, in that we believe  
3 Bethesda Commons and the Pearl Street District  
4 need to get connected by that Crescent Trail.  
5 And maybe actually access to the Crescent Trail  
6 from the Pearl Street, Montgomery side, so that  
7 you actually increase that ability.

8 There are very significant  
9 implications for infrastructure needs in this  
10 development. Pedestrian safety infrastructures,  
11 and we're very interested in the Fire and Rescue  
12 Services.

13 We support all the staff  
14 infrastructure recommendations. We'd like to see  
15 more innovations in infrastructure, street  
16 traffic flow, utility requirements, fire and  
17 safety, facility needs.

18 And we pledge to collaborate with all  
19 stakeholders to try to get this accomplished.

20 Thank you.

21 CHAIR ANDERSON: You might just call  
22 out 30 seconds to people.

1 MS. HOWERTON: Okay.

2 CHAIR ANDERSON: Just so they'll know  
3 that they're getting close.

4 MS. HOWERTON: No problem.

5 CHAIR ANDERSON: And ready.

6 MS. REA: I'm Allison Rea. My family  
7 has owned our property at 7607 Old Georgetown  
8 Road since 1939, with my mother 94, and an aunt  
9 92, being the current holders.

10 For the past two decades, it has been  
11 the location of La Madeleine, a proper retail  
12 destination that has been serving the residents  
13 or person visitors of the area, well.

14 While our property remains a great  
15 income producing property, with the owners  
16 advancing in age, and certainly with the  
17 comprehensive study of this sector plan, our  
18 family would be remiss not to explore what higher  
19 and better uses might be made of this property in  
20 the future.

21 With frontage on Old Georgetown Road  
22 and Commerce Lane, and being 250 steps away from

1 the Bethesda Metro, the property is accessible by  
2 mass transit car, bike, or foot. In every sense  
3 this is an urban location at the core of the  
4 downtown area.

5 Because of its urban location and  
6 adjacency to the Metro, we believe that the site  
7 should be planned and zoned for the maximum  
8 density and height recommended for the downtown  
9 area, which we understand under CR zoning would  
10 be a FAR of 8, and a building height of 300 feet.

11 Because this site is relatively small  
12 and somewhat constrained, building height and  
13 density is imperative. We're told by those who  
14 understand urban development better than we do,  
15 that because of its size, our property is most  
16 likely best suited for residential or hotel use,  
17 above retail area, above street level retail.

18 We are looking for this comprehensive  
19 planning process to provide the incentive for  
20 urban redevelopment of this property. We truly  
21 believe that the location is such that the  
22 redevelopment would serve as monumental part of



1 the urban fabric that will be Downtown Bethesda.

2 In our one story building, La  
3 Madeleine has been and continues to be a  
4 wonderful and successful part of the Downtown  
5 core. But it would be a lost opportunity not to  
6 consider a more urban utilization during the 20  
7 years envisioned by the Sector Plan.

8 La Madeleine is under lease and will  
9 continue at this location for the foreseeable  
10 future. And we have no immediate plans for any  
11 other use of the property. However, we  
12 frequently receive inquires as to its  
13 availability for redevelopment and look forward  
14 to further contemplating more urban utilization  
15 that we expect to occur with appropriate  
16 densities and heights assigned to this planning  
17 process.

18 It is not hard to shut one's eyes and  
19 imagine a lovely iconic high-rise building on  
20 this property, helping to define Downtown  
21 Bethesda skyline. And it is similarly easy to  
22 imagine that in that same vision having La

1 Madeleine or a similar type of ground level  
2 retail use --

3 MS. HOWERTON: Thirty seconds.

4 MS. REA: -- also helping to shape and  
5 activate the streets at the core of this Downtown  
6 area. This is an important site for Downtown  
7 Bethesda, and we ask that the zoning, right  
8 zoning be in place to allow the market forces to  
9 control the ultimate destiny of the property.  
10 Thank you, whew.

11 CHAIR ANDERSON: Mr. Carney.

12 MR. CARNEY: Good afternoon, Chairman  
13 Anderson and other Commissioners. My name is  
14 Simon Carney and I work with the Brookfield  
15 Property Partners.

16 Brookfield is the owner of Three  
17 Bethesda Metro Center, including the Metro Plaza  
18 pursuant to a long term ground lease with La  
19 Moda.

20 I'm here to speak today in support of  
21 the new draft Sector Plan for the Bethesda CBD,  
22 especially with respect to the recommended

1 improvements to the Bethesda Metro Center.

2 In recent years, other parts of  
3 Bethesda have seen major Master Plan changes  
4 promoting redevelopment and greater densities and  
5 heights than envisioned at the time of this  
6 original plan.

7 In the meantime the Bethesda Metro  
8 Center area remains stagnant. The recent rewrite  
9 of the zoning ordinance and this public hearing  
10 draft recommendation for the site, to keep the  
11 same recommended densities, but to allow for  
12 greater heights will provide the Metro Center  
13 with the opportunity to create a new self-funded  
14 mixed use development without requiring  
15 additional infrastructure or adversary impacts on  
16 the environment or surrounding Bethesda  
17 community.

18 The importance of the location and the  
19 transportation access to this site, cannot be  
20 overstated. The site sits at the Main Street  
21 intersection in Bethesda and directly atop of the  
22 Bethesda Metro Station on Metro's Redline. And

1 the best bus service in the entire Western  
2 Montgomery county.

3 Sites like this, on top of multi-modal  
4 transportation systems, represent the most  
5 desirable ways in which to ensure greater public  
6 use of public transportation. Our plans for the  
7 site will enhance the other multi-modal  
8 operations with new bike stations, bike storage  
9 facilities, 2:29:21 finding for pedestrians and  
10 improvements to the bus bay below.

11 Speaking of the bus bay, we have been  
12 in discussions with a number of Bethesda  
13 organizations as well as La Moda, to identify  
14 improvements to the Bethesda bus station area.  
15 It is safe to say that the results will be a  
16 significant improvement over the state of affairs  
17 as they exist today.

18 One of the goals in the new Sector  
19 Plan is to achieve new measures of sustainable  
20 design. Redevelopment of this property, which is  
21 now largely covered in bricks, will result in no  
22 loss of trees and no impact on streams or

1 wetlands. It would create no new impervious  
2 areas.

3 Rather, it will add to the storm water  
4 management facilities that are now non-existent.  
5 LEED design will be incorporated. And then while  
6 not specifically required by the current draft of  
7 the plan, Brookfield is committed to a major  
8 upgrade to the Metro Plaza for the community.

9 In addition to providing for quality  
10 retail, our plan includes the creation of a  
11 Bethesda Central Park to serve as a living room  
12 for all of Bethesda for artistic and community  
13 events.

14 And finally, our neighbors to the  
15 north, Clarke Construction have actively  
16 undertaken a campaign to prevent development near  
17 its own building. Members of the community have  
18 been presented with the false choice of selecting  
19 either a building or a greenspace at this  
20 location.

21 Not surprisingly, many people will  
22 choose open space. The reality however, is that

1 the new development at the Metro Center will  
2 achieve both, new transit-oriented development  
3 and significantly improved open space. It is not  
4 an either-or scenario.

5 We ask that you not let such  
6 individual interests interfere with the overall  
7 county land use policies and the sector planning  
8 goals for a truly sustainable Downtown. Thank  
9 you.

10 CHAIR ANDERSON: Mr. Kaplan.

11 MR. KAPLAN: Thank you, Chairman  
12 Anderson and the Commissioners for the  
13 opportunity to speak to you today. And a special  
14 shout-out to Gwen, Robert and Leslye and the  
15 entire staff of Park and Planning. This is not  
16 easy work and you did a fantastic job.

17 So I'm here to talk to you today, and  
18 please refer to the slides up here, about  
19 Bethesda Gateway. We control a site at the  
20 corner of East-West and Montgomery Avenue. And  
21 this is identified on the Sector Plan as an  
22 emerging center. It's not transitional, not up

1 against housing. But one of the very few gateway  
2 sites to Bethesda.

3 We have a unique opportunity as you  
4 know, Streetscape chooses very few projects to  
5 work on. Really wants them to be  
6 transformational. And we spent a year working  
7 with Park and Planning staff, very cooperatively.  
8 We share the same vision.

9 We initially, obviously, proposed the  
10 building a little higher. They suggested lower,  
11 and we agreed. As you can see the buildings are  
12 very high.

13 But through a fate of history, 1970  
14 there was plan that this entire area, the Pearl  
15 District should all be the same zoning. And  
16 every commercial developer went and did what they  
17 needed to do to get the same zoning. Three  
18 individual home owners did not.

19 So as a result of a fluke, we have a  
20 1.5 FAR that's been up-zoned to 2 FAR. And we're  
21 supposed to build a Gateway building, and that  
22 kind of is a mismatch between the vision which we

1 all share and the reality of this site.

2 We specialize in pedestrian  
3 orientation. Most of you know my history of 20  
4 years ago, starting Bethesda Row, and the ten  
5 phase plan that now others have taking to plan,  
6 15th Place, 15th.

7 But really this is not only the  
8 terminus of three blocks that don't currently  
9 work in a pedestrian way, but it's also the  
10 beginning of three blocks. How do you make those  
11 things happen?

12 One, you invest a lot of money. You  
13 do sustainable landscaping, and you do a very  
14 high quality, very high-end fence. You really  
15 activate that corner. That's a critical corner  
16 at the end of Western Montgomery. It's the first  
17 thing you'll see. You need to spend a lot of  
18 money to do that work, prepare to do that.

19 But while we support the density  
20 transfer, you can't have a density transfer and  
21 buy FAR in emerging centers, and get the quality  
22 we're all looking for. And the type of



1 architecture materials we'd like to use, while  
2 also being burdened with this fluke of a 1970  
3 event, having to purchase FAR.

4 You can see kind of a very stylized  
5 building. It really does show up right at the  
6 corner. Next. And this is the vision. This is  
7 not --

8 MS. HOWERTON: Thirty seconds.

9 MR. KAPLAN: I'm going to end early.  
10 This is not chess. These are not examples but  
11 they are gateway buildings and you can really do  
12 something dynamic here with a corner, with  
13 activating and creating, so that ten years from  
14 now we all look and say, hey, this is an existing  
15 center, it's not an emerging center. Thank you  
16 very much.

17 CHAIR ANDERSON: Thank you. Okay, if  
18 we can get Michael Miller, Steve Robbins, Stacy  
19 Silber, Michael Brodsky and I think we'll stop  
20 there for the moment.

21 And I should say that there are a  
22 number of land use lawyers who signed up for

1 multiple slots, and I think, I remember the  
2 community asking about that. I understand the,  
3 you know, the desire to make sure that community  
4 members come first in line.

5 We try to be as fair as we can about  
6 assigning these slots. Some of the lawyers  
7 involved with the center, there are so many  
8 parcels in Bethesda, that they represent multiple  
9 clients involved in multiple properties.

10 I'm going to ask the lawyers,  
11 particularly when they've got multiple  
12 properties, the quicker you can move through  
13 those we really would appreciate that. Obviously  
14 we want to make sure that people in the community  
15 have a chance to be heard. And we know that you  
16 will send us written materials and other matter  
17 that you may consider helpful to the staff in  
18 helping us work through this plan.

19 So we'll start with Mr. Robbins. Oh,  
20 no. I'm sorry, we'll start with Mr. Miller.

21 MR. MILLER: I'm here today  
22 representing the owners of Battery Lane

1 Apartments which is at 4887 Battery Lane, off the  
2 corner of Battery Lane and Woodmont Avenue. And  
3 Strathmore Apartments at Woodmont Avenue and  
4 Strathmore Street.

5 These properties have been owned by  
6 the same partnership and group of families for  
7 over 30 years. We have a critical opportunity  
8 for Bethesda and it should not be squandered.  
9 The opportunity, specifically, is to create  
10 affordable housing units in perpetuity versus  
11 incentivizing the current owner to seek  
12 alternative uses for what planners currently  
13 characterize as naturally occurring affordable  
14 housing.

15 The apartments which they are  
16 referring to carry no jurisdictional or other  
17 legal requirement to offer what is considered  
18 affordable housing.

19 The current draft plan provides for  
20 minor additional FAR with the intent of  
21 transferring an FAR and using the monetary  
22 proceeds from that transfer to reinvest in the

1       decaying infrastructure within our buildings.

2       This is not going to happen.

3                 Not permitting substantial extra  
4       density sitting on such a uniquely situated and  
5       valuable parcel of land, which in the case of  
6       Battery Lane is two acres with no single family  
7       homes in the general vicinity, and backing up  
8       directly to NIH, is not in keeping with the goal,  
9       creating affordable housing in the county.

10                It may be expected the naturally  
11       occurring affordable housing will be maintained.  
12       But there is no ability for owners to redevelop  
13       their properties to higher densities. This is  
14       flawed logic.

15                Investors and real estate always seek  
16       the highest and best use for their properties.  
17       The highest and best use of the current  
18       properties is not as rentals, but rather as  
19       condominium units or as a redevelopment of a  
20       similar sized structure without any requirement  
21       to provide rental units of any kind.

22                In other words trying to simply

1 maintain the status quo will actually promulgate  
2 the opposite outcome, the disappearance of the  
3 so-called naturally occurring affordable housing.

4 It should be noted that the resident  
5 population of our properties is not consistent  
6 with MPDU-type incomes. But rather it's often  
7 the well paid doctor or other professional in the  
8 surrounding area, that desires to get a less  
9 expensive place for a couple years until they  
10 move on. The vast majority of our renters in our  
11 buildings are highly transient, and usually stay  
12 no longer than two or three years.

13 Alternatively, if we are prescribed a  
14 greater density on our land, with an FAR of at  
15 least 4, we would construct a new property which,  
16 through current laws, would provide for legally  
17 required affordable units in perpetuity which  
18 would actually go to those individuals truly  
19 needing affordable housing. And not well-paid  
20 physicians and executives.

21 Larger density should apply to all  
22 properties near the intersection of Woodmont and

1 Battery, as they are in between two Metro stops,  
2 and are close to the center of Downtown Bethesda.

3 MS. HOWERTON: Thirty seconds.

4 MR. MILLER: This would permit the  
5 needed housing to the growing NIH enabled  
6 campuses which our property is closest to. But  
7 also to create this critical stock of legally  
8 sanctioned affordable rentals. This is truly  
9 smart growth.

10 We are owners for the long run, and  
11 our business is to own and operate housing. We  
12 have buildings in the District we have owned for  
13 over 90 years. We would like to create something  
14 that is viable for the next 90 years so we can  
15 continue to own and operate.

16 And if the staff fails to recommend a  
17 density that is viable for higher density  
18 redevelopment, we have no choice but to consider  
19 our alternatives for a property's infrastructures  
20 beyond its useful life.

21 CHAIR ANDERSON: Thank you. Mr.  
22 Robins.

1                   MR. ROBINS: Good afternoon, Mr. Chair  
2 and Members of the Board. I'm Steve Robins with  
3 the law firm of Lerch, Early & Brewer.  
4 Representing PNC bank N.A., the co-trustee for  
5 certain beneficiaries of property located at 7935  
6 Wisconsin Avenue.

7                   The property serves as a location for  
8 the Benihana of Tokyo Restaurant. I submitted a  
9 letter into the record commenting on the Sector  
10 Plan public hearing draft, and I'd just like to  
11 summarize a few points.

12                   The property is located in the  
13 Wisconsin Avenue District as shown on Page 95 of  
14 the plan. On the East side of Wisconsin Avenue,  
15 and it's proposed to be rezoned to the CR-3.5 C-  
16 2.5, R-3.25 H-120. We would request that the  
17 planning Board consider adjusting the density  
18 from 3.5 to a 4.0 on the property.

19                   The property has an extremely strong  
20 and visible presence on Wisconsin Avenue, and  
21 it's directly adjacent to property recommended  
22 for CR-6, C-6, R-5.75 H-250. We understand that

1 the CR-6 property is located in a priority area  
2 for both density and height.

3 Having said that, we believe that the  
4 tapering from a CR-6 to CR-4 makes good planning  
5 sense and is justified at this particular  
6 location.

7 The only other point I'd make on this  
8 property is, we would suggest that the C and the  
9 R component of the zoning designation be  
10 equalized to afford the property owner greater  
11 flexibility if this property is subsequently  
12 developed.

13 Thus, we would have a recommendation  
14 to revise the zoning designation to the CR-4, C-  
15 4, R-4 H-150. That's it for that property.

16 CHAIR ANDERSON: Okay. Do you want  
17 for Ms. Silber to do one of her properties, or do  
18 you want to go?

19 MR. MILLER: We can, whatever.

20 CHAIR ANDERSON: Why don't we go back  
21 and forth, just to --

22 MR. MILLER: Okay.



1 MS. SILBER: Good afternoon. My name  
2 is Stacy Silber. I from the law firm of Lerch,  
3 Early & Brewer. And I'm here today on behalf of  
4 the Harvey Companies and share partners. They're  
5 owners of property located at the northeast  
6 quadrant of Bradley Boulevard and Arlington Road.

7 Arlington south is one of the few  
8 areas of Bethesda --

9 CHAIR ANDERSON: Just pull your mic up  
10 just a little bit closer.

11 MS. SILBER: -- and it's been left  
12 behind. Streetscapes have not been added,  
13 meaningful gathering spaces are not there, and  
14 there is not a continuous retain opportunity  
15 along Arlington from Bradley to Bethesda Avenue.

16 As a result of these deficiencies, the  
17 draft plan is asking a lot of both Harvey and  
18 Share in their redevelopment. The property is  
19 unique and it's a shovel-ready project where new  
20 office expansion actually makes sense now.

21 Cystic Fibrosis, a long-term tenant,  
22 has its world headquarters with over 200

1 employees on the property. With Cystic's  
2 advances in drug development, they're adding 100  
3 new employees to result in 300 jobs within the  
4 next two years.

5 Because of the property's location,  
6 and competitive rents, Cystic wants to house  
7 these additional employees on this property.  
8 Harvey needs greater height and densities to  
9 retain Cystic on Arlington South. As the market  
10 office study indicates, this is the kind of place  
11 where we want to remove zoning impediments to  
12 redevelopment.

13 The draft plan suggests property  
14 heights be limited to 70 feet. The owner's  
15 buildings however, are already between 45 to 65  
16 feet in height. A 70 foot envelope does not  
17 work. In all of our emerging areas, the plan  
18 recommends a height of between 90 and 120 feet.  
19 A height of between 100 and 120 feet is needed  
20 for these buildings and it's appropriate for  
21 several reasons.

22 First, the property sits the lowest

1 point along Arlington and Bradley. Second, the  
2 properties are surrounded by commercial  
3 developments. Third, the owners requires higher  
4 heights along Arlington, but suggest a 70 foot  
5 height transition for its office building  
6 adjacent to the CCT.

7 Currently the plan recommends a CRT of  
8 2.75. The owners request an overall increase of  
9 .75 FAR, or a recommendation of CRT 3.5. The  
10 draft plan recommends a community gathering space  
11 be located mid-block along Arlington Road.

12 Oehme, van Sweden, a renowned  
13 landscape architectural firm, strongly recommends  
14 that the gathering space not be located right on  
15 Arlington for it interrupts an essential  
16 continuous retail strip. And creates a dangerous  
17 condition for children and pedestrians  
18 congregating close to the roadway.

19 Instead they recommend a gathering  
20 space next to a linear pedestrian bike connection  
21 through the properties to the trail. This will  
22 promote foot and bike traffic which has become a

1 priority of the community.

2 The draft plan suggests a new bridge  
3 be added from Bradley to the trail. By Bradley  
4 there is a 24 foot grade change --

5 MS. HOWERTON: Thirty seconds.

6 MR. ROBINS: -- causing a bridge to be  
7 400 feet long. The most significant problem at  
8 this location is that a cyclist riding down the  
9 bridge leading to Bradley, will have a very short  
10 space to transition and safely maneuver to  
11 Bradley into oncoming traffic.

12 They move the bridge on Bradley, OPS  
13 suggests an Arlington Road connection. With this  
14 location there's only a fifteen foot grade change  
15 along the bridge, to be 200 feet, rather than 400  
16 and as important, this location will draw users  
17 into the trail.

18 We've submitted written testimony to  
19 provide some more information and detail. Thank  
20 you.

21 CHAIR ANDERSON: Okay, why don't we  
22 have Mr. Brodsky on, then we'll come back to Mr.

1 Robins.

2 MR. BRODSKY: Good afternoon, Mr.  
3 Chairman and Members of the Board. For the  
4 record my name is Michael Brodsky, CEO of the  
5 Goldstar Group. Goldstar is the owner of the  
6 commercial property located at 4630 Montgomery  
7 Avenue.

8 The property is two blocks from Metro  
9 and is currently developed with a six story, 60-  
10 year-old office building that can and is a basic  
11 fully leased commercial office building.

12 To cause us to redevelop our property  
13 and implement the draft plan's goal of massing  
14 density near Metro and improving the appearance  
15 of Downtown Bethesda through excellence in  
16 architecture, we're requesting two modifications  
17 to the draft plan.

18 The first is for an overall increase  
19 in density to an 8 FAR and a reallocation of the  
20 commercial and residential density and an  
21 increase in height to 300 feet.

22 Increased density is important for

1 several reasons. We haven't redeveloped our  
2 current building because the economics do not  
3 work with the existing density of a 5 FAR and 140  
4 foot height envelope.

5 As you know it takes a lot to tear  
6 down an existing high performing asset like ours.  
7 With the required public benefits, green building  
8 design, roadway dedications, and improved  
9 streetscapes recommended in the draft plan, we  
10 need more than a 20 percent increase in density  
11 to cause change. It would take an 8 FAR to cause  
12 us to redevelop.

13 Under the current recommendation, we  
14 would need to acquire a 3.25 FAR of commercial  
15 density. Requiring this acquisition puts an  
16 additional barrier, not an incentive, to  
17 revitalize our site in the east side of Wisconsin  
18 Avenue.

19 The split between commercial and  
20 residential must also be adjusted to commercial  
21 to encourage commercial development at this core  
22 site and also allow for residential depending on

1 market dictates.

2 To provide the necessary flexibility,  
3 the maximum residential respectfully, should be  
4 increased to 7.75. And the maximum commercial  
5 density should be increased to an 8. In terms of  
6 height, we're asking for an increase height to  
7 300 feet. With its close proximity to Metro and  
8 this visible corner location, this is a site  
9 where the highest density is appropriate and  
10 design excellence will be impactful.

11 With a building height between 250 and  
12 300 feet, we can produce a project with the  
13 architectural interest that is envisioned in the  
14 draft plan. This will help result in emergence  
15 of an interesting skyline, rather than the boxy  
16 buildings that currently exist.

17 We have submitted written testimony  
18 into the record and appreciate your consideration  
19 of our request. Thank you.

20 CHAIR ANDERSON: Thank you. Back to  
21 Mr. Robins.

22 MR. ROBINS: Good afternoon, Mr. Chair

1 and members of the Board. I'm Steve Robins of  
2 Lerch, Early & Brewer representing together with  
3 my partner, Bill Kominers, East West LLC, the  
4 owner of certain property located at 4416 East-  
5 West Highway. The property contains  
6 approximately 28,000 net square feet. It is  
7 improved with an office building. We submitted a  
8 letter into the record and I'll summarize our  
9 testimony.

10 The property is located in the Pearl  
11 Street District and is proposed to be rezoned to  
12 the CR2 C1.75 R2 H120 zone. The property is  
13 identified as part of Area 6 in the Plan on Page  
14 111. Just to the east in the same block property  
15 identified as Number 7 is recommended for CR3.5  
16 C3.5 R3.5 H120. The property to the west just  
17 across Pearl Street identified as Number 5 and is  
18 recommended for CR6 C4.75 R5.75 H145.

19 We would respectfully request that the  
20 Planning Board consider adjusting the density  
21 recommendation of the property from a CR2 to a  
22 minimum of a CR3.5. The increase in density is



1 essential to justify any meaningful redevelopment  
2 of the property at the height recommended in the  
3 Sector Plan.

4 The property has an extremely visible  
5 presence on East-West Highway and Montgomery Lane  
6 and clearly can support additional development,  
7 but the property is already developed at  
8 approximately a 1.67 FAR. The potential increase  
9 to the 1.75 or even the overall 2.0 of the  
10 proposed zone simply is insufficient to support  
11 removing a relatively new office building from  
12 only a small increase in density.

13 The risks associated with the future  
14 leasing process at a cost associated with new  
15 development of incentive benefits under the  
16 optional method also is insufficient to justify  
17 termination of the current industry. Thus the  
18 Plan's recommendation is a prescription for no  
19 change on this property.

20 From a planning perspective, the  
21 greater density really is necessary in order to  
22 transform the Pearl Street District into an

1 active mixed use area as envisioned by the Plan.  
2 Also, without an increase in density the owners  
3 would be required to purchase significant off  
4 site density either through the FAR averaging  
5 provisions or from the priority sending areas.  
6 While some transferring of density is desirable  
7 in the planning area generally, an over reliance  
8 on density from other sites may work against  
9 achieving the economic and planning goals in the  
10 plan.

11 Without added density, the property  
12 will create a valley in the tenting plan  
13 extending outward from the Metro Station. With  
14 heights of 145 west of Pearl Street and maybe  
15 more and the existing East-West Towers to the  
16 east, the property at its current four stories  
17 will be underutilized. Thank you for your time.

18 CHAIR ANDERSON: Thank you. Ms.  
19 Silber.

20 MS. SILBER: Good afternoon again.  
21 I'm Stacy Silber here on behalf of Carr  
22 Properties. Carr recently opened 4500 East-West

1 Highway, the first LEED Platinum building in  
2 Bethesda. This Class A space was built at a  
3 height of 98 feet and utilized the maximum  
4 allowed 4 FA density in a constructed building.

5 Carr constructed its building with a  
6 structural and surface capacity to add additional  
7 stories in anticipation of the upcoming Sector  
8 Plan process. Carr is requesting two  
9 modifications to the working draft. First, Carr  
10 asks for a 175 foot height recommendation for its  
11 property so that the height is consistent with  
12 staff's recommendations for the remainder of  
13 Carr's block. And two, Carr asks that you retain  
14 the CR6 recommendation or reallocate the division  
15 of density among commercial and residential.

16 A height of 175 feet is important for  
17 several reasons. The block within which Carr is  
18 located is recommended for 175 feet. For  
19 continuity purposes it makes sense that the  
20 street be a dividing point on height and not  
21 Carr's property.

22 Second, preserving sunlight to the

1 north-facing public use space is very important  
2 to Carr. A height of 175 feet gives a designer  
3 the required envelope of flexibility to sculpt  
4 the building and provide for building setbacks  
5 for any new structure. This flexibility ensures  
6 a proper transition referral and allows Carr to  
7 set back the additional height from the north  
8 facade ensuring that the existing plaza and  
9 public space along the East-West Highway retains  
10 good sun exposure.

11 Third, height flexibility will prevent  
12 disruption of the existing building use. The 175  
13 foot of height allowance and associated new  
14 building setback will allow for any new structure  
15 to not impact the core mechanical penthouse area,  
16 which would allow tenants to remain in the space  
17 during any new construction.

18 In terms of density, Carr requests  
19 that you adjust the density mix to allow an  
20 expansion of the Class A office space. Carr is  
21 not requesting more density than is recommended  
22 by the draft plan, but instead is asking if the

1 ratio of commercial to residential be adjusted to  
2 reflect the realities of likely commercial  
3 expansion rather than residential, similar again  
4 to what the office study was looking at.

5 As such, Carr requests that the CR  
6 recommendation remain at the CR6 as stated in the  
7 public draft, but the commercial recommendation  
8 be increased from a 4.75 to a 6 FAR. Thus, in  
9 sum we request that on Page 11 of the draft plan  
10 that it be modified so that there's a CR6, a C of  
11 6, and R of 5.75 and an H of 175. And again  
12 we've submitted written testimony in the record  
13 for your review. Thank you.

14 COMMISSIONER DREYFUSS: Excuse me.  
15 Are you referring to Page 111?

16 MS. SILBER: I am.

17 COMMISSIONER DREYFUSS: And what  
18 number is it on 111?

19 MS. SILBER: 5.

20 COMMISSIONER DREYFUSS: 5? Okay,  
21 thanks.

22 CHAIR ANDERSON: Okay, Mr. Robins, do

1 you have one?

2 MR. ROBINS: Yes, I do. Thank you.  
3 Good afternoon Chairman Anderson and members of  
4 the Board. I still am Steve Robins of Lerch,  
5 Early & Brewer representing Peel Properties, the  
6 agent representative of a number of properties  
7 located within the boundaries of the Bethesda  
8 plan. I already submitted a letter into the  
9 record and would like to summarize my points.

10 First, property 4520 East-West Highway  
11 which you have my letter, it's Exhibit 1, is  
12 again 4520 East-West Highway. The property is  
13 located in the Pearl Street District and is  
14 proposed to be rezoned CR6 C4.75 R5.75 H1.75.  
15 The property is identified as Number 4 in the  
16 public hearing draft on Page 111.

17 Just to the east, essentially on the  
18 same block but within the Wisconsin Avenue  
19 Districts, are properties recommended either for  
20 the same zoning and then for the CR8 zone with a  
21 C of 6, R of 7.5, H290. We're requesting that  
22 the Planning Board increase the height for our

1 property to provide for a more gradual tapering  
2 down from the Wisconsin Avenue District to the  
3 Pearl Street District. A more appropriate height  
4 would be 200 feet.

5 In making this adjustment the Planning  
6 Board also may want to increase the height on the  
7 property to the west of 4520 from 175 to at least  
8 225. From a planning perspective, the height  
9 would provide a softer but still meaningful  
10 transition from the Wisconsin Avenue District to  
11 the Pearl Street District, and of great  
12 importance will allow for a more realistic  
13 opportunity for potential redevelopment of the  
14 property sometime in the future.

15 The next property is 7220 Wisconsin  
16 Avenue shown on Exhibit 2.

17 COMMISSIONER DREYFUSS: What number is  
18 that on the little chart? 4?

19 MR. ROBINS: Yes.

20 COMMISSIONER DREYFUSS: Okay, thank  
21 you.

22 MR. ROBINS: The next property is 7220

1 Wisconsin Avenue found on Page 95 of the plan.  
2 The property is located directly south of the  
3 Apex Building in the same block and is  
4 recommended to be rezoned CR6 C6 R6 H250  
5 designation. This is Number 23 on the plan. The  
6 Apex property is zoned CR8 as I mentioned before.

7 And given its proximity to the Purple  
8 Line Station, we would suggest that the zoning  
9 for the Apex property be applied to the entire  
10 block Number 23. It makes sense in our view to  
11 extend similar zoning to properties surrounding  
12 the anticipated Purple Line Station.

13 The next property is 4905 --

14 COMMISSIONER DREYFUSS: I got lost.

15 Give me the number again on Page --

16 MR. ROBINS: It's 23.

17 COMMISSIONER DREYFUSS: 23.

18 MR. ROBINS: Right. Block 23.

19 COMMISSIONER DREYFUSS: But there are  
20 no addresses on our --

21 MR. ROBINS: Right. On my letter,  
22 which I'm not sure if you have --



1                   COMMISSIONER DREYFUSS:  Yes, but I'm  
2                   trying to --

3                   MR. ROBINS:  Got you.  Okay, so it's  
4                   Number 23.

5                   COMMISSIONER DREYFUSS:  You can refer  
6                   to the map in the Bethesda book.  That would at  
7                   least help me.  I don't know if it would --

8                   MR. ROBINS:  The next property is 4905  
9                   Del Ray Avenue.  It would be Exhibit 3 of my  
10                  letter.  It's located again at 4905 Del Ray  
11                  Avenue.  It's presently zoned CR3 C1 R2.75 H90T.

12                  CHAIR ANDERSON:  I really can't give  
13                  you any more time.  Sorry.

14                  MR. ROBINS:  Okay.  The comments are  
15                  summarized in my letter for 4905 and for 4801  
16                  Norfolk Avenue.

17                  COMMISSIONER DREYFUSS:  Can you give  
18                  us the numbers again?

19                  MR. ROBINS:  Yes.  It would be on --  
20                  hang on a second.

21                  COMMISSIONER DREYFUSS:  4805 is 23.  
22                  What about 4905?

1 MR. ROBINS: So 4905 is Number 5. And  
2 if you look at the letter, it's right, two off of  
3 Norfolk Avenue on the west side of Norfolk.

4 MS. HOWERTON: This is on Page 103,  
5 not on Wisconsin District but on the Woodmont  
6 Triangle District. And so it's Number, Mr.  
7 Robins you said what number on the --

8 MR. ROBINS: 5.

9 MS. HOWERTON: 5.

10 MR. ROBINS: But the zoning  
11 designation is Number 5. If you look in my  
12 letter I actually have the property which is  
13 circled in red. And then the last one, 4801  
14 Norfolk Avenue is identified as Number 7 in the  
15 Plan on 103, Page 103, and it is at the corner of  
16 Fairmont and Norfolk on the east side of Norfolk.

17 COMMISSIONER DREYFUSS: I'm not sure  
18 I've got them. You've got 4805, 4905 Del Ray and  
19 then what's the last one?

20 MR. ROBINS: 4905 Del Ray and then  
21 7801 Norfolk.

22 COMMISSIONER DREYFUSS: 7801 Norfolk.

1                   MR. ROBINS: Right. And they're all  
2 identified in the letter. And I'd appreciate it  
3 if you would look at the last two properties to  
4 make sure of the points. But it's dealing  
5 generally with the height on Norfolk and the same  
6 with Del Ray. Thank you.

7                   CHAIR ANDERSON: Okay, Ms. Silber, one  
8 more.

9                   MS. SILBER: My name's Stacy Silber  
10 and I'm here today on behalf of the Jaffe Group  
11 and Amir Farazad, the owners of commercial  
12 properties located at 6801 and 6807 Wisconsin  
13 Avenue and the supporting surface parking lots  
14 located along West and adjacent to the St. John's  
15 Episcopal Church. If you're following along it's  
16 Page 95 Number 1, and Page 123 Number 5.

17                   In order to facilitate the draft Plan  
18 goal of transforming the southern portion of  
19 Wisconsin and creating real gateway into Bethesda  
20 we are requesting a few modifications. First, we  
21 ask for a modest increase in overall density and  
22 a reallocation to allow for more residential.

1           Two, we ask for a uniform CR zone  
2           recommendation for both Wisconsin and West.  
3           Three, we ask for a 145 height along Wisconsin  
4           and we ask for a more consistent greenway in  
5           terms of a setback along West.

6           Increased density is important for  
7           several reasons. This is a site where there is a  
8           layering of requirements including recommended  
9           public benefits, large green areas of public  
10          connections. To encourage redevelopment of this  
11          gateway location we are asking for an increase in  
12          the density of Wisconsin Avenue from a 3.5 to a  
13          4. Because the property will be developed  
14          comprehensively, a uniform CR zone should be  
15          recommended for both Wisconsin Avenue and West  
16          Avenue.

17          As such, we request that the West  
18          Avenue parcels be zoned CR instead of CR2.  
19          Additionally we request an increase in density on  
20          West from a 0.5 to a 1 to achieve redevelopment  
21          of the existing surface parking lots on West  
22          which supports a greenway along this road

1 facilitating the adjacent church and recommended  
2 public amenities.

3 We originally proposed a building  
4 height of 180 feet along Wisconsin. After  
5 speaking with the community and others and  
6 looking at the Plan in a little more detail, we  
7 believe that it's appropriate that a height would  
8 work at 145 feet there. The 145 foot height  
9 would allow flexibility in design, greater  
10 setbacks, exciting architecture, Plan recommended  
11 public amenities and appropriate transitions.

12 As for the greenway setbacks along  
13 West Avenue we are requesting that the currently  
14 proposed setback range be narrowed. This will  
15 ensure more uniform greenway and provide greater  
16 certainties to ensure redevelopment of these  
17 smaller properties.

18 The tier should be narrowed as  
19 follows. The building heights up to 35 feet  
20 should provide a 20 foot setback, building  
21 heights between 36 and 50 feet should provide a  
22 40 foot setback, and building heights between 51

1 and 70 feet should provide a 60 foot setback.  
2 The current recommendation is very wide ranges in  
3 terms of setback areas and we ask that they just  
4 be clarified.

5 These setbacks that we're proposing  
6 will ensure an appropriate transition to the  
7 residential community and will result in a more  
8 uniform greenway along this block of West. Again  
9 we've submitted a detailed summary and we  
10 appreciate your consideration. Thank you.

11 COMMISSIONER DREYFUSS: Can you give  
12 me the number of the last one?

13 MS. SILBER: Sure. It's on Page 123  
14 Number 5.

15 CHAIR ANDERSON: Okay, and before you  
16 do that I wanted to call out Ted Featherstone,  
17 Brian Lang and/or Pat Harris, Robert Brewer and  
18 Ellen Rader. I saw Ellen Rader come in a minute  
19 ago. It says here you wanted to speak after  
20 4:00. Is now okay? Okay, great. Come on up.

21 COMMISSIONER DREYFUSS: Where is West  
22 Avenue? I don't see that. I'm on 123.

1                   PARTICIPANT: It's east of Wisconsin  
2 between the town of Chevy Chase and Wisconsin  
3 Avenue.

4                   COMMISSIONER DREYFUSS: It's not  
5 labeled on the map, is it?

6                   PARTICIPANT: No.

7                   CHAIR ANDERSON: Okay, Mr.  
8 Featherstone?

9                   MR. FEATHERSTONE: All right. Good  
10 afternoon. My name is Ted Featherstone. I'm  
11 here on behalf of JBG, specifically our project  
12 at 4733 Bethesda Avenue. I'm also project  
13 manager for a project at 4735 Bethesda Avenue.

14                   I'm here today to ask the Board for a  
15 minor modification to the draft Sector Plan  
16 that's to increase the recommended height at 4733  
17 from 145 to 170. It's important to note that I'm  
18 here to request this solely in response to the  
19 Omnibus ZTA 15-09 Section C2 of which would alter  
20 the location of a metric point used to measure  
21 the building height.

22                   Although the draft Sector Plan doesn't

1 envision a down zoning for 4733 it would keep the  
2 height at 145. The unintended consequence of the  
3 Omnibus would be to, in effect, take away 22 feet  
4 of height from the prior approved project  
5 including our hotel that was approved as part of  
6 the 7200/Woodmont Certified Site Plan in the  
7 summer of 2013.

8           Since last fall, JBG has been working  
9 with staff on a proposal to amend our Artery site  
10 plan to bring a 270,000 square foot trophy office  
11 building to this site at 4733. We think it would  
12 be a much needed addition to the office stock in  
13 this section of Bethesda, and we also as part of  
14 the project try to bring a level of architecture  
15 for which JBG is known.

16           But what's important to note is that  
17 our proposal would allow us to merely keep the  
18 same top of roof height which we've proposed to  
19 staff before under the existing Sector Plan. Now  
20 without this 170 feet of height it would require  
21 us to remove two full floors from our proposed  
22 plan and that would take away roughly 42,000



1 square feet of rental area which would severely  
2 compromise the financial feasibility of our plan  
3 and really threaten the ability for us to move  
4 forward.

5 Now we think any recommendation that  
6 discourages office development at this site is  
7 contrary to the goals and objectives of the draft  
8 Sector Plan. In addition, we think that  
9 retaining the existing achievable height, so  
10 roughly 170 feet, is important from an urban  
11 design context. Because of the sites to the  
12 north and the east are zoned for 250 feet, we  
13 think 170 feet of achievable height is important  
14 to effectively step down as you move forward to  
15 Bethesda Row, especially considering the proposed  
16 civic gathering space at the corner of Woodmont  
17 and Bethesda Avenue.

18 So for these reasons we ask the Board  
19 for a minor modification to increase our height  
20 from 145 feet to 170 feet, but again only in  
21 response to the proposed Omnibus Zoning Text  
22 Amendment. Thank you.

1 CHAIR ANDERSON: Ms. Harris.

2 MS. HARRIS: Thank you. I appreciate  
3 the opportunity. Pat Harris of Lerch, Early &  
4 Brewer. I have two comments not specific to any  
5 particular property but relevant to many I would  
6 say.

7 I want to thank staff in the direction  
8 of the plan, but I'm concerned that it doesn't go  
9 far enough. I think we'd all agree that Bethesda  
10 is the economic engine of the county and I  
11 daresay perhaps the state, yet I'd say that the  
12 recommendations are somewhat tepid and I'm  
13 concerned that they simply reaffirm the status  
14 quo that currently exists.

15 Bethesda is just simply one mile away  
16 from the D.C. border and it presents an  
17 attractive alternative to residents and employers  
18 that are in D.C. It's a true urban environment.  
19 It could even be more so. It has a modal split  
20 that is positive now but it could be even more  
21 so, and there's a street grid already in place.

22 So the recommendations, I think, could

1 encourage a more urbanized Bethesda. And what I  
2 specifically am noting is that there's  
3 recommendations for increased density but not  
4 enough to really incentivize redevelopment when  
5 you have an existing property, income producing  
6 property in place.

7 And while there's some properties that  
8 are recommended for an 8 FAR, the reality is that  
9 all but maybe one or two of them are ever going  
10 to redevelop in the life of the plan. So I'd  
11 request, recommend a more surgical look at the  
12 recommendations to evaluate which properties are  
13 truly, potentially, going to redevelopment and  
14 give them a density that will in fact make that a  
15 reality.

16 The second comment has to do with the  
17 public use space recommendations, and this is  
18 Page 143 on the Plan, Section 4.3. As currently  
19 proposed it provides that any property that  
20 provides less than ten percent of public use  
21 space needs to either contribute to a fund or  
22 provide comparable improvement offsite

1       irrespective of how much public use space they  
2       are providing on site.

3               And I think this ignores the fact that  
4       almost any property is going to provide some  
5       public use space on site.  It's valuable to the  
6       property, it's valuable to the surrounding area,  
7       and in fact some of the best public use spaces in  
8       Bethesda are those that are the enhanced  
9       streetscapes.  And yet under this proposal a  
10      property owner or developer would not get credit  
11      for what they're doing on site if they're under  
12      that ten percent requirement, instead they'd have  
13      to make a contribution to an offsite public use  
14      space.

15             And to some extent I think this really  
16      just amounts to one more tax on the developer and  
17      make it more difficult for some of these  
18      properties to develop as you layer more and more  
19      requirements on.  So that is it and I appreciate  
20      the time.  These are my thoughts.  Thank you.

21             CHAIR ANDERSON:  Thank you.  Mr.  
22      Brewer.  And I'm going to have you do one and

1 then go to Ms. Rader and come back.

2 MR. BREWER: That's fine. Thank you.  
3 Good afternoon, members of the Board. Robert  
4 Brewer. Proud to be partners with Pat here,  
5 Steve Robins, Bob Harris, Stacy Silber.

6 I'm here this morning, or this  
7 afternoon, rather, on behalf of Bernstein  
8 Management Corporation. They own with partners a  
9 property at 7121 Wisconsin Avenue. It's next to  
10 the Farm Women's Market and it joins the county  
11 parking lot. It's on Page 95. It's Number 26.  
12 This is a site where Villain & Saint recently  
13 opened up a bar. It's got some retail use but  
14 it's a long term redevelopment opportunity for a  
15 mixed use project. It would encompass presumably  
16 the Farm Women's Market in its amenity plans and  
17 perhaps the county parking lot for residential.  
18 Likely to be a multi-story, a high-rise, mostly  
19 probably residential with some ground floor  
20 retail.

21 We've been working with the staff.  
22 We've been talking with the town of Chevy Chase.

1 We have a letter in the record. Our comments are  
2 briefly as follows. While the FAR is at 6, we  
3 believe it should be at 7. The height, however,  
4 at 200 feet is okay.

5 Our second set of comments relates to  
6 the parking lot property that the county owns.  
7 While there is commercial zoning recommended, the  
8 FAR of 0.5, we believe, is entirely inadequate to  
9 facilitate redevelopment for residential. We  
10 think it should be at 1.5.

11 Also regarding that property it's  
12 recommended for what the staff calls Tier 3  
13 Neighborhood Green which would have a fairly  
14 broad setback of 70 feet, but then a 70 foot  
15 building adjoining it. We say instead of a big  
16 setback and big building, how about a smaller  
17 setback and a smaller building? And we think  
18 that at Tier 1, and that's on Page 127, would be  
19 more appropriate, but we think there ought to be  
20 a dialogue on it.

21 Our final comments relate to the Farm  
22 Women's Market, also an adjoining property.

1 There's language in the plan that recommends it  
2 be a civic green. We don't want too literal an  
3 interpretation of that. Most successful farmers  
4 markets around the country have hardscape in  
5 addition to green. We want the language to  
6 accommodate a variety of possible options for  
7 that.

8 And secondly, the density averaging  
9 language for the Farm Women's Market right now  
10 requires that all density in excess of the  
11 current building size be conveyed, but that would  
12 not allow even modest expansions of the current  
13 building let alone some ancillary buildings that  
14 would help facilitate a successful farmers  
15 market.

16 So thank you for your work on the  
17 Plan. You've got a lot of work to do, but we're  
18 here to dialogue with you. Thank you.

19 CHAIR ANDERSON: Thank you. Ms.  
20 Rader, you'll be glad to know that two hours ago  
21 when we took a tour of Bethesda with the Board I  
22 made everybody go behind Lot 31 and pointed out

1 the perspective that you were sharing with me on  
2 my tour the other day. So I wanted you to know  
3 that and make sure that --

4 MS. RADER: Thank you. Now you know  
5 where I live. And I live on Leland Street. I've  
6 lived there since 1985, 4841 Leland Street. You  
7 know, we're just a short walk to a minute walk  
8 here to the metro.

9 And as you know we are isolated from  
10 any other single-family houses, okay. We're  
11 surrounded by apartments, commercial buildings,  
12 condos, busy streets, and the density continues  
13 to increase around us.

14 With the need to provide more housing  
15 for a projected population increase the County's  
16 commitment to adhere to the principals of Smart  
17 Road in the desire to expand affordable housing  
18 near transit centers it is time to consider  
19 higher density for the Sacks Subdivision.

20 The Sacks Subdivision is composed of  
21 60 single-family houses. Seven homes have  
22 already been torn down for much larger houses,



1 leaving very little green space. There are 13  
2 rentals, six vacant houses, and two that are used  
3 for businesses.

4 The neighborhood I originally moved  
5 into is no longer common and quaint. It is  
6 undergoing rapid change internally as well as  
7 from the nearby redevelopment.

8 The proposed Master Plan recommends  
9 increased building heights adjacent to Sacks and  
10 an increase in the width of our neighborhood  
11 roads, which we all disagree with, the road width  
12 that is.

13 This also extends the changes to the  
14 adjacent road, Strathmore, to accommodate 2-way  
15 traffic into Bethesda.

16 From a planning perspective I feel  
17 Sacks, due to its location, needs to transition  
18 to higher density in order to keep pace with the  
19 needs and goals of the surrounding community.

20 The majority of the owners in Sacks  
21 feel that the new sector plan needs more focus on  
22 Sacks and its ongoing transition.

1           On my behalf the Law Firm of Linowes  
2           and Blocher submitted a letter to you that gave  
3           feedback on the Bethesda Downtown Plan, which  
4           included options for Sacks other than simply  
5           remaining a single-family R60 teardown  
6           neighborhood.

7           The first was to retain the base R60  
8           zoning and incorporate a floating zone  
9           recommendation and the second was to use the BLT  
10          Program to provide green and open space  
11          possibilities.

12          Now the full agreement from Sacks  
13          owners for the options presented is a moot point  
14          because the options do not require a zoning  
15          change in the Master Plan at this point.

16          If conditions and opportunity are  
17          right we just want to be able to use options. It  
18          does not force anyone to re-zone now, sell, or  
19          development their property.

20          PARTICIPANT: Thirty seconds.

21          MS. RADER: Okay. A floating zone,  
22          like the townhouses, ensure the proposed project

1 would be reviewed for conformance with the sector  
2 plan to be compatible with existing and approved  
3 adjacent development before zoning changes can be  
4 approved.

5 I feel that the Bethesda community as  
6 a whole will benefit from increased housing  
7 density so close to community, commercial, and  
8 transit centers, and the master plan should  
9 include options, such as a floating zone, to  
10 enable Sacks to transition to a higher density.

11 CHAIR ANDERSON: Thank you. Back to  
12 Mr. Brewer.

13 MR. BREWER: Thank you. Robbie Brewer  
14 again. This time I am here to talk to you about  
15 property located at 8101 Glenbrook Road, that's  
16 at Glenbrook and Rugby and Norfolk Avenue at the  
17 North end of Woodmont Triangle.

18 It's the current home for the American  
19 Association of Blood Banks in about a 29,000-  
20 square foot office building that was built in the  
21 1980's and it adjoins the Battery Lane Park.  
22 It's on Page --

1 PARTICIPANT: Page 121.

2 MR. BREWER: Also Page 119, it's  
3 Number 4. This is a property that's planning for  
4 a future redevelopment. Tom Albert of The Mavern  
5 Group, our client, has a plan from Streetsense,  
6 the architects, he's going to distribute that  
7 will help my point.

8 We again have a letter in the record.  
9 This is a site where a staff draft has  
10 recommended a 35-foot building height and the  
11 entirety of the property to be expanded for use  
12 as a park, though it would preclude a  
13 redevelopment of this site in any way.

14 The concerns that we have are that the  
15 property is worth somewhere between \$8 million to  
16 \$12 million.

17 We would question whether the Parks  
18 Department and the County either have funds of  
19 that magnitude or would use them to acquire this  
20 property to expand Battery Lane Urban Park.

21 We have a collateral concern about the  
22 road. We're not sure that the road provides

1 practical extensions of transit or vehicular  
2 connections with Battery Lane.

3 We had nothing to do with all the  
4 letters that you received from community members  
5 objecting to that road, but we do share their  
6 view that this gem of a park not have a road  
7 through it.

8 The plan that you have been presented

9 --

10 (Applause)

11 MR. BREWER: The plan that you have  
12 been presented --

13 CHAIR ANDERSON: Yes, I'm going to  
14 have to ask people not to shout out. It will  
15 delay this process and it's really not effective  
16 at persuading anybody with anything, so I just  
17 caution you, please, applauding, booing, shouting  
18 out, it's just really not humble.

19 MR. BREWER: The final comment I'd  
20 like to make is that this plan prepared by Matt  
21 Hopkins at Streetsense shows a conceptual  
22 redevelopment of this property in lieu of its

1 taking as a park that would allow the abandonment  
2 of Glenbrook Road and expansion of the park by  
3 dedication that would create, essentially at no  
4 cost for the County, another third of an acre to  
5 expand in the park and if the Parks Department  
6 acquired two houses at the South end of this park  
7 that it's long thought it would acquire, that's  
8 another 9000 feet.

9 PARTICIPANT: Thirty seconds.

10 MR. BREWER: So there's more than a  
11 half an acre of park expansion that can be  
12 contemplated without requiring this building to  
13 be precluded from redevelopment at a 35-foot  
14 building height and the entirety of it being  
15 proposed for a park. Thank you.

16 CHAIR ANDERSON: Okay. Thank you.  
17 Stephen Alfandre, Alison Williams, Barbara Sears,  
18 and Allen Myers, and I guess we could actually  
19 also take Nathan Finkelstein, since we have five  
20 seats.

21 Mr. Alfandre?

22 MR. ALFANDRE: Okay. Thank you for

1 having me today. I am here representing property  
2 owners in Section 5 of the North Arlington  
3 District on Page 133.

4 Currently there is a designation for  
5 a 50-foot height limit and for a property being  
6 so close to a metro this simply isn't enough, so  
7 we are requesting a height limit of 90 feet and  
8 an FAR of 3.0, and I'll give you three reasons to  
9 support this.

10 First, the property is located only  
11 247 yards from a metro, a 2-1/2 minute walk, and  
12 I calculated it myself. If we're going to put  
13 density anywhere in the County this is the place.  
14 It's this close to a metro stop.

15 Second, the building immediately  
16 adjacent is already at 90 feet, so it's not like  
17 buildings in this location will be sticking out  
18 like a sore thumb.

19 And, third, the surrounding area is an  
20 extremely vibrant walkable area where one does  
21 not need a car to live.

22 My critics might say that it's too

1 much of a transition, too quick of a transition,  
2 over to the Edgemoor Neighborhood, but I'll  
3 remind you that there is a very large buffer of  
4 about 200 feet with the Bethesda Elementary  
5 School and the Library which would allow a  
6 sufficient buffer for this. Thank you.

7 CHAIR ANDERSON: Thank you. Mr.  
8 Goldman?

9 MR. GOLDMAN: Good afternoon. For the  
10 record my name is Evan Goldman from Federal  
11 Realty Investment Trust and I am standing in for  
12 Alison Williams who is also working on this  
13 project.

14 We are the developer and owner of  
15 Bethesda Road, so approximately 5000-square feet  
16 in Downtown Bethesda, you all know it relatively  
17 well.

18 I want to voice our strong support for  
19 the vision and the goals of the master plan. It  
20 provides a really solid framework that's going to  
21 help us grow this County and have an economic  
22 future that's positive, especially within this



1 specific area so close to D.C.

2 Although we endorse and applaud most  
3 of the recommendations, but frankly we believe  
4 certain elements should be modified so it'll  
5 allow us to successful achieve some of Federal  
6 Realty's goals.

7 And, specifically, we want to make  
8 sure that like our neighbors, we, too, will have  
9 the opportunity to take advantage of the  
10 environment that we've created or helped to  
11 create in Bethesda.

12 Our first concern is height,  
13 primarily, and to a lesser extent FAR, but really  
14 height. That's two developments, standardized  
15 new development on two of our parcels.

16 And while we recognize Bethesda Road  
17 is an established property, there do remain some  
18 redevelopment opportunities that we control and  
19 this will assist in our ability to take advantage  
20 of the market as it is there and successfully  
21 evolve over time.

22 We support the goal to increase

1 density and height closest to the metro stations  
2 in Wisconsin Avenue, which is one of the goals of  
3 the plan.

4 We do believe that the approach scales  
5 down too significantly and too quickly if you  
6 would cross Woodmont Avenue into our properties,  
7 not taking into account the surrounding relative  
8 heights or the proximity of our property to the  
9 metro.

10 Bethesda Road falls within a quarter  
11 mile of the existing metro entrance and a tenth  
12 of a mile from the proposed new metro entrance.  
13 Other properties within this radius have heights  
14 ranging from 145 to 290 feet while we remain at  
15 45 to 75, so there's a fairness issue there.

16 Second, we'd like to request a  
17 modification to the language regarding the  
18 Capital Crescent Civic Green. As you all know we  
19 have a pretty good track record of creating great  
20 public spaces, and vibrant spaces around the  
21 country.

22 We plan to continue to do this and to

1 execute a cohesive vision we're working with  
2 staff to develop something that's creative and  
3 it's a good solution for this site, which will  
4 ultimately end up with really wonderful public-  
5 use space as well as some good development.

6           Importantly, we are concerned about  
7 the strength of market interest in acquiring  
8 density transfers, and I believe it's essential  
9 to develop a structure which will allow us to  
10 recognize value and recover the basis in our land  
11 and as such we recommend that priority sending  
12 area of density transfers be allowed beyond the  
13 plan area to any CR or CRT zoned land in Metro  
14 Station Policy Areas.

15           PARTICIPANT: Ten seconds.

16           MR. GOLDMAN: We just don't believe  
17 there is enough buyers within the Bethesda master  
18 plan area for the sending sites to modify for  
19 properties.

20           We also recommend that you remove the  
21 size recommendation in the master plan for how  
22 big the Civic Green should be and let us work

1 with staff to determine the right mix for that  
2 property, some of which may be some development  
3 in some buildings, some of which may be a really  
4 awesome park, but that's something we are working  
5 with staff on.

6 So thank you for your attention to  
7 these issues. We have submitted a detailed  
8 letter that you can all review to get more of the  
9 information. Thank you for your time.

10 COMMISSIONER DREYFUSS: Don't go yet.

11 MR. GOLDMAN: Oh.

12 COMMISSIONER DREYFUSS: On Page 99  
13 eight is Bethesda Row and then the other two  
14 properties are the ones you were talking about,  
15 it's Number 4?

16 MR. GOLDMAN: We own eight, eleven,  
17 and where the "four" is, most of where the four  
18 is, about half of that. So the properties we are  
19 asking for additional height it's largely on four  
20 right at the metro essentially and then eight and  
21 11 is a modest increase, not a major increase in  
22 height.

1           The big one is Property 4 and then on  
2           the FAR side it's a very modest increase on  
3           Properties 8 and 11 and nothing additional on  
4           four.

5           COMMISSIONER DREYFUSS: Are the other  
6           eights also you?

7           MR. GOLDMAN: No, those are other --

8           COMMISSIONER DREYFUSS: It's just  
9           Bethesda Square, I mean Bethesda Row?

10          MR. GOLDMAN: Bethesda Row, both East  
11          and West. Arlington is us, so the Giant there,  
12          exactly, as well as to the East of that.

13          COMMISSIONER DREYFUSS: Oh, okay.

14          MR. GOLDMAN: That, and then to the  
15          South, that whole -- Most of that. Not all of  
16          it, you've got the Ourisman Honda site as well in  
17          there.

18          COMMISSIONER DREYFUSS: Okay, thank  
19          you.

20          MR. GOLDMAN: You're welcome.

21          CHAIR ANDERSON: Mr. Myers?

22          MR. MYERS: Good afternoon. I am here

1 today as an individual to voice my opposition to  
2 the proposal to have 2-way traffic on the East-  
3 West Highway in the Bethesda Central Business  
4 District.

5 Before I moved to Maplewood I lived  
6 for 27 years in East Bethesda. For most of those  
7 years I would walk home from the metro along the  
8 East-West Highway when it had two lanes of  
9 traffic in both directions.

10 It was not uncommon for me to see P.M.  
11 Westbound traffic backed up from Wisconsin Avenue  
12 all the way to Connecticut Avenue. In addition,  
13 in the Summer the intersection of the East-West  
14 Highway and Wisconsin Avenue usually had one of  
15 the highest levels of ozone in Montgomery County.

16 If you want to make things better for  
17 pedestrians on the East-West Highway I can assure  
18 you from personal experience that walking on this  
19 road choking on exhaust fumes is not the way to  
20 do it.

21 I fear that if this proposal is  
22 adopted it'll be the case of those who do not

1 study history are doomed to repeat it. Many  
2 urban areas utilize one-way traffic patterns as a  
3 means of avoiding congestion.

4 The East-West Highway/Montgomery Lane  
5 Couplet, as it was called, has done just that.

6 As it is said, don't mess with success.

7 Finally, I'd like to add that it was  
8 my privilege to serve on the Citizen's Advisory  
9 Board for the current sector plan. Our goal was  
10 to design a plan that would envision Bethesda as  
11 a destination.

12 I think that many of the proposals in  
13 the revised plan that support constricting  
14 traffic and limiting parking run counter to the  
15 previous objective and will only serve to make  
16 Bethesda insular.

17 Already many of my neighbors tell me  
18 when they go out to eat or to a movie they go  
19 North to places like Montgomery Mall because  
20 traffic is bad in Bethesda and parking, if it can  
21 be found, is expensive.

22 I would urge you to look carefully at

1 the path you are taking for the future of  
2 Bethesda. Thank you.

3 CHAIR ANDERSON: Thank you. Ms.  
4 Sears?

5 COMMISSIONER DREYFUSS: Which section  
6 of the East-West are you talking about, from the  
7 East side?

8 MR. MYERS: From Wisconsin Avenue, the  
9 East side, yes, running all the way to  
10 Connecticut.

11 COMMISSIONER DREYFUSS: Right.

12 CHAIR ANDERSON: Ms. Sears?

13 MS. SEARS: Good afternoon. My name  
14 is Barb Sears. I am with Linowes and Blocher. I  
15 am appearing on behalf of Bethesda Land, LLC,  
16 owner of 7820 Wisconsin Avenue, which is Parcel  
17 655. It is on Page 95 on the West side of  
18 Wisconsin at the block with circled pen, so it's  
19 at the corner of Fairmont and Wisconsin.

20 It is currently improved with a 7-11  
21 convenience store by the properties in the  
22 Wisconsin Avenue District and it's recommended on



1 Page 95 for a CR6, C6, R5.75, height 250.

2 South of the property abutting Norfolk  
3 Avenue veteran Civic Green is recommended as an  
4 extension of existing public open space. The  
5 recommended height is intended to encourage  
6 signature buildings that frame and revitalize  
7 civic gathering space.

8 The area is intended to serve as a  
9 center of activity to enliven and draw people  
10 into the Woodmont Triangle and connect through  
11 the Wisconsin Avenue corridor, transit, and  
12 existing and planned recreation opportunities.

13 Importantly, Norfolk Avenue is  
14 recommended to be a shared street to further  
15 implement the goals in the plan. The owner  
16 supports these goals and is enthusiastic about  
17 the potential for redevelopment.

18 However, to achieve this potential the  
19 owner requests an FAR 8 for the area. This  
20 increase in FAR will provide some important  
21 opportunities.

22 First, achieving the height

1 recommendation is important to the success of the  
2 vision for this area as a center of activity and  
3 a distinct place for people to visit, enjoy, and  
4 return.

5 To achieve this height without  
6 excessive cost additional FAR should be permitted  
7 as part of the base of the zone.

8 Second, the owner is interested in  
9 exploring the possibility of including workforce  
10 housing in the development. Currently in the CR  
11 zone workforce housing is not exempted from FAR  
12 as are MPDUs that build at 15 percent or greater.

13 The retention of affordable housing  
14 and the construction of new MPDUs are major goals  
15 of the plan. Workforce housing at 80 to 100  
16 percent AMI would provide an important element of  
17 housing not now traditionally achieved by new  
18 development in the downtown.

19 PARTICIPANT: Thirty seconds.

20 MS. SEARS: Allowing the additional  
21 FAR will therefore not only implement the major  
22 land use goals and design goals of the plan, but

1 also allow additional consideration for the  
2 potential of incorporating workforce housing into  
3 this new development at this location.

4 Thank you very much and thanks to your  
5 staff, they've been great.

6 CHAIR ANDERSON: Thank you. Mr.  
7 Finkelstein?

8 MR. FINKLESTEIN: Yes. My name is Nat  
9 Finklestein. I am a volunteer member of the  
10 Board of the Bethesda Fire Department, which has  
11 a totally volunteer board.

12 We are located Station 6 of our fire  
13 department is located -- Is that better?

14 Okay. I'm Nat Finklestein. I'm a  
15 member of the Bethesda Fire Board. And we are  
16 located at the corner of Wisconsin and Bradley at  
17 6600 Wisconsin Avenue.

18 I would like to join in the other  
19 thanks to the Staff and the Chair and the  
20 Commission on their careful consideration of this  
21 plan.

22 I am actually here to praise the plan

1 and not to bury it. And in fact, what I want to  
2 do is help you accommodate this plan.

3 As we all recognize, in the last 50  
4 years, since Station 6 was built, Bethesda has  
5 grown significantly. Our job as a partner with  
6 the county is to provide fire and rescue service  
7 to the greater Bethesda area, including the areas  
8 up into Bethesda, south to Friendship Heights,  
9 across to Chevy Chase. And even across to the  
10 areas on Massachusetts Avenue.

11 We realize that the station is  
12 approaching its 50 year anniversary. And with  
13 that increased technology and need for a much  
14 better station is required.

15 Recognizing that there are very  
16 limited funds, both in the county and otherwise,  
17 we have looked at various options to consider  
18 what to do with Station 6.

19 One of the options, and you have -- by  
20 changing the zoning to CR has helped us with that  
21 option, is to collaborate with a private  
22 developer so that a state of the art fire station

1 can be built, surrounded by a limited number of  
2 housing units. And that is our goal.

3 We have met with the communities  
4 around our area. And we've also met with the  
5 various towns. And will continue to do so as  
6 this process is going forward.

7 This evening we're going to have Bob  
8 Stoddard raise a couple of technical changes that  
9 we would ask for, with regard to our zoning. And  
10 especially in light that we are in part a public  
11 facility as opposed to just the private entity.

12 But I do want to say that this is a  
13 very good start for us. We appreciate the  
14 effort. And we hope that you recognize that our  
15 role in this is not as a developer, but rather as  
16 a part of the public service that is absolutely  
17 necessary for Bethesda as it grows in the future.  
18 Thank you very much.

19 CHAIR ANDERSON: Thanks to all of you.  
20 Thanks to all of you. Can we get Emily Vaias,  
21 Naomi Spinrad, Cecilia Royals, Bob Dalrymple.  
22 Oh, and Erica Letham.

1                   Looks like we're missing Cecilia  
2                   Royals and Bob Dalrymple. Or maybe not. Are  
3                   they coming up?

4                   Why don't you go ahead, Ms. Vaias.

5                   MS. VAIAS: Okay. Good afternoon,  
6                   thank you, members of the Board and Staff.

7                   First property -- my name is Emily  
8                   Vaias, I'm with Linowes and Blocher. And the  
9                   first property I'm going to talk about is  
10                  property located on Page 123, Numbers 5 and 6.  
11                  this is the Hadjin property on Stanford Street.

12                  And this is a small property that  
13                  currently has a retail, a family owned retail on  
14                  it, which has been there for a long time. Is  
15                  split zoned currently. It's CRT and R60.

16                  We think that this is an opportunity  
17                  to sort of clear that up. And in fact for  
18                  several properties along this block we think that  
19                  that would be a good recommendation.

20                  And, in particular, for this property,  
21                  we'd like to see it zoned similarly to the other  
22                  properties in the block so that there's a chance

1 for collaboration among those property owners, to  
2 do something collectively together.

3 So we would be suggesting that it be  
4 zoned CR-3.5, C-2.5, R-3.25 with a height of 70.  
5 Again, to be sure, that we protect the adjacent  
6 neighborhood.

7 But again, we think that that would  
8 allow for more collaboration among everyone in  
9 that block to develop something together.

10 In addition, on Page 67, there's a big  
11 green asterisk on this property, shown as a  
12 potential open space, we understand that these  
13 are not specifically located.

14 However, it certain seems to suggest  
15 that this property would have to contribute  
16 something or do something. And it's not that  
17 large.

18 And again, we would suggest that that  
19 be removed from this property so that there's  
20 more ability for the whole block to develop in a  
21 sort of way.

22 COMMISSIONER DREYFUSS: So you want

1 the star, you want the star shifted?

2 MS. VAIAS: Shifted or disappear.

3 CHAIR ANDERSON: Yes, speak into the  
4 mic. Yes.

5 MS. VAIAS: Sorry.

6 COMMISSIONER DREYFUSS: Got it.

7 MS. VAIAS: All right, thank you.

8 That's all for that property.

9 CHAIR ANDERSON: Okay. We're going to  
10 take Ms. Spinrad. We'll come back to you for the  
11 next one.

12 COMMISSIONER DREYFUSS: Before you  
13 start, what was the numbers again on Page 123?

14 MS. VAIAS: 123, 5 and 6.

15 COMMISSIONER DREYFUSS: And on which  
16 street?

17 MS. VAIAS: Stanford.

18 COMMISSIONER DREYFUSS: Got it. Okay,  
19 thank you.

20 MS. SPINRAD: I'm Naomi Spinrad. Vice  
21 president, Chevy Chase West Neighborhood  
22 Association.



1           CCW Homes confront the Bethesda Fire  
2 Department property at Wisconsin and Bradley. We  
3 want to keep this fire station, but we object to  
4 the proposed re-zoning there.

5           CCW believes the Bethesda downtown  
6 should end at Bradley Boulevard, a natural  
7 dividing line.

8           That the underlying zoning for the  
9 fire station property should be R-60, consistent  
10 with the least dense adjacent zoning, as is true  
11 for a majority of the county's Fire and Rescue  
12 stations. And that CR zoning with its vast use  
13 is inappropriate for this edge property.

14           At the least, the zoning should be  
15 left as it is until the county fire officials  
16 determine what is needed and if there is a  
17 compelling reason to change the zoning.

18           CCW has a strong record of working  
19 others. We worked with the County Arborists to  
20 replace dead and diseased trees on our streets,  
21 paying some expenses from our reserves, with the  
22 State Highway Administration on the Green Mile

1 sidewalk on the East side of Wisconsin sensitive  
2 to strong feelings about safe pedestrian access,  
3 loss of trees and aesthetics.

4 And with the Chevy Chase Club to  
5 ensure that 18 wheelers make their deliveries  
6 safely to the Pub via a new driveway on Wisconsin  
7 Avenue without impeding access to and from CCW.

8 Last May we learned from news reports  
9 that the BFD was looking at redeveloping this  
10 site into a multistory residential structure with  
11 an embedded relocated fire station.

12 In October, at CCW's invitation, Grant  
13 Davies of the BFD and I met informally to discuss  
14 options that CCW might be able to support if BFD  
15 provided certain guarantees. Six months later  
16 they made a presentation to our board with no new  
17 ideas.

18 The BFD Board is dominated by longtime  
19 members who make all major decisions in executive  
20 session or via private communications,  
21 effectively excluding committees from the  
22 decision chain.

1           Its fund-raising has been anemic, even  
2           though it is in the economic engine of the  
3           county. Its claims that it must have this zoning  
4           to continue carry out its functions and that the  
5           county will not pay for a new fire station are  
6           belied by county expenditures. It is not a  
7           property owner like any other.

8           BFD's primary purpose and reason for  
9           its tax exemption is public safety, not property  
10          management. The county provides the fire and  
11          rescue services BFD houses. The county should  
12          lead in determine whether a new fire station is  
13          needed and how to configure it.

14          CCW, with the Town of Somerset,  
15          Village of Drummond, Village of Chevy Chase and  
16          the 15 other communities in the Citizens  
17          Coordinating Committee of Bishop Heights, agree  
18          that there should be only a standalone fire  
19          station here. Especially as density and demand  
20          for fire and rescue services in the area  
21          increase.

22          As my written testimony details, Chevy

1 Chase West and its neighbors along the Green  
2 Mile. Strongly urge you to reject any change in  
3 zoning, other than to R-60 for the fire station  
4 property.

5 To endorse the concept that the public  
6 safety needs over the next decades demand that  
7 this be a standalone fire station. And to  
8 respect CCW by not imposing a CR zone with  
9 heights, densities and nuisances so incompatible  
10 with a single family neighborhood. Thank you.

11 CHAIR ANDERSON: Thank you. Ms.  
12 Royals. Is that you?

13 MS. ROYALS: That's me.

14 CHAIR ANDERSON: Grab a microphone.

15 MS. ROYALS: Cecilia Royals. I am a  
16 resident on Nottingham Drive, which is the street  
17 that is on the South side of the Bethesda Fire  
18 Department.

19 It also is, in a certain sense, the  
20 gateway to Bethesda from DC. The very sought  
21 after, what are we going to look like, what is  
22 our front door going to look like to our

1 neighbors at the South, from whom we want so much  
2 wealth.

3 So the Bethesda Fire Department has  
4 proposed a unit where they could keep the fire  
5 department, which we all want, state of the art,  
6 which we all want and we applaud that. But they  
7 plan to surround it with, not single-family  
8 dwellings, which would be consistent with the  
9 tapering down of Bethesda to the single-family  
10 dwellings on the south side of Nottingham Drive,  
11 where I live.

12 They want multi-family units which  
13 would, it somehow makes me fear what little old  
14 Montgomery Lane looks like behind the Topaz  
15 House, for example. Perhaps they're not going to  
16 put them that high, but is that the front  
17 entrance to Bethesda from our wealthy, we want  
18 them to arrive at this destination. Is that what  
19 we really want it to look like?

20 Now a state of the art fire station,  
21 with a lot of green space. I would like to  
22 encourage you to think of the garden district and

1 the meaningful gathering space ideas that you  
2 have and have that be your calling card. Your  
3 front entrance.

4 Maintain a fire station but make it  
5 look also like a gathering space. Like a place  
6 where you can actually breathe deeply and to be  
7 proud of.

8 Nottingham Drive is one block. And  
9 right now Nottingham Drive takes on the burden of  
10 the overflow parking from the business district  
11 of Bethesda, from residents from who knows where  
12 who come to park close enough, within a walking  
13 distance of the metro to walk to the metro.

14 There's going to be another metro station, isn't  
15 there?

16 Nottingham Drive has that burden. It  
17 also has the burden from the other multi-family  
18 units.

19 VICE CHAIR WELLS-HARLEY: Thirty  
20 seconds.

21 MS. ROYALS: I'm sorry, what?

22 VICE CHAIR WELLS-HARLEY: Thirty

1 seconds.

2 MS. ROYALS: Thirty seconds, right.

3 Thank you. So consider the character and  
4 consider the tapering down.

5 If everybody is going to get 200 feet  
6 or where -- the tapering down is going to be a  
7 precipice when you get to Nottingham Drive. Not  
8 only that, but over development leads to low  
9 occupancy and all these dreams go up in smoke.  
10 Thank you.

11 CHAIR ANDERSON: Thank you. So I've  
12 got Ms. Letham.

13 MS. LETHAM: Thank you. Erica Letham  
14 with Ballard Spahr. You've heard a lot of  
15 testimony this afternoon so I'm just going to  
16 make one point.

17 I'm here on behalf of Huron  
18 Associates, which owns 7901 Wisconsin Avenue.  
19 It's the southernmost Number 7 on Page 95.

20 It's currently a Wells Fargo Bank  
21 Branch just South of the Benihana. This is in  
22 the Wisconsin Avenue District.

1           This property owner also has interest  
2           in several other properties to the east, along  
3           the eastern -- in the Eastern Greenway portion,  
4           including a surface parking lot and single-family  
5           house.

6           And the opportunity is by assembling  
7           all of these properties that will implement the  
8           full width of the eastern Greenway that's  
9           recommended in the master plan. And potentially  
10          expand Chase Avenue neighborhood park.

11          But, and the but is why we're all  
12          here, it's not economically viable without more  
13          height and density on the Wisconsin Avenue side.

14          It's currently proposed for an FAR 3.5  
15          and a height of 120 feet. That doesn't work.

16          We're proposing an FAR of 5 and a  
17          height of 200 feet. And this is consistent with  
18          the adjoining and confronting properties.

19          I have submitted comments for the  
20          record with some really beautiful massing  
21          diagrams to demonstrate this and I encourage you  
22          to review those. Thank you.



1 CHAIR ANDERSON: Did you say the right  
2 or the east side of Wisconsin or the left side?  
3 The east side or the west?

4 MS. LETHAM: The east side.

5 COMMISSIONER DREYFUSS: East side.

6 MS. LETHAM: It's the southernmost.

7 COMMISSIONER DREYFUSS: Right, it's  
8 the southernmost side.

9 MS. LETHAM: Oh, I'm sorry. It's the  
10 southernmost 7 at the north side of Wisconsin  
11 Avenue.

12 COMMISSIONER DREYFUSS: Yes, okay.

13 MS. LETHAM: That's confusing.  
14 There's a lot of 7's.

15 PARTICIPANT: Can we see it on the  
16 screen with the mouse?

17 PARTICIPANT: Keep going down, there.  
18 Right there.

19 COMMISSIONER DREYFUSS: Where's the  
20 arrow?

21 CHAIR ANDERSON: Just North of Chase.

22 COMMISSIONER DREYFUSS: Ah. Okay.

1 MS. LETHAM: Sorry. Sorry about that.  
2 I should have clarified.

3 COMMISSIONER DREYFUSS: Chase Avenue,  
4 got it.

5 MS. LETHAM: Right, Chase Avenue.

6 CHAIR ANDERSON: Okay, Mr. Dalrymple?

7 MR. DALRYMPLE: Good afternoon. Bob  
8 Dalrymple, law firm of Linowes and Blocher.

9 I'm here on behalf of several property  
10 owners. To begin with, Washington Property  
11 Company who has several properties within the  
12 downtown area.

13 Tim Eaton will be taking the next  
14 speakers slot to talk about the property that's  
15 next to the Washington Property, which is at the  
16 Southwest corner of Wisconsin Avenue and Woodmont  
17 Avenue.

18 This property is comprised of about  
19 57,500 square feet. And again, we are  
20 coordinating with the other property owners in  
21 that block to try to come up with a cohesive plan  
22 for redeveloping what will be the southern

1 gateway to the downtown Bethesda area.

2 Being the southern gateway and located  
3 on the main artery to the downtown area, we think  
4 that this frontage needs to make an urban  
5 statement for persons coming through or entering  
6 or exiting the downtown area.

7 Currently a building height of 90 feet  
8 is recommended with the zoning. And we believe  
9 that this height is inadequate to make this  
10 downtown statement that we believe is necessary  
11 and appropriate.

12 The second location for Washington  
13 Property is at 4720 Hampden Lane. Which is  
14 between Woodmont Avenue and Wisconsin Avenue,  
15 with very close proximity to the Bethesda Metro.

16 This is very much the core of this  
17 major urban city. It should be zoned  
18 accordingly.

19 We believe that general areas within  
20 the downtown should be identified as being  
21 appropriate for height and density and then allow  
22 the marketplace to takeover.

1           While Washington Property has no  
2 immediate plans for redevelopment, the  
3 possibility for assemblage or redevelopment on  
4 its own exists.

5           The properties at the urban core,  
6 including this, should have the maximum zoning  
7 allowed under the zoning code. Which is CR-8  
8 with 300 foot height.

9           It's the desire to encourage core  
10 properties to -- if the desire is to allow core  
11 properties to get additional density through the  
12 transfer program, then we think this incentive  
13 should be to add to the appropriate based zoning.  
14 Not the artificially set zoning low to require  
15 property owners to abide that, the density to the  
16 level of appropriateness.

17           We have written testimony that we'll  
18 submit for both locations. And again, the next  
19 speaker slot I'm giving away to Tim.

20           CHAIR ANDERSON: You know what,  
21 instead of doing that I'd prefer to going back to  
22 Ms. Vaias. And you've got a number of other

1 properties.

2 MR. DALRYMPLE: Yes, that's fine.

3 CHAIR ANDERSON: So we can go back and  
4 forth until -- just for a couple more of these  
5 and then we're going to take a break.

6 MR. DALRYMPLE: Okay.

7 CHAIR ANDERSON: And then we'll have  
8 whoever come back. If we could go to Ms. Vaias  
9 now.

10 MS. VAIAS: Okay, thank you. Emily  
11 Vaias with Linowes and Blocher talking on behalf  
12 of Douglas Development this time.

13 And what I've handed out to you is  
14 what I hope will help you note where these  
15 properties are. Douglas Development actually  
16 owns seven properties in the Bethesda area. And  
17 we will be submitting written testimony for each  
18 of them. But I'll just quickly go through a  
19 couple.

20 As we've indicated on the map, Page 95  
21 that I gave you, they own 4714 Montgomery Lane,  
22 4715 Hampden Lane. Probably better known as

1 Tommy Joe's and Pines of Rome.

2 That property is again, right in the  
3 central core, close to metro. It has been  
4 recommended for 250 height. Of course we think  
5 290 or 300 would give some more ability to being  
6 very creative in this area and not just have one  
7 site across the way that could go that high.

8 And in addition we believe that the  
9 density should go to the maximum with a CR-8.0  
10 instead of the 6.0 and allow more residential to  
11 go 7.5 there.

12 So that's Number 11 on Page 95. Also  
13 on Page 95, Number 25, is 6831 Wisconsin Avenue.  
14 Further South. Another Joe's, Trader Joe's at  
15 that site.

16 And that property has, again as I  
17 mentioned earlier, split zone in this block down  
18 here. Which I believe was probably necessary  
19 with the old Euclidean zones and it was a way to  
20 protect the neighborhood.

21 But with the current CR zones and the  
22 ability to really affect the design of a

1 property, I don't believe that the fictional, the  
2 separation with the split zoning is necessary.  
3 We'd like to see the whole property zoned to the  
4 CR-3.5 with a C-3.5, R-3.25 and keep the height  
5 at 90.

6 And again, this would be for the  
7 entire property. Not just the front piece.

8 On Page 103 they also own 7979 Old  
9 Georgetown, which is an existing office building.

10 In this case the zoning recommended  
11 this as CR-3.5, with a C of 1.25. Again, this  
12 existing building already exceeds the 3. And  
13 again, it seems like a commercial piece and we  
14 should go ahead and up the C to 3.5 as well to  
15 allow that to remain commercial in order to  
16 redevelop without being nonconforming.

17 And lastly, again on Page 103, Number  
18 5, the 7900 Norfolk, which is commonly known as  
19 Rock Bottom Brewery and office building.

20 Again, this one we would like to see  
21 increased to a CR-6. Again, with a C of 6 and a  
22 R of 5.75 and a height of 110. As opposed to the

1 lower density that's currently proposed.

2 Again, we're going to be submitting  
3 written testimony on all the properties.

4 COMMISSIONER DREYFUSS: I just have a  
5 sort of suggestion to the staff maybe. If when  
6 we get your summary of the comments back that you  
7 have a map with what's current, what's  
8 recommended by staff, what any of speakers have  
9 or letters have suggested so we can --

10 CHAIR ANDERSON: A case number and a  
11 marker that's the comment.

12 MR. DALRYMPLE: We can do that.

13 COMMISSIONER DREYFUSS: There's a lot  
14 of decisions to be made and they're all over the  
15 place.

16 MS. VAIAS: Yes, we'll do that.

17 COMMISSIONER DREYFUSS: And when we  
18 talk about it it would really help. I think in  
19 some places talk about addresses, they're not in  
20 the book. So it's --

21 And their numbers are the same numbers  
22 on the same page because it relates to different



1 -- it's not the number of the property, it's the  
2 number relating to how it's been zoned. So it's  
3 -- I think when we try to sit through all this  
4 that would be really helpful.

5 I don't know if anybody else has --

6 CHAIR ANDERSON: Yes, I mean yes. All  
7 right, could we go back to Mr. Dalrymple.

8 MR. DALRYMPLE: This slot will be --

9 CHAIR ANDERSON: Well, you know what,  
10 if we're going to go to him I'd rather have him  
11 on a different channel so we think --

12 MR. DALRYMPLE: Okay, yes.

13 Understand. That's fine.

14 COMMISSIONER DREYFUSS: We could do  
15 another property.

16 MR. DALRYMPLE: Sure. Next property  
17 is property controlled by Asksoylu Properties.  
18 That includes public parking lot 43 and an  
19 assemblage of private properties.

20 These properties are between Wisconsin  
21 Avenue and Woodmont Avenue and between St. Elmo  
22 and Cordell.

1           Again, parking Lot 43 is a surface  
2 parking lot of the county. It was put out to RFP  
3 within the last year. And Asksoylu Properties  
4 was the selected developer.

5           With the assemblage of this property  
6 and other private properties in this vicinity,  
7 the desire is to construct a misuse residential  
8 over retail project. As part of that RFP process  
9 the developer has proposed a significant  
10 contribution of dwelling units to the Affordable  
11 Housing Program. With at least 20 percent of the  
12 total dwelling units to be at 65 percent of the  
13 AMI.

14           The block is inconsistent in terms of  
15 its zoning in as much as it does allow for CR-6,  
16 H-175 for some properties. And much less than  
17 that at a 145 feet for other properties.  
18 Including the assemblage I'm speaking to you  
19 today on.

20           Our request is pretty easy, which is  
21 to zone the entire block consistently and to  
22 allow the market forces to take over.

1           This property, again with the proffer  
2           to do a more affordable housing, the greater the  
3           density, the more the affordable housing that  
4           will be provided.

5           So we do have written testimony that  
6           we'll be submitting into the record for this  
7           project as well.

8           The 175 feet in height that we're  
9           asking for would be protected from the  
10          residential community at the edges of the CBD.  
11          And, more importantly, it would be consistent  
12          with properties to the south of it, along  
13          Wisconsin Avenue also to the west of it, across  
14          Woodmont Avenue.

15                   PARTICIPANT: Thirty seconds.

16           MR. DALRYMPLE: So we ask that you  
17          consider zoning this entire block in a consistent  
18          manner with CR-6 and H-175 to encourage this  
19          public/private partnership to proceed forward  
20          with greater height and density in response to  
21          what we believe the marketplace is.

22           CHAIR ANDERSON: Okay, thank you. And

1 if you're ready with one more after we go back to  
2 Ms. Vaias?

3 MS. VAIAS: I also have a client who  
4 would like to speak. So what do you want --

5 CHAIR ANDERSON: I really can't have  
6 the client speaking and you speaking for the same  
7 property.

8 MS. VAIAS: Right. No, we won't. I'm  
9 not going to speak, the Client is.

10 CHAIR ANDERSON: Oh, all right. Then  
11 let's put that on a different panel. Do you have  
12 one more, Mr. Dalrymple, before we take a break.

13 MS. VAIAS: I do have one more that  
14 I'm going --

15 CHAIR ANDERSON: Oh, all right. Go  
16 ahead.

17 MS. VAIAS: Okay. All right, sorry.  
18 Emily Vaias with Linowes and Blocher --

19 (Off-microphone comments)

20 MS. VAIAS: No. And this time I'm  
21 representing the Abraham Morrison Memorial, LLC.  
22 They are the owner of the property located at

1 4885 Edgemoor Lane in Bethesda.

2 And they've been working with the  
3 adjacent owner, EQR, on potential redevelopment  
4 there. The existing property is a single-family  
5 home.

6 And currently the plan is proposing  
7 that it be a CR-2.5 with a C-0.5 and a R-2.5 with  
8 a height of 120.

9 And we believe that in order to help  
10 a redevelopment here to occur, which seems very  
11 appropriate again considering it's single-family  
12 surrounded by multi-story buildings on all sides,  
13 that a density of CR-4.0, instead of the 2.5 with  
14 a height of 175, which could be consistent with  
15 properties across Woodmont, which are zoned CR-6  
16 and 8, would allow for more ability here to  
17 collaborate with EQR and to redevelop this site.

18 And again, we'll be submitting  
19 testimony.

20 CHAIR ANDERSON: Thank you. And Mr.  
21 Dalrymple and then we'll take a break.

22 MR. DALRYMPLE: Thank you. Bob

1 Dalrymple with Linowes and Blocher talking to you  
2 about a property owned by, or under contract and  
3 owned by, B.F. Saul Entities.

4 This property is in assemblage of a  
5 property in the 8001 Wisconsin Avenue block.  
6 Bounded by Wisconsin Avenue to the West, West  
7 Virginia Avenue, Highland Avenue and Tilbury  
8 Street.

9 It is in the Wisconsin Avenue Corridor  
10 District and the Eastern Greenway District of the  
11 draft plan.

12 Saul generally supports the draft  
13 plans vision for this area. And in particular,  
14 supports the concept of having more density and  
15 height along Wisconsin Avenue, transitioning to  
16 the east, to the single-family neighborhood of  
17 East Bethesda.

18 Including the establishment of the  
19 linear Greenway to create this clear line of  
20 demarcation between the Urban Center and the  
21 established residential community to the East.

22 Our concern is that with the

1 constraints within the plan of the BRT, the BRT  
2 stops proposed for this area, and with the  
3 setbacks that are encouraged through the plan for  
4 the Greenway, that the density and height  
5 recommended in the draft plan are insufficient to  
6 spur the desired redevelopment.

7 The Plaintiff's recommended for CR  
8 zoning, with heights at 120 feet, stepping 70  
9 feet and then transitioning from the CR to the  
10 CRT zone at a lesser density.

11 We would request that this be bumped  
12 up and that height along Wisconsin Avenue be at  
13 least 145 feet, matching what is across Wisconsin  
14 Avenue stepping to 90 feet. And then further  
15 stepping to 70 feet before the creation of the  
16 linear Greenway area between the single-family  
17 community and the urban district.

18 We also note, and we will put this in  
19 written testimony to be delivered before the  
20 close of the record, that the -- and we've talked  
21 to staff about this, we're asking that the CR  
22 zoning, where it transitions to the CRT now, be

1 extended to the east one by one parcel so that  
2 it's consistent with the CR lines, both north and  
3 south of the property.

4 Right now we have the jog in the CR  
5 between the three blocks with this block being in  
6 the center. And we would ask that that CR be  
7 extended over to have a consistent line.

8 And our last concern is that this is  
9 an all or nothing proposition in the plan. The  
10 entire block needs to redevelop or else the plan  
11 says that none of it will. We'll submit written  
12 testimony.

13 CHAIR ANDERSON: Thank you. Okay,  
14 we're going to take a little break. When we come  
15 back can we have Mr. Tim Dugan, Susan Jones, John  
16 Collich and William Everngam. And also Mr.  
17 Dalrymple, either you or your client on that one.

18 (Whereupon, the above-entitled matter  
19 went off the record at 3:55 p.m. and resumed at  
20 4:07 p.m.)

21 CHAIR ANDERSON: Who would like to  
22 start? It doesn't really matter, just --



1 MR. EDEN: I'll start.

2 CHAIR ANDERSON: Thank you.

3 MR. EDEN: I'm Tim Eden, Managing  
4 Partner at Star Capital. We recently acquired  
5 the property adjacent to that of Washington  
6 Property Company that Bob just reviewed at 7008  
7 Wisconsin Avenue, and we strongly support their  
8 proposal.

9 Bob and his team also represent our  
10 interest, and they will be submitting testimony.  
11 Located at 7,000 Wisconsin Avenue, our property  
12 consists of 22,000 square feet of land and 25,000  
13 square feet of leased retail space including  
14 Orbis and Sleepy's which is a good description of  
15 this neighborhood as a collection of older  
16 properties, sleepy.

17 In meeting with Staff March 2015, we  
18 requested FAR of 5 and a height of 120 as  
19 consistent with other properties on Wisconsin  
20 Avenue equidistant to Metro to the north.

21 We think that this makes good suburban  
22 planning sense to help meet the goals and the

1 objectives of the Plan for the following reasons,  
2 we have significant cash flow, it's a retail  
3 property and it would be uneconomic to build if  
4 we're not granted additional density, we would  
5 simply add more retail space.

6 The current plan recommends 90 feet in  
7 FAR 3.5 which is insufficient to encourage large  
8 scale construction, which is a key economic  
9 development of the plan.

10 Number two, along with their neighbors  
11 to the north and south, this section of Wisconsin  
12 Avenue consists of over two acres, offers  
13 critical mass to accommodate large, energy  
14 efficient buildings.

15 It also offers a gateway location to  
16 Bethesda at Woodmont Avenue, and a good proximity  
17 to transit. The property is buffered from single  
18 family communities outside of the CBD and  
19 additional height at this location would  
20 naturally taper to the west.

21 Number three, we're willing to invest  
22 in the redevelopment property, working

1 cooperatively with our neighbors at Washington  
2 Property Company to plan for cohesive development  
3 regarding open space, architecture, parking, and  
4 living.

5 We further believe the property should  
6 be recognized as an opportunity to allow more  
7 density of height to the density sharing program  
8 being recommended in the plan. Again, this would  
9 be consistent with the plan on Wisconsin Avenue,  
10 Cheltenham Avenue, equidistant north with Metro  
11 that shows heights of 250 feet.

12 In summary, we're generally supportive  
13 of the Draft Sector Plan that establishes broad  
14 goals and objectives for Bethesda regarding green  
15 space, transportation, affordable housing, and  
16 economic development.

17 Beyond this general plan for  
18 development, however, the market should be the  
19 guiding force for where density and height should  
20 occur. We believe the plan is too specific block  
21 by block, in a manner that attempts to define the  
22 skyline in open space.

1           Since each project will have open  
2 space requirements, we believe the private sector  
3 will innovate --

4           PARTICIPANT: Thirty seconds.

5           MR. EDEN: -- to consolidate  
6 properties and provide creative solutions. The  
7 outstanding Bethesda development community is  
8 prepared to deliver on the promise of the plan to  
9 be one of the most successful urban centers in  
10 the region.

11           The Sector Plan should be broad and  
12 flexible enough to allow the market to exceed  
13 expectations. Thank you.

14           CHAIR ANDERSON: Thank you. We'll  
15 take B.F. Saul now.

16           MR. BURKE: Thanks. Good afternoon.  
17 My name is Vince Burke, I represent B.F. Saul  
18 Company headquartered just up the street. I  
19 should also note I was born and raised in  
20 Bethesda and live in East Bethesda just adjacent  
21 to the planning area.

22           First we want to thank the Staff for

1 all their hard work and commend them on what we  
2 feel is a exciting venue for the future. We  
3 agree with many of the stated goals of the Plan,  
4 however we feel that there are some revisions  
5 that could help achieve those goals and create a  
6 better Bethesda.

7 As a company, we are heavily invested  
8 here, and we focused on the Plan since the  
9 outset. We are diligent in our planning efforts  
10 because Saul is likely to repay its assets  
11 through the life of the Plan.

12 One site we feel deserves another look  
13 is our garden closet property located at 7700 Old  
14 Georgetown Road, about a block and a half west of  
15 here, and it's Page 103, number 12.

16 First we need to correct a discrepancy  
17 in the Plan. This page has us at 40 feet. That  
18 does not reflect current zoning, showing a  
19 significantly lower height than was intended.

20 We've petitioned Staff regarding this  
21 area, and they agree that it should be changed to  
22 show the 110 feet. In addition, we believe that

1 this site is appropriate for increased height and  
2 density.

3 Pedestrians can walk to the metro from  
4 the site in less time than I'm allowed to speak  
5 here in this testimony. Locating density in  
6 close proximity to mass transit is chief among  
7 urban planning principals, and being within a  
8 three minute walk surely qualifies.

9 Located at the heavily trafficked  
10 corner of Arlington Road, Wilson Lane, Old  
11 Georgetown Road, property provides a unique  
12 opportunity to develop an arrival moment for  
13 Bethesda's urban quarter.

14 Developing landmark buildings with  
15 more urban presence will serve to establish a  
16 definitive western gateway for downtown Bethesda.  
17 In the Plan, Garden Plaza was added to the  
18 Woodmont Triangle District.

19 Many of the properties throughout  
20 Woodmont Triangle at greater distances from Metro  
21 are planned at the District's peak density of 175  
22 feet, and 6.0 FAR.

1           This property is a primary location to  
2 merit the same treatment. We understand the  
3 staff desires to transition a section of the  
4 property at the corner of Mooreland and  
5 Arlington, and we agree that this portion could  
6 remain at the 110 feet.

7           However, it should be noted that  
8 transitional buffers between the site and  
9 Bethesda single family home to the west measure  
10 over 700 feet, and far exceed analogous  
11 conditions throughout the planning area.

12           Finally, we have studied numerous  
13 phase three development schemes that are  
14 achievable within the 20 year life of the plan.  
15 In addition to the benefits already described --

16           PARTICIPANT: Thirty seconds.

17           MR. BURKE: -- realizing the full  
18 potential of this site would reinvigorate a  
19 generous but underutilized public space, add  
20 mixed use development near transit and employment  
21 opportunities, and deliver new buildings that are  
22 in keeping with the quality synonymous with

1 Bethesda envisioned by this Plan.

2 Saul has the expertise, wherewithal,  
3 and desire to follow through on this vision but  
4 needs the flexibility in the Plan to do so. We  
5 will be submitting written testimony to follow,  
6 and are available for any questions. Thank you.

7 CHAIR ANDERSON: Thank you, Mr. Burke.  
8 Ms. Jones?

9 MS. JONES: Yes, my name is Susan  
10 Jones and I'm here speaking as an individual.  
11 And in regard to the proposed redevelopment of  
12 the Bethesda Metro Plaza by either Clark or  
13 Brookfield, I'm here to suggest that the  
14 redevelopment include a public dance space that  
15 would be suitable for community dances.

16 Dancing is a wonderful activity.  
17 Bethesda is getting denser and denser, and I  
18 think it would be great to have sort of a venue  
19 where people could gather and connect.

20 I think one of the previous speakers  
21 mentioned that her neighborhood was not calm and  
22 quaint anymore. And perhaps a community dance



1 floor would be a way to bring back a little bit  
2 of calm and quaint to the Bethesda area.

3 I think there are a number of  
4 community recreational dance groups that might be  
5 interested in using such an entity. The  
6 newsletter, the Folklore Society of Greater  
7 Washington lists about 500 recreational groups.  
8 And while many of these groups already have their  
9 own spaces, they may be interested in expanding  
10 and holding more dances more frequently than they  
11 do.

12 A dance space might also be suitable  
13 for local dance studios or academies who want a  
14 place where they can hold a special event, maybe  
15 a public recital for students. There might also  
16 be skilled amateur performing dance troupes who  
17 might want to perform there or even professional  
18 troupes that might want to show up there for a  
19 performance.

20 There would be a number of benefits,  
21 I think, to having a local public dance space.  
22 Some practical ones would include increases in

1 business for local businesses, particularly  
2 restaurants and bars as people decide to go out  
3 to dinner before the dance, or go out afterwards  
4 to a bottle of wine.

5 I think that important benefits also  
6 can include some less tangible things including  
7 creation of a sense of community. As I grew up  
8 in Bethesda, it was a small town back then. It  
9 isn't anymore, but let's try to bring an element  
10 of the small town atmosphere back.

11 It also would provide health benefits.  
12 We all know that we don't move enough. And so,  
13 you know, let's bring in an activity that  
14 encourages movement.

15 I think there are a number of reasons  
16 to think that such a space could be quite  
17 successful. You all may be aware that Glenn Echo  
18 Park was redeveloped a number of years ago and  
19 they have a great dance program there that's very  
20 active.

21 Some of their dances draw several  
22 hundred people. And I see no reason why Glenn

1 Echo should have all the fun --

2 PARTICIPANT: Thirty seconds.

3 MS. JONES: -- and enjoy all the  
4 prestige. A new dance started a couple of years  
5 ago in Downtown Washington, a square dance that  
6 took off like lightning and draws several hundred  
7 people.

8 I will stay as long as I can to  
9 interact with some of the Clark and Brookfield  
10 people. But at some point I have to leave  
11 because I'm going to go dancing tonight.

12 CHAIR ANDERSON: Thank you. And we're  
13 interested in activating some of the public use  
14 spaces. I would encourage you not just to think  
15 and confine your thinking to that particular  
16 space, but other places in Bethesda.

17 And if you haven't been in touch with  
18 our Parks Department, we have a major initiative  
19 to try to accommodate and encourage and  
20 facilitate more of those kind of active uses.

21 MS. JONES: And how would I find that  
22 on the web?

1 CHAIR ANDERSON: Well, we can put you  
2 in touch with the relevant staff people, Leslie  
3 can help you out. And we have your contact  
4 information. Thank you. Mr. Dalrymple, you want  
5 to do one more? And then Mr. Mahaffie, you want  
6 to take a seat and I'll -- yes.

7 MR. DALRYMPLE: If you want to see  
8 dancing, you should attend the planning board  
9 sessions every Thursday. A lot of dancing.

10 MS. JONES: But they don't move their  
11 feet, right?

12 (Laughter)

13 MR. DALRYMPLE: Bob Dalrymple from  
14 Linowes and Blocher speaking on behalf of  
15 Bernstein Companies and property that Bernstein  
16 Companies owns and is developing under the name  
17 of Bethesda Center which the Board is familiar  
18 with. We've been before you several times with  
19 regard to that project.

20 It's a 466,000 square foot mixed use  
21 project with hotel, residential, office, and  
22 retail. It was initially intended to be a single

1 phase development, but it will now be a two phase  
2 development with the hotel component ready to go,  
3 and the office component awaiting for the office  
4 market to return.

5 Because it's now a split phase  
6 development, this sector plan amendment does  
7 become quite relevant to the second phase of  
8 build-out of the project.

9 And in that regard, we are most  
10 interested in receiving appropriate changes to  
11 the zoning to encourage more height and more  
12 density for the build out of the project.

13 What is a bit concerning to Bernstein  
14 companies is the zoning pattern for this block  
15 where very small properties at the northern edge  
16 of the block receive higher height than the  
17 remainder of the block.

18 And we understand the theory behind it  
19 having talked to staff between, you know, about  
20 the building walls with the new civic gathering  
21 spaces and the lights. But these properties on  
22 the northern edge will have little likelihood of

1 redeveloping on their own.

2 And the best use of the sites will be  
3 to be settled with the rest of the block, or to  
4 be public amenity spaces with densities  
5 transferred to the rest of the block.

6 The long and short of it is that we  
7 believe that the entire block should be  
8 designated as appropriate for 250 feet in height.  
9 There's no reason for these properties at this  
10 location close to the Metro, along the main  
11 artery road of Wisconsin Avenue through the  
12 downtown area, and certainly far away from the  
13 edges of the downtown area, there's no reason why  
14 there shouldn't be more height allowed for this  
15 property.

16 PARTICIPANT: Thirty seconds.

17 MR. DALRYMPLE: And then to allow the  
18 marketplace to speak as to what properties should  
19 be assembled and how much of it will be  
20 redeveloped and when.

21 Again, the first phase of the  
22 development is ready to go to permitting, so it

1 will be constructed at the current zoning. But  
2 there is a significant opportunity for the rest  
3 of this block to be something special. And for  
4 that reason, we would ask that you consider our  
5 request. Thank you.

6 CHAIR ANDERSON: Thank you. Ms.  
7 Mahaffie?

8 MS. MAHAFFIE: Good afternoon. My  
9 name is Jane Mahaffie. I'm with StonbridgeCarras  
10 and today I'm speaking as the representative as  
11 the contract purchaser of the Bethesda Police  
12 Station on 7359 Wisconsin Avenue which is at  
13 Wisconsin Avenue and Montgomery Avenue. There  
14 you go, one of those Block 11s up there.

15 We are also the owner of 7351, an  
16 adjacent property on Wisconsin Avenue in the core  
17 of Bethesda.

18 As you know, the property at 7359 is  
19 part of the public/private partnership with the  
20 county, and particularly the police department  
21 where the new 2nd District Police Station that  
22 will in the future be located at 4823 Rugby

1 Avenue.

2 First, we have submitted testimony  
3 that goes into more detail related to a number of  
4 items. But for brevity and just, like,  
5 apparently to repeat myself from a lot of people  
6 here I would like to discuss just a few.

7 While we also share the vision of the  
8 planning staff, we strongly believe that the  
9 recommendation for this property and others in  
10 that downtown court area fall far short of what  
11 we think not only should be allowed, but should  
12 be encouraged.

13 Bethesda is and should be the primary  
14 commerce area for the county, and the planning  
15 premise of sort of the high density and tenting  
16 out for the perimeters is fine. However, we  
17 believe that in that Bethesda Metro core, it's  
18 underutilized, including our two properties.

19 The Plan recommends on our property 6  
20 FAR and a 250 foot height maximum at this  
21 location. We think with the frontage on  
22 Wisconsin Avenue, immediate access to Metro, I



1 think I get closer than you do, it should be  
2 planned for the absolute maximum density and  
3 height allowed under the county zoning.

4 In addition, this property has a  
5 constraint of the commercial at 4.75 FAR. We  
6 think that sort of it should float up to the  
7 highest density and the maximum density allowed.  
8 And not only the residential, but the commercial  
9 seems to us to be fairly restricted with that.

10 While we don't know exactly what our  
11 use is on the site and the mix of uses will be,  
12 we are hopeful that the market will support a  
13 substantial office project on this property.

14 And so it's puzzling to us why as  
15 noted in the early sections of the report  
16 stressed the challenges of Bethesda being an  
17 employment center remaining in the goals of  
18 increasing the work life, but this is severely  
19 and artificially restricted.

20 So we would ask that that FAR,  
21 particularly for the commercial --

22 PARTICIPANT: Thirty seconds.

1 MS. MAHAFFIE: -- go higher. Our site  
2 in particular is a great assembled site, and  
3 actually a good site for redevelopment,  
4 particularly in the early stages of the plan.  
5 The station will be coming up fairly soon, and  
6 we'll be starting construction on that.

7 So it's noted in the report the  
8 Wisconsin Avenue core is a main artery, and we  
9 believe it needs to have the higher density and a  
10 particular, specifically moving up the commercial  
11 and the residential zone.

12 CHAIR ANDERSON: Thank you. Okay, I  
13 think Mr. Dalrymple, do you want to do one more  
14 before we switch panels? Go ahead.

15 MR. DALRYMPLE: Because Stonebridge  
16 has multiple properties, we were supposed to be  
17 on for two slots. So I'll just quickly just  
18 follow up on Ms. Mahaffie's testimony on behalf  
19 of Stonebridge.

20 And really, just talk about general  
21 concepts of the Plan itself as it, I think,  
22 relates to the entire Plan. And in particular,

1 the idea of the tenting which I think is really  
2 at the foundation of the Plan itself and the  
3 planning concept framework for the Plan.

4 Here before, the Bethesda CBD, the  
5 tenting was really a pretty basic concept. It  
6 was you have your core area where more height and  
7 density is appropriate, and it transitions to the  
8 edges, and that forms the tenting. It makes a  
9 lot of sense and I think that's how the Plan has  
10 been for a while and has been implemented.

11 The new Plan alters that concept in  
12 that the tenting concept is now throughout the  
13 downtown area where there are the civic greens,  
14 and then tenting that occurs with the intended  
15 purpose of the Plan to identify properties that  
16 should be higher and properties which should be  
17 lower.

18 So rather than having at the center  
19 your higher density in height and then the  
20 tenting going to the edges, as I understand the  
21 concept now it's to have tenting throughout the  
22 plan where you have you're up and you're down,

1       which in and of itself we don't agree with, I  
2       mean, we don't have a problem with but our  
3       problem is trying to be too specific in having  
4       that tenting occur.

5                   And I think that the marketplace  
6       itself will allow this tenting to occur.  Some  
7       properties are going to develop, some properties  
8       are not, some properties will go high, some  
9       properties won't.  That's just the nature of the  
10      marketplace.

11                   And we would ask that you take a look  
12      at this basic planning concept and decide if  
13      that's the right concept itself.  I don't think  
14      there's anything wrong with the concept that's  
15      been in place with the tenting being at the  
16      center and transitioning down to the edges where  
17      general areas where growth and density and height  
18      are appropriate.

19                   And within those areas, let the market  
20      forces play out, and that will dictate where the  
21      redevelopment is occurring.  And again, I think  
22      that the same tenting that Staff is trying to

1 achieve with this new concept will be addressed  
2 by the marketplace.

3 We've had some testimony already about  
4 the density transfer and the density averaging.  
5 Again, we think that that should be incentive  
6 program where you have your base areas of  
7 appropriate zoning.

8 And you should be able to add to the  
9 height and density to those areas with density  
10 transfer and density averaging. And we'll have  
11 written testimony. Thank you.

12 CHAIR ANDERSON: Okay. Thank you. If  
13 we can get Heather Dlhopsky, Andrew, and I'm  
14 sorry about the pronunciation of the name,  
15 Cretal, Richard Hoyer, and Ms. Vaias, did you --

16 (Off-microphone comment)

17 CHAIR ANDERSON: Okay, why don't you  
18 both come up and we'll figure out how to see  
19 that. You know, a lot of you people look just  
20 like the people who were here before and you wait  
21 for the next panel. You should have gotten  
22 different outfits. I'll put you on the next one,

1 thank you. And I'm sorry, I can't remember how  
2 to pronounce your last name.

3 MR. CRETAL: It's Cretal.

4 CHAIR ANDERSON: Cretal, thank you.  
5 Okay, Ms. Dlhopsky.

6 MS. DLHOPOLSKY: Good afternoon.  
7 Heather Dlhopsky with Linowes and Blocher. I'm  
8 actually signed up to testify on behalf of 7735  
9 Old Georgetown Road and that's Bill Everham so  
10 I'm taking Bill's spot. So he can take my other  
11 spot.

12 You have our full written testimony  
13 already and I left hard copies here today. I'm  
14 speaking on behalf of the Fairmont Building LLC,  
15 they're the owner of the property located at 7735  
16 Old Georgetown Road. It's shown on Page 103 in  
17 the Plan as number nine.

18 The Fairmont Building is currently  
19 owned by the Stewart Bainum Declaration of Trust.  
20 Mr. Bainum who passed away February 2014 at the  
21 age of 94 was the founder of Manor Care, Inc. and  
22 Choice Hotels International.

1           The Fairmont Building is the last  
2           large investment Mr. Bainum made, and at the time  
3           he was looking for a building to house his family  
4           foundation, the Commonweal Foundation.

5           Commonweal operates and supports  
6           educational programs and projects assisting  
7           underserved children and youth from early  
8           childhood through post-secondary education.

9           Mr. Bainum bequeathed the Fairmont  
10          Building to the Commonweal Foundation, and as of  
11          January 2015, the Fairmont Building has served as  
12          the headquarters of that foundation.

13          The Fairmont Building is an ideal  
14          location to serve the needs of the Commonweal  
15          Foundation over the long term, but it's important  
16          that the sector plan account for both the current  
17          improvements on the property as well as allow for  
18          moderate growth and expansion in the future.

19          Currently, the Public Hearing Draft  
20          proposes rezoning of the property to CR6, C1.25,  
21          R5.75, H175 which does allow for additional  
22          density and height that is appropriate given the

1 property's location at the heart of Bethesda.

2           However, the property is currently  
3 improved with basically entirely commercial uses,  
4 and a four level structure parking facility  
5 adjacent to that. So the proposed rezoning, and  
6 actually the current rezoning too, does not  
7 actually account for the existing uses on the  
8 property.

9           There is insufficient C component to  
10 account for the current uses. So we would  
11 request that the proposed rezoning correct that.  
12 So we request the property be rezoned through the  
13 Sector Plan and subsequent comprehensive rezoning  
14 process to CR6, C6, again reflecting what is just  
15 on the property now, R5.75, H175.

16           Given the challenges that have  
17 continued to face the office market and that the  
18 Commonweal Foundation is certainly a business  
19 that we want to keep in the community, we just  
20 request that their current improvements be  
21 reflected, and that moderate expansion be allowed  
22 in the future. Thank you.



1 CHAIR ANDERSON: Okay, thank you. Mr.  
2 Cretal?

3 MR. CRETAL: Sure. So my name is Andy  
4 Cretal. I represent Midatlantic. I'm here to  
5 talk about the Mooreland Lane and Arlington Road  
6 properties which are located at 133 --

7 PARTICIPANT: Can you pull the mic up?

8 MR. CRETAL: I'm sorry, yes. So thank  
9 you for the opportunity to speak on behalf of ZOM  
10 and the vision we have for the site. We're  
11 excited to take part in the Sector Plan process,  
12 and look forward to working with you to forge a  
13 shared plan for this property.

14 By way of background, ZOM was founded  
15 in Orlando, Florida in 1977. It initially  
16 expanded to all the major Florida markets, and  
17 then expanded to the Texas markets and to D.C. in  
18 the 2000's.

19 We recently completed two very  
20 successful projects in the Army corridor in  
21 Arlington, one in the Courthouse Metro and  
22 another in the Clarendon Metro area.

1           Our primary focus is the company is  
2           developing well designed and well executed urban  
3           infill, transit oriented, multifamily projects  
4           that have excellent walkability and pedestrian  
5           accessible neighborhood.

6           And the project will be a project of  
7           today, certainly fits that focus perfectly. ZOM  
8           currently has under contract a significant number  
9           of properties located on the south side of the  
10          western end of Mooreland Lane wrapping around to  
11          the east side of Arlington Road.

12          Additionally, we're in discussions  
13          with the remaining property and owners to  
14          complete the assemblage on that western side of  
15          that block.

16          And ZOM desires to see redevelopment  
17          of the segment on the eastern side of Arlington  
18          Road with a mid-rise primarily multifamily  
19          residential project that makes the highest and  
20          best use of this area while also respecting and  
21          fostering the transitional nature of the area  
22          between the urban core to the north and east and

1 the single family neighborhoods west of the  
2 Bethesda Elementary School.

3 The Public Hearing draft envisions  
4 redevelopment of the Mooreland Lane Arlington  
5 Road frontage and recognizes that redevelopment  
6 opportunities should be promoted on underutilized  
7 sites.

8 However, the rezoning that the Public  
9 Hearing draft recommends, which is between 1.25  
10 FAR and 2.75 FAR with only a height of 40 to 50  
11 feet, this does not align with the narrative in  
12 the Public Hearing draft regarding planning  
13 status vision for the redevelopment of this area,  
14 nor does it align with ZOM's vision.

15 So ZOM is seeking a rezoning that  
16 would enable the vision of this area be  
17 fulfilled, we believe that rezoning to allow a  
18 density of 4 FAR and up to 75 feet in building  
19 height --

20 PARTICIPANT: Thirty seconds.

21 MR. CRETAL: -- is more in alignment  
22 with the desired redevelopment of the area, as

1 the Public Hearing Draft recommends. We would  
2 like to note that we are supportive of the Public  
3 Hearing Draft's vision for improved access,  
4 mobility, and pedestrian safety along Arlington  
5 Road as well as improved bike connectivity along  
6 Arlington Road and Edgemoor Lane.

7 But the desired redevelopment of the  
8 western edge of this block, it is likely that  
9 pedestrian and bicycle activity will only  
10 increase as the area becomes more connected  
11 through the redevelopment of Bethesda.

12 The second plan represents --

13 CHAIR ANDERSON: I'm sorry, I can't  
14 give you more time.

15 MR. CRETAL: Okay, sorry. No worries.

16 CHAIR ANDERSON: Thank you for --

17 MR. CRETAL: We're going to submit  
18 written testimony.

19 CHAIR ANDERSON: Yes, that's great.

20 Mr. Hoye?

21 MR. HOYE: Thank you Chairman Anderson  
22 and Members of the Board, Commission, and thank

1 you for taking the time to make a trip through  
2 Bethesda today. I wish you could have made it by  
3 bicycle, as I do. That is really the way to see  
4 Bethesda.

5 CHAIR ANDERSON: And as you know, I  
6 did it by bicycle last week.

7 MR. HOYE: Yes, Chairman. And I  
8 joined you, and it is a new day in the planning  
9 department to have the Chairman lead a bike ride.  
10 And I'm grateful for that new day. And thank you  
11 for lunch, too. Appreciate that.

12 My name is Richard Hoyer. I live in  
13 Glenbrook Knolls, subdivision at the north end at  
14 Battery Lane and Old Georgetown Road. I am a  
15 retired firefighter. My father had a business on  
16 Norfolk Avenue and his partners owned a small  
17 building there which I still pass by with  
18 nostalgia.

19 I live here as someone in an  
20 affordable housing struggle all my life. And I  
21 live here by choice, but it's tough. I am a  
22 firefighter. And so I have always lived with

1 housemates in rental housing and now in the house  
2 that I own, luckily. But I could never qualify  
3 for it if I applied for a mortgage today.

4 And this marks the 20th year that I've  
5 been car free. I decided to go car free and  
6 implemented a plan to do so 20 years ago in order  
7 to stay in Bethesda. That's how much I love the  
8 place and how much potential Bethesda has to  
9 offer.

10 So I live the life of Reilly, really.  
11 And my trips by bike, usually with my dog Rutter  
12 on board are just wonderful. They're just  
13 wonderful, the people I meet, strangers as well  
14 as people I know.

15 Now what could make this function  
16 better and make me feel more at home, because I  
17 am a fish out of water here, is more of an urban  
18 scale in the downtown. And I find the Master  
19 Plan to be deficient.

20 I find the Plan to be to the heights  
21 and density to be inadequate to support the kind  
22 of community that I will feel at home in and that

1 will serve my needs, and that will bring about  
2 more affordable housing and a greater mix of  
3 people, a more cosmopolitan place that we  
4 definitely need.

5 PARTICIPANT: Thirty seconds.

6 MR. HOYE: Only a few places in the  
7 county can offer transit and services and jobs,  
8 and that's where we have to put the housing, all  
9 kinds of housing. We need more abundant housing  
10 of all types in order to keep people at all  
11 stages of their life invested in this as a  
12 community.

13 And this plan does not have enough.  
14 It actually is an exercise, unfortunately I have  
15 to say this despite the professionals here that I  
16 really admire, it's an exercise in exclusionary  
17 planning. We need more density, slower speeds of  
18 traffic, and more buildings. Number 4 Bethesda  
19 Metro Station, we need that building.

20 CHAIR ANDERSON: I'm sorry, I've got  
21 to cut you off. And Ms. Carrier, my predecessor  
22 is here, she actually was known to get on bicycle

1 every now and then.

2 MR. HOYE: Under duress.

3 CHAIR ANDERSON: Under duress. But  
4 nonetheless, that should be noted for the record.  
5 Okay. And you must be Ms. Vaias' client from --

6 MR. ATEEK: St. John's.

7 CHAIR ANDERSON: St. John's, right.

8 MR. ATEEK: Hi, my name is Sari Ateek  
9 and I'm the Rector at St. John's. It's another  
10 word for Senior Pastor. And St. John's is  
11 located on the intersection of Wisconsin and  
12 Bradley.

13 And I did want to also add my voice  
14 and say thank you to the Planning Staff for the  
15 hard work that's gone into this Draft Plan. And  
16 thank you for listening to us and really checking  
17 in with all the stakeholders as you develop the  
18 plan and to continue to hear our thoughts.

19 We are grateful that the draft  
20 recognizes and supports St. John's as a valuable  
21 community service. And St. John's is and has  
22 been an important presence in Bethesda for over



1 140 years, I that should give you just a quick  
2 taste.

3 We're a thriving church community that  
4 is made up of hundreds of families and members of  
5 all ages and all different walks of life. We  
6 have a very active community, a senior community  
7 at St. John's, and also we're the second largest  
8 Episcopal Church in the Diocese of Washington in  
9 terms of the number of young people in our  
10 church. So we have many, many children and many  
11 teens.

12 And our church also has a proud  
13 history of incubating and supporting other  
14 important community service organizations. So  
15 some organizations that started at St. John's are  
16 Bethesda Cares, Norwood School which is now in  
17 Potomac, and Montgomery Hospice started at St.  
18 John's.

19 Today we're proud to host the Oneness  
20 Family School, and St. Barnabas Church for the  
21 Deaf which is only Episcopal deaf community in  
22 this region, and also the Opportunity Shop which

1 many of you know which is a Bethesda institution  
2 for over 60 years.

3 So St. John's was established in  
4 Bethesda because we wanted to make a difference,  
5 as I said, over 140 years ago. And so now we're  
6 thinking how can we continue to make this  
7 difference.

8 And so for the last two years we've  
9 put together a vision team that has been working  
10 on talking to parishioners at St. John's and also  
11 talking with some of the community leaders in  
12 Bethesda to say what are the greatest needs in  
13 this community.

14 And one of the gifts of St. John's is  
15 building community, that's what we love. And we  
16 now have vision statement. We're about to give  
17 it over to an implementation team to really put  
18 together some projects that St. John's can do to  
19 really enhance community building in Bethesda.

20 PARTICIPANT: Thirty seconds.

21 MR. ATEEK: So I just want to tell you  
22 about that and say that we will be submitting

1 some specific suggestions of how St. John's can  
2 continue to thrive under the setting. And again,  
3 thanks for all the work you guys are doing, and  
4 for enduring all of these statements today. It's  
5 impressive. So thank you.

6 CHAIR ANDERSON: Thank you. Ms.  
7 Vaias, did you --

8 MS. VAIAS: I have one more.

9 CHAIR ANDERSON: You have one more.  
10 Go ahead.

11 MS. VAIAS: All right, Emily Vaias  
12 with Linowes and Blocher. So I'm making comments  
13 on behalf of the Donohoe Companies with regard to  
14 one of their properties which is located at 8280  
15 Wisconsin Avenue which is the corner of Battery  
16 Lane and Wisconsin.

17 And generally, the Draft Bethesda Plan  
18 has some very real positive ideas. And in  
19 particular, Donohoe supports the shared streets  
20 approach to Norfolk Avenue as a plan for  
21 expanding and improving Battery Urban Park.

22 We support the low speed connection

1 alongside the expanded park, and recognize that  
2 the park needs improved visibility and  
3 accessibility that a low speed connection could  
4 provide. We would welcome a 20 mile per hour  
5 maximum speed limit throughout the downtown area,  
6 or at least on certain county controlled streets.

7 In addition, we welcome the Plan's  
8 identification of the property as the northern  
9 gateway to Bethesda. However, currently the  
10 height that's recommended is only 120 feet, which  
11 is only an increase of 10 feet over what is  
12 available today if MPD were used.

13 And it seems that this site's location  
14 along Wisconsin Avenue, and without being close  
15 to any low density residential sites could handle  
16 more density and more height in order to  
17 encourage development.

18 Therefore, we would ask that the  
19 height be increased to 145 feet, which is what  
20 several properties are along Wisconsin Avenue in  
21 this area, and would also help to accommodate the  
22 future BRT right of way which we know is coming

1 and could affect future development of the  
2 property.

3 In addition, we would ask that the  
4 density, the C portion again of the density which  
5 is currently proposed as a 1.25 be increased to a  
6 3.5 to allow flexibility should a commercial  
7 component be viable for the site.

8 As you may know, the property does  
9 have an approved project preliminary and site  
10 plan, but has been unable to obtain sufficient  
11 market interest to move forward with development.  
12 So we are hopeful that the Master Plan can  
13 provide some incentives that will make this an  
14 attractive development location. Thank you.

15 CHAIR ANDERSON: Okay. Ms.  
16 Dlhopsky, do you want to go one more time? Or  
17 you've got two more?

18 MS. DLHOPOLSKY: Well, I have one more  
19 right now and I have two more that are, like, ten  
20 from now.

21 CHAIR ANDERSON: Okay, great.

22 MS. DLHOPOLSKY: Okay, so now I will

1 be speaking on behalf of 4900 Fairmont  
2 Residential LLC, owner of the property located at  
3 7770 Norfolk Avenue, it formerly was known as  
4 4900 Fairmont.

5 Again, you have our full, written  
6 testimony. It was submitted on email. This  
7 property is shown on Page 103 as numbers nine and  
8 ten. The property is located at the southwestern  
9 corner of the intersection of Fairmont Avenue and  
10 Norfolk Avenue in the Woodmont Triangle area of  
11 Bethesda.

12 You know it as one of the presently  
13 under construction sites just up the road from  
14 here. It's under construction with a mixed use,  
15 174 foot tall building that includes ground floor  
16 non-residential uses and 200 multifamily  
17 residential units with 15 percent MPDUs.

18 As I mentioned on Page 103 numbers  
19 nine and ten, the property is proposed to be  
20 rezoned through the sector plan process and  
21 subsequent sectional map amendment to CR6, C1.25,  
22 R5.75.

1                   And the northeastern half of the  
2                   property is proposed for a height of 250 feet,  
3                   but the southwestern half of the property  
4                   proposed for a height of 175 feet.

5                   While the property is under  
6                   construction, obviously at this point not likely  
7                   to redevelop any time in the lifetime of this  
8                   sector plan, we do believe that the increased  
9                   height is appropriate given the planning  
10                  recommendations for having kind of punctuated  
11                  heights next to Veteran's Park, which is right  
12                  across Woodmont Avenue from the property.

13                  So we do agree with that from a  
14                  planning perspective. However, given that the  
15                  250 feet that is proposed for the northeastern  
16                  half of the property, we do believe that a FAR of  
17                  8 is more appropriate than an FAR of 6 just in  
18                  terms of being congress.

19                  Overall, 4900 Fairmont is supportive  
20                  of the Public Hearing Draft's vision for the  
21                  property as well as the recommendations to  
22                  enhance Norfolk Avenue as a main street

1 connecting the Wisconsin Avenue corridor with the  
2 Battery Lane area, with activating retail and  
3 arts and community events.

4 In addition, 4900 Fairmont supports  
5 the proposed improved connectivity in the  
6 Woodmont Triangle district as a whole through the  
7 provision of public mid-block pedestrian  
8 connections and enhanced walkability, and we just  
9 wanted to note that this project actually does  
10 include a pedestrian connection into an adjacent  
11 parking garage, so they are doing their part to  
12 implement that connectivity. Thank you for the  
13 opportunity to submit these comments.

14 CHAIR ANDERSON: Okay, thank you. So  
15 that does it for this group, I think. Could we  
16 get Brenda Gonzales-Hermosillo, Karen Snyder, Bob  
17 Dalrymple again, and Mr. Dugan with his crew,  
18 posse, group?

19 (Off-microphone comment)

20 CHAIR ANDERSON: All right, maybe it  
21 would be easier, Mr. Dugan, if you and your group  
22 could go first, and then that will make some room



1 at the table.

2 MR. DUGAN: Okay, good afternoon. For  
3 the record, my name's Tim Dugan. I'm here this  
4 afternoon with Guido Adelfio and Bob Herman who  
5 own adjoining properties on the east side of  
6 Pearl Street between East-West Highway and  
7 Montgomery Avenue.

8 I would like them to speak, and then  
9 if there's time permitting, I'll make a few  
10 comments as well. So I'll introduce Guido  
11 Adelfio. Thank you.

12 CHAIR ANDERSON: Before you do that,  
13 can you identify --

14 MR. DUGAN: That's on Page 111.

15 CHAIR ANDERSON: Okay.

16 MR. DUGAN: On the east side of Pearl  
17 Street, circle six in between East-West Highway  
18 and Montgomery Avenue. It's directly across from  
19 the new car building.

20 CHAIR ANDERSON: Again, the east side  
21 of Pearl?

22 MR. DUGAN: On the east side of Pearl

1 Street between East-West Highway and Montgomery  
2 Avenue.

3 CHAIR ANDERSON: Lots of sixes.

4 PARTICIPANT: It's this one.

5 CHAIR ANDERSON: That six, got it.

6 PARTICIPANT: The one on Pearl Street.

7 MR. DUGAN: Thank you. Guido Adelfio?

8 MR. ADELFIGIO: Thank you. I'm Guido  
9 Adelfio. 4422 East-West Highway is, we own it,  
10 it's our family business, Bethesda Travel Center.  
11 We've been there since 1973. It's a very suited  
12 home for our business, it fits us well. And we  
13 would love to stay there, and that's our  
14 immediate plan including potentially as the  
15 cornerstone of the new building.

16 The Staff recommendation was CR2.0,  
17 C1.75, R2.0 and 120 foot height, which we would  
18 like to support that recommendation as well as  
19 the recommendation that the parking lot district  
20 be expanded to include our property. Thank you.

21 DR. HERMAN: Good afternoon. My name  
22 is Robert Herman and I'm Guido's neighbor just

1 south on Pearl Street, 4425 Montgomery Avenue.  
2 I've been practicing dentistry at this location  
3 since 1991. My father bought this property in  
4 1976 and he practiced medicine there for 20  
5 years.

6 I grew up in Montgomery County and I  
7 would like to stay here, and I would like to  
8 continue my dental career until I retire in  
9 Bethesda.

10 I understand the landscape in Bethesda  
11 is changing, and that a taller building would fit  
12 my neighborhood better than my two story office.

13 I would like to testify that I support  
14 the Public Hearing's Draft zoning recommendation  
15 for my property and I hope to practice on the  
16 ground floor if this area's ever developed. I  
17 also support expanding the parking lot district  
18 to include my property. Thank you.

19 MR. DUGAN: Thank you. With the time  
20 remaining, I wanted to indicate that -- with the  
21 time remaining?

22 PARTICIPANT: Thirty seconds.

1 MR. DUGAN: I have thirty seconds?  
2 Plenty of time, plenty of time. There's a  
3 comment on Page 112 with respect to using a  
4 shared street, but it adds language about with  
5 integrated storm water management. We've made an  
6 earlier submittal about having that considered or  
7 reconsidered so that we would be the same as the  
8 complete streets.

9 The second thing I'll say in closing  
10 is that some of my adjoining neighbors if you  
11 will made other recommendations with respect to  
12 increased height and density in this  
13 neighborhood. We would obviously want to be  
14 compatible with the surrounding properties.  
15 Thanks very much.

16 CHAIR ANDERSON: Thank you. Okay.  
17 Ms. Gonzales-Hermosillo?

18 (Off-microphone comment)

19 CHAIR ANDERSON: No, you're Karen  
20 Snyder. So I guess we did not have, okay, Ms.  
21 Snyder, feel free to go ahead.

22 PARTICIPANT: You could just pull a

1 mic over towards you, one of these that's there.

2 MS. SNYDER: I'm Karen Snyder. I'm  
3 the owner of Interiors of Washington.

4 (Off-microphone comment)

5 CHAIR ANDERSON: Yes, speak into the  
6 microphone, please.

7 MS. SNYDER: Hello, I'm Karen Snyder,  
8 the owner of Interiors of Washington on Norfolk  
9 Ave., and I also live on Bradley Boulevard. I'm  
10 here today first of all, the Bethesda Planning  
11 Board report indicates that the long term goal is  
12 to put a shared use on Norfolk Ave. for  
13 bicyclists.

14 But the short term goal is a bike  
15 path, and there's a real problem with that, with  
16 the bike path, a designated spot because as you  
17 can see, there's deliveries on this street all  
18 day long.

19 Well you can't see that, I see it out  
20 my window. And it's a very dangerous situation  
21 if you were to have a designated bike path.  
22 Heavily loaded hand trucks, by design, are being

1 pushed out from between trucks which would  
2 present a precarious situation for an oncoming  
3 cyclist utilizing the proposed bike path.

4 If the cyclist decided against using  
5 the designated bike path to cut around the truck  
6 and was hit, Maryland's archaic contributory  
7 negligence laws would entail that he not collect  
8 a dime, not even for his medical expenses.

9 And if he stayed in the designated  
10 bike lane and was injured, the county would be  
11 liable for having placed him in harm's way. So I  
12 propose that you just go ahead with the shared  
13 road usage of Norfolk Avenue as opposed to  
14 designated bike lanes, and you might want to  
15 consider that in other areas of Bethesda.

16 Secondly, I oppose any infringement on  
17 green space previously allocated in the County's  
18 Master Plan. To cull the tiny land around the  
19 front and sides of a park by Brookfield and the  
20 proposed planners of the construction of a super  
21 high rise is humorous.

22 By the way, if you look up now in the

1 station, you'll see there already are skylights  
2 that have been closed over. And if you open  
3 those up, it would improve the ambiance of the  
4 station.

5 And third, in regard to build number  
6 32-07 to reduce greenhouse emissions, I would  
7 like to propose an ordinance prohibiting  
8 businesses from leaving doors and windows open --

9 PARTICIPANT: Thirty seconds.

10 MS. SNYDER: -- when the air  
11 conditioner or heater is running. Enforcers of  
12 the ordinance would be able to discern when a  
13 delivery was being made.

14 And last, we need to come up with a  
15 functioning drainage system for restaurant's  
16 odorous liquid waste seeping from their trash  
17 receptacles over our sidewalks before they are  
18 bricked over.

19 CHAIR ANDERSON: Thank you.

20 MS. SNYDER: You're welcome.

21 CHAIR ANDERSON: Mr. Dalrymple?

22 MR. DALRYMPLE: Good afternoon. Bob

1 Dalrymple, Law Firm of Linowes and Blocher  
2 speaking on behalf of Pearlmont Associates which  
3 is a trust that owns the property in this  
4 southeast quadrant of Montgomery Avenue and Pearl  
5 Street. So right about there.

6 As a trust, the owners have a  
7 fiduciary duty to seek out the highest and best  
8 use of the property. There are no immediate  
9 intentions to redevelop the site, it is an income  
10 producing site.

11 But they certainly are open to the  
12 ideas of redeveloping this property under the  
13 right circumstances, and either on its own or as  
14 part of a larger assemblage.

15 The trust does support the vision for  
16 the Pearl district, as indicated by the Draft  
17 Plan for the Pearl district to be an emerging  
18 urban center of activity. But we would suggest  
19 that to be this emerging urban center of  
20 activity, that additional height and density is  
21 necessary.

22 This property is a strategic parcel to



1 create the new main street through the Pearl  
2 district. And for that reason, we would request  
3 that the FAR for the property be increased to a 6  
4 with height allowance of up to 175 feet.

5 That height would be consistent with  
6 properties to the west of the property across  
7 Pearl Street. So again, we are on board with the  
8 idea of this being an emerging center of  
9 activity, and this site is critical to the  
10 emergence of this center.

11 And so we would ask that you give  
12 strong consideration to the requested increase.  
13 And Tom Leachman is here on behalf of the trust  
14 should you have any questions of the ownership.

15 The last property I'm here to speak to  
16 you about, at least for right now --

17 PARTICIPANT: It's another property?

18 MR. DALRYMPLE: Yes.

19 (Off-microphone comment)

20 CHAIR ANDERSON: No, I'm just asking  
21 how many more properties do you represent in this  
22 plan so I can get an idea of whether we're going

1 bump you to another panel or not.

2 MR. DALRYMPLE: That's in the  
3 afternoon session.

4 CHAIR ANDERSON: Oh great, okay. Go  
5 ahead. Give him another --

6 MR. DALRYMPLE: You say  
7 enthusiastically.

8 CHAIR ANDERSON: We've heard from you,  
9 but okay. Three more minutes.

10 PARTICIPANT: Go ahead.

11 MR. DALRYMPLE: Bob Dalrymple, Linowes  
12 and Blocher here on behalf of the American  
13 Gastroenterological Association. I was able to  
14 say it, AGA. AGA is the owner of the property on  
15 the east side of Del Ray Avenue between Old  
16 Georgetown and Norfolk.

17 This is the site of the AGA National  
18 Headquarters and it has been since 1991. While  
19 Woodmont Triangle has primarily been designated  
20 as a residential area, this office use, again,  
21 has existed for some time and the desire is for  
22 AGA to be here for the duration, and hopefully to

1 be able to expand in place which I think would be  
2 a great thing for this area especially given the  
3 soft office market that has existed and is  
4 predicted to exist for the foreseeable future.

5 In order to allow for the possibility  
6 to expand in place, we would ask that you  
7 consider increasing the zoning for the site to be  
8 a CR5, C4.75, R4.75 and H175.

9 The current recommendation in the plan  
10 of a 3.5 FAR with a limitation of the commercial  
11 FAR of 1.25 is not even sufficient to accommodate  
12 what exists there today in terms of the office  
13 component.

14 So we would ask that the new zoning  
15 not only accommodate the existing improvements on  
16 the site, but to provide within it the ability  
17 for AGA to have the flexibility to be able to  
18 expand its operations at this location with  
19 additional FAR and additional building height.

20 Thank you.

21 CHAIR ANDERSON: Thank you. Okay, we  
22 need William Goodman, William Fryer III, Doug

1 Wrenn, Nancy Regelin, and Lisa McCabe.

2 Are you Mr. Goodman?

3 MR. GOODMAN: Yes.

4 CHAIR ANDERSON: Grab a microphone if  
5 you would?

6 MR. GOODMAN: Thank you. Thank you.

7 Mr. Chairman, Commissioners, everybody, thanks  
8 for this opportunity. I was going to talk only  
9 about the transportation issues, but I want to  
10 briefly respond to some previous testimony at  
11 this session about the Sacks Subdivision.

12 I want to emphasize, there are some of  
13 us who want to regard our homes as homes. We  
14 hope to stay there as long as single family  
15 houses are still feasible there.

16 And in that regard, I would like to  
17 refer you to a previous letter with multiple  
18 signatures including Bob Smythe, a past president  
19 of our neighborhood association.

20 And now to get into the transportation  
21 issue. I think it's going to be the most crucial  
22 problem for Bethesda. I dare say we would all

1 agree that it's bad enough now. I was talking to  
2 someone just before this hearing who described it  
3 as horrendous.

4 I'm going to take my own household as  
5 an example. My wife requires home aides because  
6 she has multiple sclerosis. And the aides have  
7 often been 30 or 45 minutes late because of the  
8 traffic.

9 So if there's major growth, I think  
10 we're going to have a still worse problem. If I  
11 have to leave the house at a specific time, we  
12 could have a real dilemma.

13 And so generalizing, I want to ask how  
14 can any business other than one that can be  
15 conducted entirely by telecommuting operate  
16 decently if employees can't arrive at predictable  
17 times?

18 I think it's clear that a shortage of  
19 staff can lead to unsatisfactory service to the  
20 customer, dissatisfaction, and loss of business.  
21 As a matter of fact, I'll give you an example  
22 from my personal experience.

1                   There are several perfectly fine  
2 restaurants in the Bethesda rail area where we  
3 don't go anymore because the traveling and  
4 parking experience is as bad as it is. If I were  
5 going there alone, I would walk. But there's no  
6 sense going out to eat by myself.

7                   PARTICIPANT: Thirty seconds.

8                   MR. GOODMAN: I don't feel that we can  
9 ask our guests to walk that far. And so to sum  
10 up, to sum up, I think we need to get some  
11 transportation solutions completed, like the  
12 Purple Line bike paths, perhaps others, before we  
13 do much to encourage vastly more growth. I'll  
14 stop there.

15                   CHAIR ANDERSON: Thank you. Mr. Fier?  
16 Fryer?

17                   MR. FRYER: Yes, I'm Bill Fryer. I  
18 live on Edgemoor right down the street here. And  
19 I'm new at this, so I'm not a trained lawyer in  
20 this area. I'm going to talk fast as I can.

21                   But the thing that I appreciated in  
22 working with this project is that you all really

1 do a tremendous job. And you hands-on, and I  
2 want to thank the people on the planning staff  
3 for actually going into our community and walking  
4 with us and seeing what's over on Arlington Road  
5 and further west of there where the elementary  
6 school is.

7 We have a buffer, and I'm here today  
8 to try to make you aware of the fact that we have  
9 a buffer. I'm the voice of the buffer I guess.  
10 And so what I'm saying is that we've got the  
11 school, we've got the library, you know, we've  
12 got the park at the far end, and we have the  
13 playground. And we work very hard.

14 My father was in front of you at one  
15 time working on getting some of that property.  
16 So I would like to say thank you, and I want you  
17 to think about the buffer every time you look at  
18 a project because it's there, the height, the  
19 dimensions, the visual dimensions and the houses  
20 that provide make us, the community which  
21 supplied the property for downtown Bethesda to  
22 exist in, and I go back to 1937 here.

1           So that's my first point. My second  
2 point, and I agree in many ways with the  
3 gentleman that just spoke. What I'm trying to  
4 communicate is the need to properly manage the  
5 safety in the community.

6           That is you are now bringing in a lot  
7 of different vehicles, and more vehicles and  
8 really doubling, tripling the number of vehicles.  
9 So what you have to do is you've got people  
10 walking on the sidewalks and trying to navigate  
11 through bikes that have no particular rules  
12 sometimes.

13           And we have cars that are trying to  
14 get in a hurry, you know, to different places in  
15 Bethesda. And so I suggest that we need to have,  
16 you need to have something in the Plan that  
17 specifically says that there will be some  
18 coordination --

19           PARTICIPANT: Thirty seconds.

20           MR. FRYER: -- some thinking about the  
21 management of the safety and the interaction  
22 between the people. And so that you have the



1 older people who need to live in the community  
2 and people who need to use the community feel  
3 safe to come here because I think it's not going  
4 to work if it becomes impossible to do what you  
5 were just suggesting.

6 And it's getting close to that. So I  
7 have one specific suggestion and I think this  
8 could maybe help --

9 (Simultaneous speaking)

10 CHAIR ANDERSON: I'm sorry, I can't  
11 give you more time. I just can't because  
12 otherwise I'm going to have to give everybody  
13 more time and then we'll be here until midnight.  
14 And as I say, it's not about my willingness to  
15 stay or the Board's willingness. But we really  
16 have --

17 MR. FRYER: Don't have the time?

18 CHAIR ANDERSON: Yes. But we would be  
19 very pleased to read your testimony if you would  
20 like to give us something in writing. If you  
21 don't have something suitable right this second,  
22 there will be a week that the record will be

1 open. You can send us an email, it doesn't have  
2 to be formal. And I say that for everybody.

3 MR. FRYER: Well, I could have done it  
4 in the little time we just had.

5 CHAIR ANDERSON: I'm sorry. I just  
6 can't. Thank you. Okay, very good.

7 MS. REGELIN: Good afternoon. My name  
8 is Maria Regelin. I am Vice President of Aldon  
9 Management, a third generation, family owned real  
10 estate portfolio founded in Bethesda over 65  
11 years ago.

12 The Aldon Portfolio is one of the  
13 largest land owner and landlords in the Bethesda  
14 CBD. Since the 1950s and '60s, we have quietly  
15 built, owned, and managed over 900 rental  
16 properties, midrise, and highrise apartments on  
17 more than 20 acres of land on Battery Lane,  
18 Bradley Boulevard, and Wisconsin Avenue.

19 We are proud of our tradition of  
20 providing quality housing for our Bethesda  
21 community and look forward to continuing to do  
22 so.

1           If all reasonable opportunity to  
2       redevelop these aging properties are frustrated  
3       by recommendations for very low densities and  
4       limited heights, then what is the Plan actually  
5       guiding the property owner to?

6           Complete renovation of this  
7       unregulated market rate apartments into upgraded,  
8       unregulated market rate apartments. Without  
9       redevelopment, not one new affordable unit will  
10      be created, and no affordable units are ensured  
11      by this Plan strategy.

12          Without redevelopment, none of the  
13      other goals of the plan will be implemented, not  
14      connectivity, not new gathering spaces, not  
15      sustainability, nor economic viability.

16          Contrary to the misleading exhibit at  
17      Page 37, only a very small number of Aldon's  
18      lowest rental rate units currently meet workforce  
19      housing income range, and none match MPDU rents.  
20      But this, as we all know, is fleeting, as market  
21      rents rise in Bethesda, all market rents rise,  
22      including the Aldon Portfolio.

1           The Counsel Government study found  
2           that 50 percent of naturally occurring affordable  
3           housing is actually occupied by residents who  
4           could afford more expensive apartments. Aldon's  
5           percentage is even higher due to our proximity to  
6           NIH and other high salary employment facilities.

7           If the goal of the plan were to  
8           increase affordable housing, the Aldon properties  
9           alone could deliver over 500 MPDUs if allowed to  
10          redevelop at up to 4 FAR, a game changer for this  
11          Bethesda downtown.

12          How could the Plan achieve these  
13          goals? One, give property owners who want to  
14          provide mid-range housing a fighting chance to  
15          create that market rate affordable housing. Two,  
16          provide sufficient density at 4 FAR and heights  
17          up to 150 feet for the Aldon Portfolio. Three,  
18          provide a transfer of density --

19                 PARTICIPANT: Thirty seconds.

20                 MS. REGELIN: -- between properties  
21                 with heights that provide real opportunities that  
22                 would allow some of the older properties to

1 redevelop and some garden opportunities to remain  
2 in place.

3 Additional recommendations are in our  
4 written testimony. The Plan needs to remove  
5 barriers to creating market rate affordable  
6 housing by providing flexibility, eliminating  
7 unnecessary costs, and incentivizing the creation  
8 of market rate affordable housing by the private  
9 sector. Thank you.

10 CHAIR ANDERSON: Thank you. Are you  
11 Ms. McCabe?

12 MS. MCCABE: Yes.

13 CHAIR ANDERSON: Would you like to go  
14 next?

15 COMMISSIONER DREYFUSS: Before you go  
16 can I ask a question, young lady? You're on Page  
17 119, 1-2 and 1-2. Are there other properties that  
18 are in the book that you're speaking about right  
19 now?

20 MS. REGELIN: I don't have that in  
21 front of me --

22 COMMISSIONER DREYFUSS: Okay. Well,

1 maybe the staff can identify --

2 CHAIR ANDERSON: I'm sure we will get  
3 into that in great detail.

4 COMMISSIONER DREYFUSS: Okay.

5 CHAIR ANDERSON: They own a bunch of  
6 property in here.

7 COMMISSIONER DREYFUSS: I was just  
8 trying to identify --

9 CHAIR ANDERSON: Yes.

10 PARTICIPANT: 129.

11 MS. REGELIN: It's in the attached  
12 testimony.

13 CHAIR ANDERSON: Yes.

14 PARTICIPANT: She submitted attached  
15 testimony.

16 COMMISSIONER DREYFUSS: Okay. Thank  
17 you.

18 CHAIR ANDERSON: Go ahead.

19 MS. MCCABE: Thank you. My name is  
20 Lisa McCabe and I am the president of the East  
21 Bethesda Citizens Association and these comments  
22 are on behalf of the executive committee of the

1 association.

2 East Bethesda Citizens Association  
3 represents 1,200 households east of Wisconsin  
4 Avenue, north of East-West Highway, west of  
5 Columbia Country Club and south of Jones Bridge  
6 Road, so just abutting the greenway a little --  
7 well, adjacent to the Downtown Bethesda Plan.

8 While the association itself hasn't  
9 taken a position on the plan, we thought it would  
10 be a good idea to give voice to some of the  
11 concerns raised by residents of East Bethesda.

12 We believe that any plan that's  
13 adopted should be sure to consider, to take into  
14 further consideration issues such as enforcing  
15 and protecting or buffering low-rise or single-  
16 family homes from encroachment of commercial  
17 development, ease of mobility during any  
18 construction process, ability to provide open  
19 space for civic gatherings to build a sense of  
20 community, the ability to provide a safe  
21 environment for both pedestrian and vehicular  
22 traffic in the Bethesda Downtown Sector. Traffic

1 calming devices should also be considered to  
2 continue to make this a pedestrian-friendly area.

3 Also, regarding the Bethesda Metro  
4 plans, whether there's going to be a building at  
5 that location, a new building at that location or  
6 not, we think there's a concern with the noise  
7 level being too high from trucks, from the trucks  
8 and cars from the street, so it would be  
9 important to address any noise levels should any  
10 part of this become a civic space.

11 Additionally any construction is, you  
12 know, currently there's a lot of brick and  
13 concrete there and new development will probably  
14 do that and that area becomes extremely hot due  
15 to solar reflection.

16 And we think it would be important to  
17 take into consideration the environment to make  
18 sure that it actually would be a place for people  
19 to be able to gather.

20 We also think that the Bethesda Metro  
21 station is very hard for anyone with a wheelchair  
22 or a stroller, so it would be important to



1 improve handicap accessibility to the area.

2 And building height is a concern as it  
3 impacts, you know, sunlight and shade and how  
4 pedestrians enter environments so we just wanted  
5 to make sure that you look at that and height and  
6 how that pertains to the human scalability of the  
7 area.

8 And also the Eastern Greenway portion  
9 is very important to our areas and we wanted to  
10 make sure that this buffer remains and doesn't  
11 change or get smaller as I see a lot of people  
12 here talking about density, so the greenway is  
13 very important to our group as well.

14 CHAIR ANDERSON: Thank you. So, Ms.  
15 Regelin, since -- why don't we talk about the  
16 Brown family properties.

17 MR. WRENN: I'm going to talk about  
18 some concepts that we developed for them.

19 CHAIR ANDERSON: Okay. Go ahead.

20 MR. WRENN: Thank you. Chairman  
21 Anderson and members of the planning board, I'm  
22 Doug Wrenn. I'm principal with Rodgers

1 Consulting. We've been advising the Brown family  
2 and Aldon Management during this sector plan  
3 process.

4 The Brown family and Aldon have been  
5 a part of Bethesda community for many decades.  
6 As long-term property owners, they want to  
7 contribute to making downtown Bethesda one of the  
8 best urban centers in the region, and as owners  
9 of over 20 acres of land within the Sector Plan  
10 boundaries, they are well positioned to do so.

11 CHAIR ANDERSON: Mr. Wrenn, I'm sorry.  
12 I can't have you testify on behalf of Brown,  
13 whether it's conceptual or whether it's specific  
14 to their property.

15 I just can't do it because -- I  
16 welcome you to participate in the work session on  
17 this. We'll hear you out there, but now is not  
18 the place for -- I can't have multiple people  
19 testifying to the same set of property.

20 MR. WRENN: All right, fair enough.  
21 I submitted some testimony with these concepts  
22 attached and we look forward to the work session.

1 CHAIR ANDERSON: Thank you. Okay,  
2 Veronique Marier, Paul Haynos, Anna Fierst and  
3 Ms. Carrier.

4 Are you Ms. Marier?

5 MS. MARIER: Yes. Veronique.

6 CHAIR ANDERSON: Another Francophonic?

7 MS. MARIER: I'm Francophonic from  
8 this continent.

9 CHAIR ANDERSON: Okay.

10 MS. MARIER: I've been here since '91  
11 and I like to work.

12 CHAIR ANDERSON: Go ahead.

13 MS. MARIER: I'm the executive  
14 director of Bethesda Green so I'm pleased to be  
15 here today, and you have also my written  
16 testimony.

17 So on behalf of Bethesda Green, a  
18 sustainability focused nonprofit founded in 2009  
19 in a unique public-private partnership, I am  
20 pleased to support the Bethesda Downtown Plan.

21 Bethesda Green serves as a community  
22 hub that catalyzes businesses, government and

1 residents in advancing economy, social and/or  
2 incremental sustainability in the region.

3 Think of the impact of Bethesda Green  
4 as a facilitator that accelerates knowledge,  
5 innovation, identification, shared goals and  
6 solutions. At our office on Cordell Avenue, we  
7 house a next-generation green business incubator.

8 By and large, the Downtown Bethesda  
9 Plan aligns with our goals and values. Since the  
10 planning process started, Bethesda Green has  
11 facilitated many information sessions with  
12 businesses and dozens of neighbors, hundreds  
13 actually, dozens of neighborhoods.

14 We strongly believe that many elements  
15 of the plan will introduce a new level of  
16 sustainability for a new, vibrant Bethesda. Its  
17 recommendation regarding a greener and more  
18 connected downtown and creating a competitive  
19 downtown that fosters innovations are well  
20 informed, integrative, progressive and promising.

21 The innovative effort will foster more  
22 sustainable neighborhoods for which there is a

1 growing national and local market demand.

2 We believe that many proposals in the  
3 plan will be well received by the community. For  
4 instance, it emphasizes bicycle and pedestrian  
5 access and safety to connect the various urban  
6 centers. That's a visible component that can be  
7 understand by all.

8 But we must also emphasize the  
9 importance of integrating and balancing the  
10 installation of new sidewalks and bike lanes with  
11 what may be less noticeable elements that push  
12 the envelope of stormwater management as well as  
13 ensuring increased tree canopy in urban habitats.

14 Better stormwater management will help  
15 save the local streams and the bay and increased  
16 tree canopy reduces heat islands and lets us hear  
17 the birds.

18 The plan also introduces a less  
19 visible concept of High Performance Areas which  
20 will focus on the development of high energy  
21 efficiency properties beyond current  
22 requirements. We support this concept.

1           The High Performance Area would reduce  
2           the carbon footprint of local development, a  
3           priority for the county, and increase building  
4           resiliency which, in itself, can be very valuable  
5           for occupants. This is an exciting smart growth  
6           approach that can push innovative solutions as it  
7           relates to energy.

8           I've said on other occasions we are on  
9           a mission to make sure Bethesda is this kind,  
10          happy place by focusing on a vibrant, innovative  
11          green urban model that will enhance our local  
12          economy.

13          The path forward will involve  
14          flexibility, continued and accelerated innovation  
15          and some failures and adjustment, so remember  
16          that when you look at the plan. Bethesda Green  
17          is well positioned to help to advance that  
18          effort.

19                 CHAIR ANDERSON: Thank you. Mr.  
20                 Haynos.

21                 MR. HAYNOS: Good afternoon. My name  
22                 is Paul Haynos. I have lived on Battery Lane for

1 the past 15 years adjacent to the Battery Urban  
2 Park. I'm here to speak against the road that is  
3 proposed to move through to connect Norfolk  
4 Avenue to Battery Lane.

5 This morning when you toured downtown  
6 Bethesda I hope you took the time to visit the  
7 park. If you did, you would have witnessed  
8 groups of young children playing freely and  
9 safely in the play area, chasing balls and one  
10 another, their guardians unworried that they  
11 would run into traffic for there is no traffic  
12 that moves through the park.

13 You would have seen them gathered for  
14 snacks or rest at the knoll between the  
15 basketball court and the jungle gym, beneath a  
16 stand of cottonwood trees.

17 Speaking of trees, you would have seen  
18 nearly 40 mature trees of various native species,  
19 oak, maple, sycamore, black locust, Osage orange,  
20 many of them nearly 80/90 feet in height, all  
21 providing habitat for squirrels, insects and the  
22 birds that feed on them, that is the insects,

1 and, yes, you would hear the birds singing. The  
2 car traffic would be faint because it's far away  
3 on Battery Lane, not so far away but comfortably  
4 far away.

5 A road that passes through this space  
6 would radically change the scene I have just  
7 painted and degrade the essential elements that  
8 make the park a treasure. Adjacent car traffic  
9 would undermine the park safety.

10 Construction of the road will require  
11 the removal of mature trees. Based on the image  
12 I've seen of the plan where the road is proposed  
13 to pass through, I'm guessing that would be as  
14 many as 15 mature trees would have to be removed.  
15 Now, I'm not an expert on this but this is just  
16 looking at it. It seems that's likely.

17 This would reduce habitat, water  
18 retention and shade, not to mention the aesthetic  
19 beauty and the quiet of the space.

20 The plan calls for the expansion of  
21 the park, you know, kind of to make up for this  
22 road, but what would this expansion look like?



1       Would this be expansion in the shadow of high-  
2       rise buildings with decorative trees in place of  
3       mature trees? Who benefits from this? Not the  
4       people that live around there, not the folks who  
5       are living in Bethesda and using the park. For  
6       these reasons, I ask that you reconsider this  
7       plan.

8                   CHAIR ANDERSON: Thank you. We did go  
9       to the park. We did see the children and the  
10      trees. I can't say I saw any squirrels but I  
11      wasn't really looking for them.

12                   (Laughter)

13                   CHAIR ANDERSON: Ms. Fierst.

14                   MS. FIERST: Mr. Chairman and  
15      Commissioners, the board of the Battery Park  
16      Citizens Association held its last meeting in  
17      June for this summer.

18                   We attended this meeting, the  
19      residents of Battery Park, to discuss the impact  
20      of the Downtown Plan, its grounds and our  
21      surrounding neighborhood. The residents and  
22      board spent an hour going through the Bethesda

1 Downtown Plan staff draft and collected feedback  
2 about the plan.

3 As background, the Battery Park  
4 neighborhood is a triangle of mostly single-  
5 family homes and a few dozen businesses roughly  
6 bounded by Wilson Lane to the south, Old  
7 Georgetown Road on the east, Huntington Parkway  
8 on the north and the west side of Maple Ridge  
9 Road.

10 The board voted to submit the  
11 following summary of comments on the plan as  
12 collected at that meeting and through other  
13 conversations.

14 Specific concerns, transition zones.  
15 Both the rescue squad and the Lutheran Church  
16 should have significant transition zones that  
17 gradually step up the height of the buildings  
18 from the street to make the transition from  
19 single-family homes to large buildings less  
20 abrupt.

21 Build away from Battery Park where  
22 possible. The rescue squad in particular has a

1 large plot on which to build. High buildings  
2 should be placed to the northeast on Battery Lane  
3 toward existing higher buildings and away from  
4 the single-family homes in Battery Park.

5           Additionally, current R-10 and R-30  
6 properties farther northeast on Battery Lane are  
7 not being up-zoned and are closer to the existing  
8 cluster of high-rise buildings closer to  
9 Wisconsin Avenue. Why not up-zone these  
10 properties versus those along Old Georgetown  
11 Road?

12           Traffic and pedestrian safety. Given  
13 the increase in car trips that new residential  
14 and retail buildings on both Battery Lane and  
15 Woodmont Triangle zones will generate, there  
16 should be significant traffic calming measures  
17 put in place along Old Georgetown Road, Wilson  
18 Lane and throughout Battery Park.

19           We need wider sidewalks and protected  
20 bike lanes along Old Georgetown Road and Wilson  
21 Lane and the addition of one-way streets and  
22 additional entry restrictions inside Battery

1 Park.

2 Speaking to the impact, as many people  
3 have, on tree canopy, stormwater runoff and air  
4 quality, while the plan does emphasize  
5 enhancement of park space, we are concerned that  
6 the tree loss due to increased building will have  
7 negative impacts on our air and water.

8 We would like to see an emphasize for  
9 increased green space and tree planting,  
10 particularly along Old Georgetown Road, which  
11 suffers today from way too much asphalt, very  
12 narrow sidewalks and no buffers between the roads  
13 and neighborhoods.

14 The road through Battery Lane Park.  
15 While the plan positions this new road as a park  
16 street, it is nonetheless a street for cars. It  
17 was, frankly, shocking for many residents that  
18 the staff plan recommends a new road when we  
19 thought the goal was more walkability and green  
20 space and less reliance on cars.

21 We have enough cars on Battery Lane,  
22 Battery Park. Adding a new street is unnecessary

1 and negatively impacts one of our few remaining  
2 green spaces. Thank you.

3 CHAIR ANDERSON: Thank you. Ms.  
4 Carrier.

5 MS. CARRIER: I am speaking on behalf  
6 of one owner with two properties. Shall I do  
7 them both?

8 CHAIR ANDERSON: Yes, you can do them  
9 both, three each. Just take them back to back.

10 MS. CARRIER: Right. I don't even  
11 think I'll need a total of six.

12 CHAIR ANDERSON: Even better. You  
13 could sell that time probably.

14 (Laughter)

15 MS. CARRIER: Good afternoon, members  
16 of the planning board. It is a pleasure to  
17 appear before you. For the record, I'm Francoise  
18 Carrier with the law firm of Bregman, Berbert,  
19 Schwartz & Gilday.

20 I'm testifying on behalf of four  
21 family members who together have a small company  
22 that owns property at the corner of Glenbrook

1 Road and Rugby Avenue, an adjacent property on  
2 Rugby Avenue in the Battery Lane District of the  
3 draft Sector Plan.

4 The corner property is developed with  
5 a three-story office building and the adjacent  
6 property is partially developed with warehouses.  
7 These properties are on Page 119 of the Plan.

8 The Glenbrook Road property is Number  
9 4 and the Rugby Avenue ones are part of 5 but I'm  
10 really speaking mostly about Number 4. You  
11 already heard about this property from Robbie  
12 Brewer who was representing the holder of the  
13 ground lease on that property.

14 I'm representing the owner of the  
15 actual property, but we're both asking you for  
16 one thing in common, which is more height at this  
17 property.

18 The property has been in the family's  
19 hands for many years. The rental payments on the  
20 ground lease are an important source of income  
21 for family members.

22 The draft Sector Plan is very well

1 written and it presents a compelling vision for  
2 Bethesda, but this property is being treated in  
3 an unusual way. It's recommended to be used in  
4 its entirety to expand the Battery Lane Urban  
5 Park and it's designated as a priority sending  
6 site which would allow the property owners to  
7 sell density to other parties for use in the  
8 Bethesda Sector Plan area, provided that they put  
9 a covenant on the property saying that it can't  
10 be developed and the proposed zoning is designed  
11 to strongly incentivize this outcome.

12 The site is currently split zone. The  
13 back part is in the CRN zone with an FAR of 0.5  
14 and a height of 35 feet. The front part is in  
15 the CR zone with an FAR of 3 and a height of 90  
16 feet.

17 The plan recommends rezoning the  
18 entire property to the CR zone with an FAR of 3.5  
19 and a height of 35 feet. Obviously a 3.5 FAR  
20 cannot be fully used on a half-acre site with a  
21 height of 35 feet.

22 This zoning combination would

1 artificially depress the height on the property  
2 so that the owners are more likely to sell the  
3 density than to try to redevelop. This would  
4 make the residual undevelopable property  
5 available for acquisition by the parks department  
6 at a reduced cost.

7 This combination of a recommended uses  
8 park plan and a height limit that's very low  
9 compared to surrounding properties would make it  
10 difficult to re-lease the property when the  
11 current ground lease expires or redevelop it or  
12 sell it.

13 The owners request a height limit of  
14 90 feet to preserve the normal range of options  
15 for future use of the property.

16 They would also like to discuss a  
17 higher density, particularly if the priority  
18 sending site designation remains in place.

19 And they recommend that if the  
20 priority sending site arrangement remains in the  
21 plan, the density from such sites be transferable  
22 anywhere in the county, not just in Bethesda.



1 Thank you very much.

2 CHAIR ANDERSON: Thank you. Was that  
3 both?

4 MS. CARRIER: No, that was just one.

5 CHAIR ANDERSON: Okay.

6 PARTICIPANT: Go ahead.

7 MS. CARRIER: The other one is nearby  
8 but slightly different. Again, for the record, I  
9 am Francoise Carrier with the law firm of  
10 Bregman, Berbert, Schwartz & Gilday representing  
11 four family members who together own a small  
12 company that owns property at 7945 Norfolk Avenue  
13 on the corner of Del Ray which is currently the  
14 site of Bacchus restaurant.

15 This is on Page 103 of the plan. It's  
16 one of the properties Numbered 5 and it's the  
17 southeast corner of Norfolk and St. Elmo. This  
18 is the same family-owned company that I just  
19 testified for.

20 7945 Norfolk is currently in the CR  
21 zone with an FAR of 3 and a height of 90 feet.  
22 It is recommended in the draft Sector Plan for

1 the same zone with an FAR of 3.5 and a height of  
2 50 feet.

3 Like the family's Glenbrook Road  
4 property, it's designated as a priority sending  
5 site, allowing the owners to sell the density  
6 they cannot use to other property owners.

7 For this property and its neighbors  
8 fronting on Norfolk Avenue, the designation as a  
9 sending site and the low height limit are  
10 intended to preserve a pedestrian scale, main  
11 street atmosphere along Norfolk Avenue.

12 The owners of this property are  
13 concerned that decreasing the permitted height  
14 from 90 feet to 50 feet will limit their options  
15 in the use of the property and reduce the value  
16 they can achieve from it.

17 While there may be value available  
18 from selling the density that could not be used  
19 due to the 50-foot height limit, that value is  
20 uncertain given the lack of an established market  
21 for density in the Bethesda Sector Plan area.

22 The owners of 7945 Norfolk would like

1 to request that their site retain its current 90-  
2 foot height limit, which is still dramatically  
3 lower than heights of 110, 120 and 175 that are  
4 recommended for many nearby properties, some of  
5 whom have asked for even more than that at this  
6 hearing.

7 The owners would also argue that  
8 additional density may be appropriate in keeping  
9 with nearby properties.

10 Finally they reiterate the request  
11 that the planning board consider making the  
12 density from priority sending sites available for  
13 sale to developers anywhere in the county, not  
14 just in the Bethesda Sector Plan area, to ensure  
15 a reasonable market and value for the density.

16 I look forward to the chance to  
17 discuss the family's concerns about both of their  
18 Battery Lane District properties with you during  
19 a future work session. Thank you again.

20 CHAIR ANDERSON: Thank you. Okay,  
21 could we get Miti Figueredo, Heather Dlhopsky,  
22 Katie Nolan, Judith McGuire and Barbara McCall?

1                   Okay, Ms. Figueredo.

2                   MS. FIGUEREDO: Hi. This is on,  
3 right? Okay. Miti Figueredo. I'm a vice  
4 president with the Chevy Chase Land Company.

5                   Overall, we're very pleased with the  
6 Bethesda Plan but we do want to address a couple  
7 of issues as they affect our properties.

8                   First, regarding the zoning of 2  
9 Bethesda Metro, we understand that the planning  
10 board would like or the planning staff would like  
11 the heights to step down from Wisconsin Avenue.

12                  However, given that this property is  
13 located on top of the Bethesda Metro, we do  
14 believe that an increase in height from 240 to  
15 250 is appropriate and consistent with other  
16 zoning recommendations in the plan.

17                  Second, we believe that the FAR  
18 recommended for 7316 Wisconsin Avenue should be  
19 increased from a CR 6, C-4.75, R-5.75 to a CR 8,  
20 C-7.5, R-7.5. This would be consistent with the  
21 Apex Building's recent rezoning which is just  
22 south of our property on the other side of Elm

1 Street.

2 There is no reason for 7316 Wisconsin  
3 Avenue to have less density than the Apex  
4 Building. It's located right between the north  
5 and south entrances to the Bethesda Metro and  
6 immediately adjacent to the future Purple Line  
7 station and it fronts Wisconsin Avenue.

8 In addition, were it to allow for  
9 maximum flexibility to respond to market  
10 conditions at the time of redevelopment, we asked  
11 that the C and the R be equalized.

12 Finally we agree with planning staff's  
13 recommendation to consider reconfiguration of the  
14 East-West Highway, Montgomery Lane, Old  
15 Georgetown Road, Woodmont Avenue one-way pair  
16 into a two-way street system.

17 Two-way streets are better for  
18 bicyclists, pedestrians and retailers and they're  
19 more appropriate for an urban setting like  
20 Bethesda, so we look forward to working with the  
21 county and the state in order to pursue this  
22 reconfiguration.

1                   Downtown Bethesda is an incredible  
2 urban success story, a vital economic engine for  
3 Montgomery County. We think it can be even  
4 better for residents and businesses alike and we  
5 would like to thank the planning staff for their  
6 work on this and thank the planning board for  
7 considering our testimony.

8                   CHAIR ANDERSON: Thank you. Ms.  
9 Dlhopsky.

10                  MS. DLHOPOLSKY: Would you like me to  
11 do one of mine and then take a break and then --

12                  CHAIR ANDERSON: Yes, please.

13                  MS. DLHOPOLSKY: Okay, all right. So  
14 I will first talk on behalf of F & L Associates,  
15 LLLP. They're the owner of the property located  
16 at 4809 Auburn Avenue in Bethesda. You have our  
17 full written testimony.

18                         And this property is referenced on  
19 Page 103 of the plan as Numbers 1 and Number 2.  
20 You probably know this property well. It's  
21 located in the Triangle Plan formed by the  
22 convergence of Auburn Avenue, Rugby Avenue and

1 North Buck Avenue. It's comprised of two lots  
2 totaling just under 13,000 square feet, both of  
3 which are owned by F & L Associates.

4 The two lots essentially function as  
5 one property and there is a Sherwin-Williams  
6 paint store on that property as well as surface  
7 parking for the store.

8 The property has housed businesses  
9 similar to this for many years now and so it  
10 fulfills a need for practical, useful stores in  
11 the Woodmont Triangle area of Bethesda.

12 In particular, the surface parking  
13 provided is vital for a paint store because much  
14 as people may want to take transit and walk, it's  
15 very hard to do so carrying large cans of paint  
16 so the parking is very important to the use.

17 The public hearing draft proposes that  
18 the northeastern side of the property be rezoned  
19 through the Sector Plan to CR 3.5, C-1.25, R-3,  
20 H-120 and that the southwestern side of the  
21 property adjacent to Norfolk Avenue be rezoned to  
22 CR 3.5, C-1.25, R-2, H-50.

1           And the proposed rezoning, in  
2           particular the recommendation for building height  
3           at a maximum of 50 feet on the southwestern  
4           portion, leaves few options for future  
5           redevelopment.

6           But of even more concern is the fact  
7           that the public hearing draft recommends that the  
8           Norfolk Avenue/Rugby Avenue intersection and  
9           adjacent properties be reconfigured to expand the  
10          Battery Lane Urban Park and improve the street  
11          connection to Norfolk Avenue.

12          The proposal and the graphics shown on  
13          Page 105 of the plan reflect that the entire  
14          western half of the property, and it appears to  
15          be all the surface parking as well as a part of  
16          the existing building, would be taken up and  
17          converted to park or open space would result in  
18          removal of all the surface parking and, in  
19          essence, put this business out of business and,  
20          as I mentioned, surface parking is vital to such  
21          a use.

22          We also note that the public hearing



1 draft expresses a goal of enhancing existing  
2 commercial and retail businesses with improved  
3 accessibility, visibility and upgraded  
4 streetscape guidelines.

5 We do support enhancing the  
6 streetscape in the area and along the property's  
7 frontage and we know that the property already  
8 has a significant green buffer between the  
9 surface parking and Norfolk Avenue so we agree  
10 with the streetscaping recommendations but we  
11 believe that this must be done without adversely  
12 affecting the current and, like I said, very  
13 practical and needed use that's on the property.

14 So for those reasons, we believe the  
15 entire property should be rezoned to CR 3.5, C-  
16 1.25, R-3, H-120 that would allow continuance of  
17 the existing business on the property as well as  
18 potential future redevelopment options for them.  
19 Thank you very much.

20 CHAIR ANDERSON: Thank you. Ms.

21 Nolan? No?

22 PARTICIPANT: No.

1 CHAIR ANDERSON: Ms. McGuire. Okay.

2 MS. MCGUIRE: Thank you. The May 15th  
3 draft of the Bethesda Downtown Plan is ambitious  
4 and creative and as a neighbor from the town of  
5 Chevy Chase I welcome greater diversity of  
6 residents and increased commerce as long as it's  
7 not all chain stores, but I urge you to think  
8 more deeply about the long-term environmental  
9 issues.

10 While the plan mentions positive  
11 environmental initiatives, the fact that they are  
12 not requirements in the Sector Plan means that it  
13 will probably be sacrificed as budgets are cut.

14 And to make sure this plan isn't an  
15 environmental step backwards, I urge that you  
16 make hard goals and regulations in the context of  
17 trading off public benefits for oversized  
18 buildings and higher density, all of which have  
19 been requested today by virtually everybody here.

20 It's good that the plan mentions  
21 habitat, ecological biodiversity and ecological  
22 benefits but these lofty terms aren't matched by

1 a measurable strategy.

2 To be truly sustainable in an  
3 ecological sense, the plan needs to develop more  
4 sizeable green spaces and natural corridors, not  
5 just islands, for insects, plants and animals.

6 The current plan is for lots of small  
7 green islands rather than meaningfully sized  
8 spaces and connected ecological corridors which  
9 are actually ecological state of the art for  
10 planning and for climate adaptation.

11 Green roofs should not be given higher  
12 priority than green spaces. Roofs are private  
13 spaces and environmental benefits could be  
14 achieved by requiring light color, high-albedo  
15 roofs coupled with greater green space at the  
16 ground level with greater public benefit.

17 The plan should be revised to include  
18 two continuous green north/south corridors from  
19 Norwood Park to NIH on the west side of Wisconsin  
20 and from Chevy Chase Country Club to the Walter  
21 Reed Campus on the east side, connecting many  
22 existing spaces and adding significant new green

1 space.

2           These corridors might also serve as  
3 bikeways, although you know bikes won't be  
4 accommodated on Wisconsin, and community meeting  
5 spots as well as for community gardens and  
6 fitness groups.

7           The greenway should be wide, like Elm  
8 Street Park, and not miniature, gratuitous strips  
9 like the so-called greenways now in the pocket  
10 parks shown at various places on the plan that  
11 provide little ecological value. Fewer large  
12 areas will have greater emotional and social  
13 effects than multiple microparks and can be  
14 multiple-use parks.

15           To make this happen, more green space  
16 must be demanded as public benefits in exchange  
17 for height and density concessions and everyone  
18 has asked for all of those concessions.

19           The biggest flaw in the plan is the  
20 lack of a discussion of through traffic on  
21 Wisconsin Avenue which currently creates gridlock  
22 and is just going to get worse in the future. It

1 creates pedestrian and bike safety and pedestrian  
2 safety problems, air and heat pollution and a  
3 daunting barrier to east/west communications.

4 Thank you.

5 CHAIR ANDERSON: Thanks very much.

6 You must be Ms. McCall.

7 MS. MCCALL: I am. I am. Good  
8 afternoon. I am here today on behalf of my condo  
9 association, 4720 Chevy Chase Drive, and a  
10 neighbor condo association, Bradley House at 4800  
11 Chevy Chase Drive.

12 Chevy Chase Drive is just south of  
13 Bradley Boulevard in the south sector of this  
14 plan on Pages 128 to 132.

15 We support the updating of a  
16 development plan for downtown Bethesda that will  
17 achieve the overarching goals of this plan.  
18 However, the draft falls short of these goals in  
19 many ways regarding our area.

20 Does Montgomery County really want a  
21 development plan for downtown Bethesda that calls  
22 for almost everyone to live above the store

1 amidst the congestion and noise of commerce  
2 unless they are wealthy enough to afford a  
3 single-family house? We don't think so.

4 Our neighborhood provides an important  
5 housing alternative for Bethesda that is worthy  
6 of enhancement and advancement, quiet garden  
7 apartments within walking distance of the central  
8 area and a significant portion of the green space  
9 and tree canopy of Bethesda.

10 We have a number of recommendations to  
11 bring the plan closer to its stated goal.

12 Maintain the current residential character of  
13 south Bethesda by maintaining current residential  
14 zoning.

15 Do not change the zoning to allow for  
16 mixed commercial residential use and increase  
17 building heights. Mixed-use high-density  
18 development does not need to be stretched beyond  
19 the central area.

20 Stop commercial activity on the north  
21 side of Bradley Boulevard. Bradley is a logical  
22 boundary of the commercial area. Improve the

1 median of Bradley so that it provides more green  
2 area similar to those proposed for the other  
3 edges of Bethesda.

4 We support the plan's proposal for a  
5 clearly identified gateway at Bradley and  
6 Wisconsin and believe it's already a reality.  
7 The civic nature of this gateway should be  
8 enhanced, not degraded.

9 Do not allow for the mixed-use  
10 redevelopment of Fire Station Number 6 on the  
11 south side of Bradley.

12 The proposal is not workable. The  
13 area's road and sidewalk infrastructure cannot  
14 support it. That intersection is already a  
15 hazard for pedestrians and bicyclists.

16 Vacant land associated with the fire  
17 station should be used for other civic purposes  
18 such as a gathering space for South Bethesda or  
19 additional expansion of the fire station.

20 We have several other recommendations  
21 including Strathmore Avenue being a greenway  
22 instead of a roadway, and we are particularly

1 concerned that all of the, that affordable  
2 housing in Bethesda be located throughout  
3 Bethesda, not concentrated at the edges. Thank  
4 you very much.

5 CHAIR ANDERSON: Thanks very much.  
6 Ms. Dlhopsky.

7 MS. DLHOPOLSKY: Second to last one  
8 for me today. Heather Dlhopsky of Linowes and  
9 Blocher speaking on behalf of 4918-4938 Battery  
10 Lane, LLC. We did submit written testimony to  
11 you all and this property is referenced on Page  
12 119 of the Plan, Number 1.

13 As the owner entity name sounds, the  
14 property is located at 4918 Battery Lane. It's  
15 currently zoned R-10 and improved with garden-  
16 style apartments. The public hearing draft  
17 proposes that the property be rezoned to a CR  
18 1.5, C-.5, R-1.5, H-120.

19 While the height that's proposed for  
20 the property seems appropriate given the nature  
21 of the nearby uses, most of which are mid- and  
22 high-rise apartment buildings, and the property's



1 proximity to Woodmont Avenue and Norfolk Avenue,  
2 the density that's proposed at a 1.5 FAR seems  
3 out of alignment with the proposed height of the  
4 120 feet.

5 Looks like the public hearing draft  
6 basically adds 20 percent to the density  
7 permitted by the current R-10 zoning without kind  
8 of taking a look at whether that density and  
9 height match.

10 We believe that a density of 3.5 FAR  
11 is more in alignment with the 120-foot building  
12 height limit and, in particular, given that the  
13 properties directly east of the subject property  
14 along Battery Lane and due south and southwest  
15 are also recommended for a CR 3.5 at a height of  
16 120 with one small exception.

17 The buildings on the property were  
18 constructed in the late 1950s and while there are  
19 no immediate plans at this point to redevelop,  
20 frankly they are aging buildings and it is  
21 necessary with this plan that they be giving some  
22 options that are viable for redevelopment in the

1 future.

2 So as I mentioned, a rezoning to CR  
3 3.5, C-.5, R-3.5, H-120 will provide such options  
4 for these property owners. Thank you.

5 CHAIR ANDERSON: Okay, you can stay  
6 put. If I could ask the rest of our panel to  
7 step back so we can make room for John Cokinos,  
8 Singh Bajwa and Sara Hughes and those are the  
9 last people I have down for the afternoon  
10 session. You can stay where you are if you've  
11 got one more.

12 MS. DLHOPOLSKY: It was in the  
13 evening, but if you can help me with that one it  
14 would be --

15 CHAIR ANDERSON: You've only got one  
16 more, period?

17 MS. DLHOPOLSKY: Yes.

18 CHAIR ANDERSON: All right. Why don't  
19 you just do that.

20 MS. DLHOPOLSKY: Thank you.

21 CHAIR ANDERSON: Yes. All right, you  
22 can go ahead while they are getting settled.

1 MS. DLHOPOLSKY: Okay. All right.  
2 Heather Dlhopsky, last time today I promise,  
3 with Linowes and Blocher. I'm speaking on behalf  
4 of HP2 LLC here. They are the owners of property  
5 identified as 4526 and 4530 Avondale Street.

6 While they are located in the  
7 Wisconsin Avenue District, so that's on Page 95  
8 of the plan, as you'll hear, unfortunately we  
9 think they've kind of been left out of the mix so  
10 they don't have any sort of identifying number.

11 They are located in the Wisconsin  
12 Avenue District, seemingly recognizing them as  
13 part of the spine of downtown Bethesda, but the  
14 plan recommends, and we think kind of  
15 inexplicably, that they remain in the current R-  
16 10 zone.

17 There are other R-10 zone properties  
18 currently that are recommended to go to CR as  
19 part of this plan so we're just trying to figure  
20 out why these are being left out in this case.

21 The properties are located only two  
22 blocks east of Wisconsin Avenue. They're less

1 than 700 feet in walking distance from the  
2 Bethesda Metro station and they're directly  
3 adjacent to the 200-foot-tall Chevy Chase Bank  
4 Towers at the south which, given that those  
5 towers are to the south, they cast considerable  
6 shadow on the subject property.

7 Given these existing conditions, we  
8 believe that certain of these properties on  
9 Avondale Street that are near to Wisconsin Avenue  
10 provide a great opportunity to provide higher  
11 density development than the current R-10 zoning  
12 permits and, like I said, the plan is --

13 PARTICIPANT: Where are they?

14 MS. DLHOPOLSKY: They are shown in the  
15 brown. Yes. And so these subject properties are  
16 actually on the south side of Avondale and, you  
17 know, they're in the Wisconsin Avenue District  
18 but we just aren't quite sure why no  
19 recommendations are being made for these  
20 properties.

21 So we believe that the property should  
22 be rezoned to a CR with a density of 5 and a

1 maximum building height of up to 120 feet.

2 Development of a 10- to 12-story  
3 residential building in place of the existing  
4 improvements would not meaningfully change or  
5 extend the north-leaning shadows or the  
6 characteristics of the neighborhood and would  
7 improve the opportunities for an increased level  
8 and quality of housing, putting affordable  
9 housing and public space basically directly  
10 across the street from Metro. Thank you very  
11 much.

12 CHAIR ANDERSON: Thank you. We're  
13 going to take Ms. Hughes next.

14 MS. HUGHES: Hi. Good afternoon.  
15 Good afternoon. My name is Sarah Hughes. I am a  
16 Bethesda resident and I'm also a parent who is  
17 committed to smart growth.

18 I'm here to voice concern about the  
19 road cutting through Battery Park and to voice  
20 support for keeping Battery Park as it is, whole  
21 and intact.

22 One way that as a parent I show a

1 commitment to smart growth is by moving my family  
2 into an apartment complex. We take up less  
3 space. We have a smaller household footprint,  
4 but in exchange for that we have more access as a  
5 family to whole and intact green space.

6 Battery Park, as it is, is one of the  
7 reasons why I moved my family to where we are and  
8 cutting into the park with a road breaks that  
9 social contract.

10 It sends a message to those who are  
11 willing to have a smaller household footprint in  
12 exchange for more green space, it sends a message  
13 that this social contract can be broken;  
14 therefore, I encourage you to protect Battery  
15 Park as it is and keep it from being cut through  
16 by the road.

17 CHAIR ANDERSON: Thank you. Mr.  
18 Cokinos.

19 MR. COKINOS: Yes. Can Mr. Singh go  
20 first? Is that --

21 CHAIR ANDERSON: Sure. That's fine.

22 MR. BAJWA: My name is Singh Bajwa.

1                   CHAIR ANDERSON: But take the  
2 microphone and just point it so everyone can hear  
3 you and we can get it on the --

4                   MR. BAJWA: Thank you. My name is  
5 Singh Bajwa and we own certain properties on  
6 Avondale as Heather mentioned. Just basically I  
7 am seconding the testimony which was given by her  
8 because we are basically neighbors on the same  
9 street, same side.

10                  When Chevy Chase Towers were  
11 developed, we were given the assurance that the  
12 other buildings would be at the height of 101  
13 feet to 110 and all of a sudden now this  
14 restriction of 35 feet has been put on. We don't  
15 know why. There's no good reason.

16                  We are next to the Metro stop. We  
17 provide a good ownership to the people who live  
18 and transport and don't even have cars and we  
19 feel that this restriction is unreasonable and  
20 does not serve any purpose.

21                  The other property which I will  
22 address is on Tilbury Street. It is between

1 Cheltenham and Chase Avenue. It backs to the  
2 zoning.

3 It has a similar history. When we  
4 bought it, the buildings were given the height of  
5 roughly 110 feet and the -- it is in the same  
6 block as Wisconsin Avenue. This is in the first  
7 block.

8 The first part was given, I don't  
9 know, it's 170 or more and we were -- same kind  
10 of restriction were put in to, like, 35 feet. We  
11 don't know why because in 1994 plan was  
12 authorizing those buildings.

13 And we are small individual owners so  
14 we don't have the attorneys or anything to  
15 represent. So we think it's not a fair treatment  
16 that all of a sudden something is changed from  
17 the 1994 plan to this. We don't see any good  
18 reason for it.

19 CHAIR ANDERSON: Thank you.

20 MR. BAJWA: Thank you very much.

21 CHAIR ANDERSON: Mr. Cokinos.

22 MR. COKINOS: Cokinos, yes. Thank



1 you. So, yes, you all deserve a lot of credit,  
2 the Chair and the Commissioner and the Vice  
3 Chair, but also your soldiers, Robert, Leslye and  
4 Marc, because they do a lot of ground work and  
5 they have been a great sounding board and from  
6 the Harks thank you very much because they've  
7 been very patient.

8           So I wanted to address South Bethesda,  
9 Page 129, Parcel Number 2. It's 4740 Chevy Chase  
10 Drive and I wanted to give you a challenge but  
11 also possibly give you a solution and maybe it's  
12 a good compromise from some of the earlier  
13 testimonies, and that is that my father bought  
14 this property 20 years ago. I lived across the  
15 street in the town houses of Kenwood Forest and  
16 my small family would go under this carport of  
17 this commercial building with strollers and  
18 baseball gloves and we would go to the park which  
19 opens up to the tennis court, so I've had an  
20 office that is right there in this office  
21 building for 25 years.

22           And so I wanted a compromise because

1 I wanted to come up with a solution where this  
2 building and Aldon Management are partners.

3 We have some dated buildings. I mean,  
4 I confess it's built in 1950. So the thought,  
5 I'm not a developer but let's put up about six  
6 stories. Let's have an office building which  
7 houses my own office but five apartments and  
8 affordable parking.

9 But mostly let's have a pedestrian  
10 promenade that we could commit to the community  
11 because I was one of those people as a resident,  
12 just lots of people coming through a private  
13 piece of property, not really knowing that  
14 they're allowed to trespass, and we've been very  
15 accommodating, but with artistry and with  
16 dedication give the community something so these  
17 community people that want to enjoy the park,  
18 they can go through this promenade pedestrian  
19 pathway that we would offer.

20 Right now CR zoned for 70 feet. I  
21 might ask the county for 75 feet. We could have  
22 affordable apartments on five floors. We could

1 have my office that I've been there for 30 years  
2 and we could do a service to the community.

3 And that's, I thank you, the county  
4 members, for doing this. I want the apartment  
5 people to enjoy the amenities of Norwood Park.  
6 Let them have a view of this beautiful park and  
7 so everybody could be happy. Thank you so much.

8 CHAIR ANDERSON: Thank you. Okay, so  
9 we'll be back at 7:00.

10 (Whereupon, the above-entitled matter  
11 went off the record at 5:51 p.m. and resumed at  
12 7:04 p.m.)

13 MR. MARKS: Good evening to the Board.  
14 We wanted to say, in particular, thanks to the  
15 staff. They have clearly put a lot of time into  
16 making sure affordable housing is a focus in this  
17 plan. We think maybe more so than any other plan  
18 to date, so wanted to thank them.

19 As the owner and general partner of  
20 more than 40 percent of the entire stock of  
21 rent-restricted affordable housing within the  
22 Bethesda central business district, the Housing

1 Opportunities Commission of Montgomery County  
2 understands firsthand the value of purposefully  
3 delivering affordable housing in high-cost parts  
4 of the county.

5 HOC also knows the challenges in  
6 communities like Bethesda of securing  
7 opportunities to add to the affordable housing  
8 stock, of maintaining these assets as they age,  
9 and ensuring that as obsolescent, though  
10 naturally affordable stock is replaced by  
11 high-end rental and for-sale housing. Planning  
12 staff's expressed goal, as it relates to the  
13 affordable housing in the draft Bethesda Downtown  
14 Plan is to see existing housing preserved in the  
15 face of the coming wave of market redevelopment,  
16 rightfully spurred by densification. Perhaps the  
17 most concerning statistic in the draft plan is  
18 that nearly 80 percent of the affordable housing  
19 inventory in the Bethesda CBD is unrestricted.

20 With a proposed total inventory of  
21 multi-family residential units of 8,456, and with  
22 nearly all of that additional stock likely to be

1 infill redevelopment, almost all of the existing  
2 affordable housing stock in Bethesda CBD is at  
3 risk. As such, HOC is pleased that planning  
4 staff is clearly focused on the arch consequence  
5 of that lack of overall housing supply in the  
6 Bethesda CBD affordability.

7           However, given the above statistic, we  
8 must ask ourselves if preservation of the  
9 existing stock can even be the goal? HOC  
10 believes that certain structures can more viably  
11 be preserved into their second 30 years, but in  
12 all cases where HOC is pursuing redevelopment,  
13 increased density will be the key to transforming  
14 moribund structures into new, energy-efficient,  
15 amenity-rich ones to replacing concentrated  
16 affordability with mixed-income communities, and  
17 to maintaining or increasing the number of  
18 affordable housing units on the site. We like to  
19 call it accidental affordable housing, is  
20 available at rents similar to those  
21 rent-restricted units because the unrestricted  
22 units are obsolete.

1           While they provide four walls and a  
2           roof in an extremely attractive location, they  
3           are generally inferior to the new housing being  
4           produced and disadvantage the residents who live  
5           there. Further, those residents pay a sort of  
6           hidden additional rent. As their utility bills  
7           are much higher, their access to technology is  
8           less, and their community is functionally  
9           separate from those of the 21st century affluent.

10           These older structures also lack  
11           accessibility features in the design of newly  
12           constructed housing. The restricted purpose bill  
13           of affordable housing HOC develops eliminates  
14           this divide. As currently proposed, the draft  
15           Bethesda CBD plan will only allow us to increase  
16           the number of rent-restricted units at our  
17           properties by 5 percent. Amending the plan  
18           according to the requests in our written  
19           testimony will put HOC in a position to increase  
20           the number of rent-restricted units at our  
21           properties by about 25 percent. This is before  
22           HOC employs its transferrable density elsewhere.

1 CHAIR ANDERSON: Thank you. Mr.  
2 Kretzmer.

3 MR. KRETZMER: This is Reference Page  
4 119 at Circle 6. Good evening. I'm Robert  
5 Kretzmer, and I'm the president of the Bethesda  
6 Chevy Chase Rescue Squad, which is a non-profit  
7 organization comprised of over 150 volunteers  
8 that have served the Bethesda community for 75  
9 years. I am here before you to strongly support  
10 the recommendation in the Bethesda Downtown Plan  
11 for the rescue squad property located at the  
12 intersection of Old Georgetown Road at Battery  
13 Lane.

14 The increased height and density which  
15 have been recommended for the site will  
16 facilitate a redevelopment opportunity that will  
17 allow the rescue squad to adapt to and support  
18 future changes in the emergency services needed  
19 in Bethesda. In particular, the plan  
20 recommendations allow the rescue squad to  
21 capitalize on its primary asset, its property, in  
22 order to co-locate the rescue squad with a

1 multi-family building, replace its deteriorating  
2 facility with a state-of-the-art structure, adopt  
3 a new fire station design able to substantially  
4 increase volunteer participation, enhance its  
5 in-station training capabilities, and create a  
6 reserve fund for the long-term viability of the  
7 rescue squad.

8           As you are aware, the rescue squad is  
9 a civic and community-minded organization  
10 providing life-saving services to the broader  
11 Bethesda community, by volunteers, as a part of  
12 the Montgomery County Fire and Rescue Service.  
13 We perform these life-saving services 24/7, 365,  
14 from all donated contributions from local  
15 individuals, local businesses, corporations and  
16 philanthropic groups.

17           Together, we save Montgomery County  
18 more than \$4 million in public funds every year,  
19 while setting the highest standards for emergency  
20 services. We are also one of the last bastions  
21 of progressive, long-tier volunteerism in the  
22 county. At the rescue squad, a very young person



1 can receive quality training and meaningful  
2 public service opportunities that foster a  
3 life-long commitment to others, regardless of  
4 where their careers take them. This opportunity  
5 is valuable to the individual and the tax payers.  
6 To continue this mission, we desperately need the  
7 redevelopment opportunity that the current  
8 Downtown Plan provides.

9 We selected a development partner, Red  
10 Brick Development Group, that shares our  
11 community focus, and we look forward to  
12 implementing our project plan that will ensure  
13 the rescue squad can operate successfully for  
14 another 75 years. I will say, on a personal  
15 note, being at the rescue squad has really  
16 changed my life, as a volunteer, and I'd like to  
17 thank you for your time.

18 CHAIR ANDERSON: Thanks very much.

19 Mr. Stoddard.

20 MR. STODDARD: Thank you for allowing  
21 me the opportunity to appear before you tonight.  
22 I'm Bob Stoddard, representing the Bethesda Fire

1 Department, who own two parcels of the southwest  
2 corner of Wisconsin and Bradley, including Fire  
3 Station 6 on Page 129, Circle 3. As you heard  
4 earlier today, the Bethesda Fire Department is a  
5 non-profit, volunteer organization that works in  
6 partnership with the county to ensure that the  
7 Bethesda area has the best possible fire and  
8 rescue service available. Bethesda Fire  
9 Department has started discussing what the future  
10 Station 6 require in order to continue providing  
11 this level of service in a growing community.  
12 Station 6 is the first responder to numerous  
13 areas, including a large portion of the CBD that  
14 is under discussion tonight and portions you will  
15 discuss in the future.

16 Station 6 was constructed in 1969 and  
17 will need either redevelopment or a substantial  
18 renovation. The recent Montgomery County Fire  
19 and Rescue Master Plan Draft highlights this  
20 need. I believe everyone agrees that Station 6  
21 is strategically located and an important asset  
22 to the community.

1           While both options are and will  
2 continue to be under construction, I'm here  
3 tonight to discuss redevelopment. Over the past  
4 year, we've engaged in public discussions with  
5 many of the community stakeholders. We are  
6 sensitive to our residential neighbors and will  
7 continue to work with them if redevelopment  
8 becomes the best option in providing optimum fire  
9 and rescue service to the community. The concept  
10 of mixed use of the fire station is becoming more  
11 prevalent as tax dollars for public facilities  
12 are dwindling and land is becoming scarce. Two  
13 recent examples in the immediate area include  
14 Potomac Yard in Alexandria that included a fire  
15 station and workforce housing, and a fire station  
16 with a hotel at 400 E Street, Southwest.

17           There are other local projects  
18 currently under consideration, including  
19 affordable housing with the new Fire Station 23  
20 in the White Flint Plan, and the Tysons Plan  
21 envisions incorporation of fire and police  
22 stations into new mixed-use developments. The

1 Bethesda Fire Department's goal is to have the  
2 ability to partner with an outside developer and  
3 build a new station with all private funds.

4 Redevelopment of this property is not  
5 out of character with the area, with several  
6 existing mid-rise buildings nearby, along Bradley  
7 and Chevy Chase Drive, some of which are also  
8 looking to redevelop in the future.

9 Redevelopment of this property will provide  
10 additional dedicated affordable housing. At a  
11 minimum, 12½ percent of new units would be  
12 affordable. We would look to partner with  
13 someone that could increase that amount, as well  
14 as meeting our objectives for a new station at  
15 the same time. The Sector Plan which has been  
16 presented provides a good start to accomplish  
17 these goals. The Draft Plan has suggested this  
18 property be re-zoned from R-10 to CR 1.5, with a  
19 height of 70 feet.

20 We respectfully request consideration  
21 of the following revisions and language to make  
22 the goals for funding a new station and

1 additional affordable housing feasible. Increase  
2 the proposed total and residential FAR from 1.5  
3 to 2.5, increase the building height from 70 feet  
4 to 80 feet to accommodate higher first-floor  
5 height required for fire and rescue equipment, a  
6 text amendment that could exclude counting the  
7 floor area of a public facility, like the fire  
8 station, against the FAR cap for a property in  
9 the CR zone, and a revision on Page 25 to  
10 indicate the fire department is mixed use. Thank  
11 you for your time tonight.

12 CHAIR ANDERSON: Thank you. Mr.  
13 Elmendorf.

14 MR. ELMENDORF: Good evening. My name  
15 is Steve Elmendorf. I'm an attorney with Linowes  
16 and Blocher. Tonight, I am representing the  
17 owners of the property shown on Page 95 of the  
18 draft plan, Circle 27. But I'm actually not here  
19 to talk about that particular property. I'm here  
20 to talk about the two adjacent parcels that are  
21 to the west of that site, which actually are  
22 shown -- well, they are part of Circle 5, on Page

1 99.

2 What we have discovered is that those  
3 two properties -- one of them is the Bocce pizza  
4 place, which I would highly recommend to anybody  
5 who likes pizza, and the Capital One drive-thru  
6 bank. We were in discussion with staff about how  
7 our client would be wanting to be assembling  
8 these properties for a signature building at that  
9 location, providing they had the same zoning as  
10 our client's property.

11 But somehow, when the plan came out,  
12 those two parcels got thrown into the Bethesda  
13 Road District. They have the same building  
14 height, but the wrong zoning. We pointed that  
15 out to staff, and they've been very responsive  
16 and very gracious about getting that corrected,  
17 but they just told us that since the public  
18 hearing plan had come out, they can't change that  
19 yet. So this really isn't a debate -- an issue.  
20 I just wanted to get it into the public record,  
21 so that -- you're going to be dealing with 1,000  
22 other issues. I didn't want this one to be

1 forgotten. We'll be able to assemble those and  
2 round out the block and really do a nice building  
3 there, on the corner, with those two pieces.

4 Otherwise, they will be, literally, a hole in the  
5 donut. They're the only two under-developed  
6 sites that will be left on that entire block.

7 Thank you.

8 CHAIR ANDERSON: Okay. Ms. Leatham.

9 MS. LEATHAM: Hi, good evening. Erica  
10 Leatham, with the Law Firm of Ballard Spahr. I  
11 am here to talk about No. 7, on Page 133. We had  
12 problems with the sevens last time I was up here.  
13 There are two 7s on Page 133. It's the seven to  
14 the north of Edgemoor Lane, at the corner of  
15 Edgemoor and Woodmont Avenue.

16 Let me go off script for a moment. I  
17 think when we think about the vision of Bethesda,  
18 we think about nights like tonight, where it's a  
19 beautiful night outside. You can have dinner  
20 outside and watch people go back and forth to the  
21 Metro coming from work or coming home and really  
22 enjoy the streetscape and the tall buildings and

1 the excitement that comes with all of that.

2 CHAIR ANDERSON: Right before you  
3 attend a public hearing.

4 MS. LEATHAM: Exactly. Do you not do  
5 that all the time? What I don't think of is a  
6 single-family house, 600 feet from the Metro.  
7 This is what's on the house today is right behind  
8 you. If you could see through this building, you  
9 would see the house. It's 600 feet from the  
10 Metro. It's proposed for a zone of 2.5 FAR, and  
11 a height of 120 feet. It's across from this  
12 site, which is proposed for a 6 FAR and 175 feet.

13 We don't think that is a proper  
14 incentive to redevelop this site. It's a tight  
15 site to begin with, and additional height and  
16 density is what makes it viable. So we are  
17 requesting a CR 4 -- and I'll send the written  
18 materials with everything else -- with a height  
19 of 175 feet. You'll have all the details in our  
20 written materials.

21 CHAIR ANDERSON: Thank you. Okay, if  
22 we could get -- is Kristie Mitchell here?



1 MS. MITCHELL: Yes.

2 CHAIR ANDERSON: Okay, very good.

3 Come on up. Peter Grey, Ann Mead, Sandra -- I  
4 may be mispronouncing this, or it may be a typo  
5 -- Purohit, and Patricia O'Neil. I have a  
6 Patricia. Is it Patrick?

7 MR. O'NEIL: I know it's not Patricia.

8 CHAIR ANDERSON: Given recent events,  
9 that's way too (Simultaneous speaking).

10 (Laughter.)

11 CHAIR ANDERSON: I tell you what,  
12 let's -- so how many have you got, two?

13 SPEAKER: Two.

14 CHAIR ANDERSON: Okay, why don't you  
15 have them come up and take a seat, and we'll do  
16 that.

17 SPEAKER: It's Melissa Tye.

18 CHAIR ANDERSON: Great, they can come  
19 on up while these guys get started. Ms.  
20 Mitchell. And she'll give you the 30-second  
21 warning.

22 SPEAKER: We'll have the time.

1           CHAIR ANDERSON: Hopefully, that will  
2 help keep you on track. Pull up that microphone  
3 if you don't mind.

4           MS. MITCHELL: My husband and I live  
5 on Nottingham Drive, and our daughter is 9  
6 months, and my stepson is 9 years. We moved  
7 outside the city (Simultaneous speaking) and  
8 further from work to raise our children in a  
9 neighborhood environment with excellent schools.  
10 We understood the green space outside our front  
11 door was set up by the fire station to be used  
12 for its necessary purposes.

13           If we had been told the green space  
14 could be a multi-unit apartment building with gas  
15 station or anything else, we certainly would not  
16 have paid what we did for our home and might not  
17 likely have even purchased it. Appreciate the  
18 need of our respective firefighters and emergency  
19 services personnel, for whom we're incredibly  
20 grateful, have a station to serve our community.

21           However, there are win-win ways to do  
22 it that don't go about ruining the family

1 environment of an entire neighborhood with  
2 unnecessary development. We kindly ask you to  
3 consider the impact on the character of  
4 Nottingham Drive, traffic, and what is truly best  
5 for the community. If I had more time, I'd  
6 address severe issues this could raise for  
7 schools and my grave concerns related thereto.  
8 Nottingham Drive is a residential street. It's a  
9 cul-de-sac that allows people to safely access  
10 Norwood Park. An apartment building would turn  
11 it into an alleyway. Delivery trucks, moving  
12 trucks, trash trucks would all go down what's now  
13 a quiet family street that welcomes park goers  
14 from across the community.

15 A gas station would be even worse, and  
16 could potentially lead to increased crime. Why  
17 ruin what exists? From what I understand, BFD  
18 uses the space for care of the hoses and other  
19 purposes requiring large outdoor space. I urge  
20 the planners to consider a station on the  
21 property that will conserve as much green space  
22 as possible.

1                   Second, traffic at Wisconsin and  
2                   Bradley is awful, even on a good day. My husband  
3                   was recently in a car accident with my baby  
4                   making a left turn on to Wisconsin. I invite  
5                   each of you, with your children or grandchildren  
6                   in your car, to come to Nottingham during rush  
7                   hour and try to make the maneuver, then tell me  
8                   with a straight face that this intersection can  
9                   take an additional 300 plus persons. Further,  
10                  apartment building will effectively kill the  
11                  ability of any family on Nottingham, and many  
12                  families in Chevy Chase to have any street  
13                  parking, whatsoever. Currently, at times, though  
14                  not often, the street parking fills up already.

15                  With an apartment building, it will be  
16                  nearly impossible to ever count on street  
17                  parking. What are we to tell persons who visit,  
18                  find a parking structure and pay to park? What  
19                  about elderly relatives? Finally, as our  
20                  representatives, please consider what the  
21                  community wants and what's truly in the best  
22                  interests of the community.

1           Do you think people want to live in a  
2 place with more development? Not one single  
3 family in the Chevy Chase association favors  
4 anything other than a new fire department being  
5 erected at the corner of Wisconsin and Bradley.  
6 If development's required, why not allow it, but  
7 require it to be added in a place that's already  
8 developed? Nottingham is a border area with  
9 single-family homes. BFD could be given building  
10 rights conditioned upon it selling those rights.  
11 The re-zoning was 20 years ago, and the desires  
12 of the residents have not changed. If you do  
13 allow a re-zoning that would put an apartment  
14 there, questions to consider are won't the  
15 additional residents cause the need for even more  
16 services that will need to be provided by  
17 emergency personnel, which shortage you are  
18 currently hoping to fix?

19           If it includes affordable housing,  
20 won't that have an overall -- will that have an  
21 overall positive or negative impact on the  
22 county? My husband is on active duty with the

1 United States Navy. His job is not to act in the  
2 best interests of Lockheed Martin or to consider  
3 how Boeing might feel about a decision, or to ask  
4 Canada about what it thinks about decisions  
5 regarding the U.S. military. His job is to  
6 protect the interests of the people of the United  
7 States. I hope you consider whose interests you  
8 choose to serve, too.

9 CHAIR ANDERSON: Thank you. Are you  
10 Ms. Tye?

11 MS. TYE: Yes.

12 CHAIR ANDERSON: Why don't you go  
13 ahead, since you're on the same topic?

14 MS. TYE: Yes. Hello. My name is  
15 Melissa Tye, and I live on Nottingham Drive with  
16 my husband and our two young children. I'm also  
17 on the board of directors of the Bethesda Fire  
18 Department, but tonight I'd like to talk just as  
19 a resident of Nottingham Drive.

20 We moved to our house on Nottingham  
21 almost three years ago, just before my daughter  
22 was born. When we purchased our house, we

1       accepted the proximity to the fire station and  
2       the inconvenience inherent to that. However, new  
3       zoning that would permit a large multi-dwelling  
4       unit with uses not currently permitted was not  
5       something we anticipated, nor is it something  
6       that I feel as though we should have anticipated.

7               Nottingham Drive is a short, narrow  
8       street. One side of the street is full of  
9       lovely, single-family homes, mostly brick  
10      colonials with deep backyards. The other side of  
11      the street hosts the fire station, on a generous  
12      lot, flanked by a good-sized green space. After  
13      the green space, the rest of the street is  
14      forested area, leading up to the park. The green  
15      space is used often by neighborhood kids,  
16      presumably due both to its even greater proximity  
17      to many of the apartment buildings along Chevy  
18      Chase drive, as well as the overuse of the fields  
19      in Norwood Park. The street's termination into  
20      the park means that pedestrian traffic exceeds  
21      vehicular traffic by several factors.

22               Vehicular access to and from

1 Nottingham is fairly tricky as it is, as Kristie  
2 has noted, not only because of the street's  
3 proximity to the Bradley and Wisconsin  
4 intersection, but also because of the need for  
5 the fire station to temporarily shut down the  
6 intersection so that trucks can enter and exit,  
7 which has the result of backing up traffic along  
8 Wisconsin, and therefore blocking off Nottingham.

9           The common factor in all these various  
10 elements of Nottingham is that absolutely none of  
11 those things point to adding in a large apartment  
12 building to the street, which would intensify  
13 vehicular traffic, obliterate the green space,  
14 and drape homes along the street in its great  
15 shadow. The question then is why on earth would  
16 anyone approve zoning that would allow such a  
17 building? The Bethesda Fire Department says that  
18 it's for the eventual improvement of the station.  
19 However, apart from the Bethesda Fire Department  
20 as the property owner and the developer, no one  
21 else seems to want it. It's not just those  
22 living on Nottingham, who might be accused of



1 acting only upon selfish motivations.

2 Rather, the people that actually rely  
3 on the fire station for fire protection have  
4 explicitly stated that they are not interested,  
5 as has every neighborhood in the surrounding  
6 areas. Nor have the professionals actually  
7 responsible for providing fire protection given  
8 support, as the county has stated that the  
9 Bethesda Fire Station is not in impending need of  
10 improvement.

11 So in the end, neither those that  
12 receive, nor those that provide fire protection  
13 services are asking for a new fire station, as  
14 envisioned by the Bethesda Fire Department.

15 Thank you.

16 CHAIR ANDERSON: Thank you. Ms. Mead.

17 MS. MEAD: Thank you. Good evening.  
18 Thank you for the opportunity to provide comments  
19 tonight. My name is Anne Mead, and I'm here on  
20 behalf of the Bethesda Arts & Entertainment  
21 District Board of Directors, so welcome to the  
22 Bethesda Arts & Entertainment District. For

1 background, the 1994 Bethesda Sector Plan called  
2 for a cultural district in downtown Bethesda. In  
3 2002, consistent with those recommendations, the  
4 state designated the downtown Bethesda as an A&E  
5 district.

6 Over the past 13 years, A&E, with the  
7 staff of the Bethesda Urban Partnership, has  
8 successfully created and managed effective  
9 programs that celebrate regional artists and  
10 provides arts and entertainment options for local  
11 residents. As recognized in the staff draft on  
12 Page 8, the arts greatly contribute to making  
13 Bethesda an economically viable area by  
14 attracting thousands of patrons to our live  
15 theaters, our art galleries and special events,  
16 patrons that also eat in our restaurants and shop  
17 in our stores.

18 A&E supports the recommendations in  
19 the staff draft. We appreciate the staff's  
20 inclusion of the arts in the Plan, and specific  
21 support of A&E priorities on Page 22, as well as  
22 the comments on Page 70 to "continue to support

1       Bethesda as an arts and cultural destination."  
2       Bethesda A&E has many long-standing programs,  
3       such as the Art Walk, the Trawick Prize, and the  
4       Bethesda Fine Arts Festival. Some recent  
5       projects include Tunnel Vision, which added  
6       public art to the pedestrian tunnel near the  
7       Metro entrance under Wisconsin Avenue, and  
8       Gallery B and Studio B that feature local  
9       artwork, as well as provide artists studio space.

10               Additionally, we recently created the  
11       Bethesda Film Fest in 2003, and this spring we  
12       had the Bernard/Ebb Songwriting Awards. We've  
13       also started a public arts award program that has  
14       honored property owners for their efforts in  
15       adding public art to their properties without  
16       being required to.

17               These programs have been great  
18       additions to downtown Bethesda, but we have an  
19       ongoing list of exciting initiatives. The A&E  
20       board does not rest. Our No. 1 priority is a  
21       community theater. This was on the amenity list  
22       back in 2006 for the Woodland Triangle Amendment

1 and is recognized by the staff on Page 89 of the  
2 draft plan. The theater will provide much-needed  
3 space for local theater, dance, and choral  
4 companies to perform. We ask that the Planning  
5 Board continue the support of this important new  
6 potential public facility in its recommendations.  
7 Other new A&E-planned initiatives that could  
8 really benefit from support from new and existing  
9 development include a Paint the Town initiative  
10 for public murals on blank walls, and a public  
11 art project that will place 15 to 20 large  
12 sculptural Bs, which I have a picture of in our  
13 written testimony, around Bethesda.

14 I'll point you to Pages 23 and 89 for  
15 the opportunity to fund these through -- and the  
16 staff recommends supporting these and other A&E  
17 projects. We also reference in our written  
18 testimony a win-win, where we did have an  
19 existing development replace its old art with a  
20 new initiative, the Studio B I mentioned. We  
21 hope that the Planning Board will continue that  
22 and the plan will recommend. Thank you, and we

1 have materials and pictures.

2 CHAIR ANDERSON: Thank you. Mr.  
3 O'Neil.

4 MR. O'NEIL: Thank you. Good evening.  
5 My name is Patrick O'Neil, and I am the co-chair  
6 of the Greater Bethesda Chevy Chase Chamber of  
7 Commerce's Bethesda Sector Plan Steering  
8 Committee. This committee was formed at the  
9 inception of the sector plan to try to assemble,  
10 in a meaningful way, business and property owner  
11 feedback that had broader application to the  
12 Bethesda area. The business community has been  
13 watching, with great interest, the evolution of  
14 the Bethesda Downtown Plan and is generally  
15 pleased with the direction it has taken.

16 The proposed heights of 290 feet in  
17 the Metro core are a great start in providing  
18 needed incentive for redevelopment that will  
19 capitalize on our most valuable transportation  
20 asset, Metro. At the same time, we note that  
21 height is the key variable in a 20-year plan, and  
22 this plan needs to provide realistic height

1 opportunities for the achievement of  
2 redevelopment and other county objectives.

3 For example, there needs to be  
4 plausible growth opportunities in Bethesda to  
5 ensure that the agricultural preserve remains  
6 untouched. We also note there are other  
7 properties within the Sector Plan area that are  
8 in need of additional height incentives to spur  
9 desired renewal and hope you will be open to this  
10 height discussion on a case-by-case basis. We  
11 also applaud the flexibility of design in the  
12 Downtown Plan, which relies on the sketch plan  
13 process to accommodate creative and innovative  
14 place making over time. This is a different  
15 approach, and marked improvement, from previous  
16 plans that sought to dictate how and where  
17 development should occur.

18 Having said that, we have concerns  
19 with how the high-performance areas may be  
20 implemented in the plan. While the stated  
21 priorities for those areas may be universally  
22 desired, they may not be achievable in certain

1 circumstances. The prioritization may also  
2 preclude other desirable amenities or design  
3 considerations.

4 The high-performance goals must be  
5 aspirational and allow for other non-priority  
6 elements to be implemented in place of stated  
7 priorities if it makes sense to do so. The  
8 business community is also encouraged by the  
9 Plan's program to pool developers' public space  
10 contributions with the creation of quality public  
11 amenities. We support the effort and look  
12 forward to a Bethesda-wide advisory committee, in  
13 conjunction with the Bethesda Urban Partnership,  
14 to implement this initiative. One area of  
15 concern for the business community is the  
16 right-of-way requirements for Wisconsin Avenue,  
17 which require developers on either side to  
18 dedicate nine feet of frontage in order to  
19 develop.

20 We recognize and appreciate the  
21 purpose for this, but need to have flexibility in  
22 how it's actually implemented. Lastly, the

1 Chamber encourages even bigger thinking with  
2 respect to transportation, especially mass  
3 transit. For example, the Plan recommends an  
4 expanded Circulator, but stops short of  
5 recommending a Circulator connection between the  
6 NIH Metro and Bethesda Metro stations to maximize  
7 intra-Bethesda connectivity. We have other great  
8 ideas and comments, and we'll submit those in  
9 written comments. Thank you.

10 CHAIR ANDERSON: Thanks very much.

11 Could we get Laureen Lesser, Jesse Cantrill,  
12 Christina Echavarren, Holly Troy and Heather  
13 Dlhopsky?

14 SPEAKER: Heather spoke.

15 CHAIR ANDERSON: Oh, she did finish,  
16 sorry, and Dave Sears, if he's here. Are you Ms.  
17 Lesser?

18 MS. LESSER: That's me.

19 CHAIR ANDERSON: No? Oh, there it is.  
20 Okay, you're up first. You can go ahead any time  
21 you're ready.

22 MS. LESSER: Thanks, is this a good



1 volume?

2 CHAIR ANDERSON: Yes, thank you for  
3 speaking (Simultaneous speaking).

4 MS. LESSER: Great. Oh, thanks for  
5 having me. It was a maze to find this place, so  
6 I'm glad I finally made it. My name is Lauren.  
7 I'm 27. I guess I'm single in affordable housing  
8 for the ones in this crowd. I can't convince my  
9 friends, who live in D.C. and Virginia, to come  
10 visit me in Bethesda. Some of the questions I  
11 get are what's in Bethesda? How do you get to  
12 Metro from your apartment?

13 I didn't look at living in Bethesda  
14 because it's so expensive. Isn't everything in  
15 Bethesda really expensive and White? Why do you  
16 live in Bethesda? Like everyone in this room, I  
17 know that there are plenty of good things in  
18 Bethesda, so here is what I see in the plan that  
19 I think can make it great in the short term and  
20 the long term. Since I only have three minutes,  
21 I'm just going to ask you to consider two things  
22 when you think of the needs of your local

1 millennial, which I will represent. The two  
2 things are to celebrate your transit and to  
3 support vibrant streetscapes. For celebrating  
4 your transit, I moved to this area so that I  
5 wouldn't need to buy a car. Most of my  
6 colleagues and friends are the same.

7           Being able to take the Circulator,  
8 walk and bike is why I live in Bethesda, in a big  
9 way. Two-way streets, connected street grids,  
10 functional bike racks, all of that helps. I  
11 think it would help everybody in Bethesda, both  
12 residents and visitors, to have the Metro station  
13 a desirable, welcoming, and beautiful feature,  
14 that's not shamefully hidden underground. Best  
15 of all, none of this means that I can't have a  
16 car one day if I need to.

17           So please, celebrate your transit.  
18 The second thing is vibrant streetscapes. What I  
19 really need in Bethesda is affordable retail and  
20 housing. If I can't walk, bus, or bike to get  
21 groceries or go to my awesome farmer's market or  
22 go work at a coffee shop, then I can't live here.

1 Now I'm going to say something controversial  
2 because I seriously love green space. I work at  
3 an environmental non-profit, and it's tough to  
4 say, but I am torn about the parts of the plan to  
5 have green buffers in front of buildings. I'm  
6 concerned because if I can't see retail because  
7 of a lawn or a small strip of trees, then it's  
8 hard to go there. I love green space, but I know  
9 that if parks are going to be too small, they're  
10 too spread out, then I can't meet my neighbors  
11 there, and there won't be events there that I can  
12 convince my friends to join me at.

13 I'm thrilled that the plan  
14 incorporates green space and tree canopies and  
15 green roofs and stormwater management, but I  
16 really encourage you to think big about our parks  
17 and be willing to create those vibrant  
18 streetscapes, so Bethesda can be livable, and  
19 then we can really maximize our green space  
20 potential and be smart about what we do with our  
21 parks. In 20 years, I will be 47. It's hard, I  
22 know. I see a lot of great things in this plan

1 to let --

2 CHAIR ANDERSON: I'm 46, and you don't  
3 know (Simultaneous speaking).

4 (Laughter.)

5 MS. LESSER: All right. You're  
6 looking good. Thank you for giving me hope.  
7 When I'm where you are one day, sir, I really  
8 hope that my friends aren't still asking me why I  
9 would live in Bethesda, and I really hope that  
10 neither will the next generation. Thank you.

11 CHAIR ANDERSON: Thank you. Jesse  
12 Cantrill.

13 MR. CANTRILL: I represent the South  
14 Bradley Hills Neighborhood Association at  
15 meetings of the Coalition of Bethesda  
16 Communities. I'm speaking tonight on my own  
17 behalf. I'm asking you to approve the Brookfield  
18 plan for a fourth building at Bethesda Metro.  
19 This sounds like our best chance to improve the  
20 appearance and usefulness of the bus terminal  
21 along the street-level plaza.

22 I don't know where that is on the map,

1 but it's right across the street here. In my  
2 view, the bus terminal is an embarrassment in the  
3 center of our town. While I appreciate the Clark  
4 Company proposal to improve the street-level  
5 plaza, I understand that their plan does not  
6 provide for improvements to the bus terminal. If  
7 anything, it will make a bad situation worse by  
8 removing the waterfall and paving over the open  
9 area near the escalator. According to Chesapeake  
10 Public Strategies, the Brookfield plans for  
11 Building 4 include the following improvements to  
12 the bus terminal: better lighting, improved  
13 seating, better bike facilities, better signage,  
14 artwork in the station, and a covered escalator  
15 from the plaza.

16 Mind you, they did not promise that  
17 the escalator will actually be running. We have  
18 lived too long with this shameful eyesore at the  
19 center of our lovely town, and it is long past  
20 time to improve it. Thank you.

21 CHAIR ANDERSON: Thank you. Ms.  
22 Echavarren.

1 MS. ECHAVARREN: Yes, thank you for  
2 the opportunity of speaking today. I am the  
3 president of the Sacks Neighborhood Association.  
4 I believe it's on Page 128. I'm not sure. I  
5 want to talk about three different issues. One  
6 is zoning, the other is adjacent properties, and  
7 the final one is arterial designation of the  
8 Leeland Street. Just to give you a little bit of  
9 history, seven years ago, you may be aware that a  
10 developer approached our community to try to buy  
11 all 60 properties. This process created deep  
12 divisions with our neighborhood. There were  
13 very, very severe animosity between us, and it's  
14 taken a long time to heal. Once again, I see the  
15 animosity beginning to build because  
16 opportunities to look into the future and to  
17 possibly change the look of a neighborhood has  
18 been presented on the table, and people are very  
19 divided.

20 I've been in the community, as a  
21 leader, for approximately 20 years, and I have  
22 always said that we have 60 households and 80

1 different opinions. There is no one there who  
2 agrees with anyone else, and you will never find  
3 a consensus of our neighborhood. Everyone  
4 disagrees with each other. In order to get a  
5 better sense of where people stood, I conducted a  
6 survey in January of this year.

7 I asked people to give an opinion on  
8 the options that were presented by the Planning  
9 Board staff at the time. From that survey, I  
10 published a newsletter, and I submitted a copy of  
11 that to the staff: 14.6 percent of the  
12 households only wanted residential, nothing else;  
13 12 percent want to allow commercial; and 22  
14 percent want to allow townhouses or low-rise  
15 condos. There is some overlap because they're  
16 not mutually exclusive. Some people checked yes  
17 on two of those options. As you can see, there  
18 are great divisions, and there's a lot of people  
19 in the middle. I am recommending to you, the  
20 Board, that you will never make everyone happy in  
21 our neighborhood.

22 With whatever you recommend to the

1 county council, you will never make everyone  
2 happy. I'm recommending that you please find a  
3 reasonable solution to a creative balance between  
4 the opposing groups in our neighborhood, so that  
5 people can live in peace with what is going to  
6 happen in the future. We need to have leadership  
7 from the Planning Board that will allow us to  
8 have that. Adjacent properties, I just want to  
9 say that 54 percent said they --

10 CHAIR ANDERSON: I'm sorry. We will  
11 read your testimony. I'm sure we'll hear more  
12 from you and your neighbors (Simultaneous  
13 speaking).

14 MS. ECHAVARREN: Okay, and Chuck is  
15 going to talk about our arterial.

16 CHAIR ANDERSON: Thank you. Holly  
17 Troy I guess is not here?

18 SPEAKER: She's here.

19 MS. TROY: I'm here.

20 (Simultaneous speaking.)

21 CHAIR ANDERSON: Oh, okay. You can go  
22 on the next panel. Oh, he's taking your place?



1 MR. RYBOS: Yes.

2 MS. TROY: And I'm taking his place.

3 CHAIR ANDERSON: Okay, go right

4 (Simultaneous speaking) keep them straight.

5 MR. RYBOS: My name is Chuck Rybos.

6 I live at 4827 Leeland Street. I'm here on  
7 behalf of my wife and myself and many of our  
8 fellow neighbors on Leeland Street because we  
9 have a problem with traffic, and it's cut-through  
10 traffic. The people that are transpiring on  
11 cutting through are in a hurry, and they ignore  
12 the speed limit.

13 They ignore the signs that say you  
14 can't come in and come out at certain times.  
15 They ignore the late restrictions. We have  
16 large, fast-moving trucks going through our  
17 street that are a danger to the residents, the  
18 kids that are there, and the pedestrians that use  
19 our street to cut through to the Metro. The main  
20 impediment to us getting anything effectively  
21 done -- 20 years since the last Sector Plan --  
22 has been the fact that the plan in 1994 had what

1 we believe is an error in it. Then on Table 5.3,  
2 it said that we were an arterial road. This  
3 designation -- one designation in the table is in  
4 direct conflict with what the text says because  
5 in the descriptions and the objectives of what  
6 the plan was in the direct recommendations was to  
7 adopt the measures to restrict through traffic in  
8 our neighborhood.

9 So in 20 years, what's been done to do  
10 that is absolutely nothing. The reason why, we  
11 think, is because of this arterial designation.  
12 I spoke with this at length with Arthur Holmes  
13 back in 2006. I'm sure plenty of you know who  
14 that name is, a guy who can get things done. He  
15 and a number of other people in the county and  
16 traffic and so on have all pointed to the  
17 arterial road thing and said these measures  
18 restrict traffic.

19 We've talked to people about pork  
20 chops. We've talked to people -- which is one  
21 right-hand turn, so coming out of our  
22 neighborhood, Leeland is up there, which cuts in

1 between Bradley -- hate to use that word -- and  
2 Woodmont, which would allow only a right-hand  
3 turn out, so the traffic would coming in both  
4 ways. We've talked about cameras. We've talked  
5 about electronic devices, where it lights up like  
6 it does across from Chevy Chase Country Club how  
7 you're going too fast, gates, restricted. The  
8 developer at Lot 31 offered to pay for some of  
9 these things for free for solar powered deals.

10 All of these things were sort of  
11 rejected as not being in keeping with the Sector  
12 Plan. Even, we talked about one way and speed  
13 bumps, which nobody really likes, but at least  
14 they're choices for us to do something right now.  
15 We've been precluded from doing something.  
16 Leeland Street is a residential street. Casey,  
17 thank you for taking the bike tour.

18 You stood on my back deck. You know  
19 what it looks like. It's a little tree-lined,  
20 narrow street. It's no commercial. It's no  
21 residential. There's 36 single-family homes on  
22 this street. An artery, in terms of the

1 definition, is a road meant primarily for through  
2 movement of vehicles at a moderate speed with  
3 some abutment to residential. Leeland is a  
4 primary residential street, according to what the  
5 definition should be. This is really meant  
6 primarily for circulation in residential zones,  
7 although some through traffic is expected. We  
8 don't have some. We've got a lot. So two  
9 streets nearby. Strathmore is nearby. Over in  
10 Chevy Chase, we have Rosemary.

11 They go through major roads. They go  
12 to join Bradley. They go to join through  
13 Connecticut. They're not arteries. Strathmore  
14 has a pork chop. Rosemary has signs, no  
15 cut-through traffic. They have speed bumps.  
16 They don't have the problem we have. Thank you  
17 for your consideration.

18 CHAIR ANDERSON: Thank you. Mr.  
19 Sears.

20 MR. SEARS: Good evening. My name's  
21 Dave Sears. I'm chair of the Montgomery County  
22 Sierra Club, and I'm here tonight representing

1 our 5,000 members. The environmental concerns --  
2 am I close enough to the mic?

3 CHAIR ANDERSON: Yes.

4 MR. SEARS: Okay. The environmental  
5 concerns of the Sierra Club that are germane to  
6 the Bethesda Plan include energy efficient  
7 buildings, a green approach to storm water  
8 management, increased walk ability and bike  
9 ability, less focus on parking spaces, easy  
10 connectivity among transportation modes, and that  
11 would include walking, biking, Metro, Purple  
12 Line, BRT, and affordable housing. In most  
13 respects, we believe that the plan does a good  
14 job handling these concerns.

15 For that, we commend you. The  
16 exception, however, is affordable housing. We  
17 are disappointed, but not surprised, by the  
18 plan's lackluster attention to affordable  
19 housing. Across the nation, affordable housing  
20 is the component of smart growth that's the  
21 hardest to put in place and the easiest to let  
22 slide. That is all the more reason that the

1       Bethesda Plan must do a better job of emphasizing  
2       the importance of affordable housing as a  
3       critical piece of the future Bethesda.

4               The future Bethesda that we're looking  
5       for is an attractive, higher-density, mixed-use,  
6       mixed-income, walkable, transit-served community.  
7       We should not short change the mixed-income  
8       aspect. Let me back up for a moment and explain  
9       how the Sierra Club has arrived at this view. In  
10      recent years, the Sierra Club has grown  
11      increasingly concerned about the effects of  
12      climate change upon our planet. One critical  
13      component of our overall strategy to address  
14      climate change is to encourage smart growth. How  
15      does affordable housing fit into this picture?  
16      In brief, recent studies show that the best  
17      affordable housing investment is near transit,  
18      and the best housing investment near transit is  
19      affordable housing.

20              I hope you heard those words clearly.  
21      That is the residents of affordable housing who  
22      live near transit use transit at a higher rate

1 and drive less than affordable housing residents  
2 who live farther from transit stations, and  
3 residents of affordable housing who live near  
4 transit use the transit at a higher rate and  
5 drive less than higher-income residents who live  
6 in that same neighborhood near transit.

7 Thus, if we're going to use the  
8 Bethesda Master Plan to design an even more  
9 attractive higher-density neighborhood with walk  
10 ability and transit access for more folks, the  
11 environmentally smart way to do this is to  
12 substantially increase the absolute number of  
13 affordable housing units and the percentage of  
14 total housing units which are affordable. Those  
15 residents are going to drive less and use transit  
16 more than their more affluent neighbors, a boon  
17 to transit ridership and to addressing climate  
18 change. In sum, the Bethesda Plan must place a  
19 greater emphasis on affordable housing. That's a  
20 critical ingredient for a successful future  
21 Bethesda.

22 CHAIR ANDERSON: Thank you. If we

1 could get Pam Lindstrom, and maybe she could  
2 finish your thought, probably, Tisha Vaska, Keith  
3 Geimer and Andy O'Hare. Oh, and also -- well, I  
4 think we'd like to do -- if Holly Troy wants to  
5 jump on that bandwagon, it'd be probably be good,  
6 and we can (Simultaneous speaking) conclude that  
7 one, if that's okay.

8 Okay, I'll put them together on the  
9 next panel. How about that?

10 SPEAKER: Sorry. Michael is part of  
11 our group.

12 CHAIR ANDERSON: You know what? Would  
13 you --

14 SPEAKER: We'll wait.

15 CHAIR ANDERSON: That would be great.  
16 I would appreciate that. If we could -- in that  
17 case, we would have room for Clinton Smith on  
18 this panel.

19 You can come up, yes. Is Clinton  
20 Smith here? No Clinton Smith. How about Stephen  
21 McSpadden? No? Oh, here he is. Oh, we have Bob?

22 SPEAKER: Yes.



1                   CHAIR ANDERSON: Sorry. I spoke too  
2 soon. I'm just trying to keep all the trains  
3 running here. So we'll start with Tisha Vaska.

4                   MS. VASKA: Hi. My name is Tisha.  
5 I'm a new resident of downtown Bethesda, been  
6 here a month now. I have worked downtown for the  
7 last year. Prior to that, I was a resident of  
8 New York City for five years, wonderful and  
9 different place. I would like to start out by  
10 commending the Planning Department and the  
11 Planning Board for including in your plan the  
12 overarching goals of increasing improved park and  
13 open space. I'm a huge fan of parks. I'm a  
14 former student of landscape architecture. I'm a  
15 Seattle native. I'm all about green space and  
16 open space. With that said, tonight I am here in  
17 support of the Bethesda Metro Park proposed by  
18 Clark Enterprise, and I'm opposing the plan put  
19 forth by Brookfield Properties for the Bethesda  
20 Central Park.

21                   Primarily, I'm opposed to their plan  
22 because they're including the possibility of a

1       rather large high-rise building that could be up  
2       to 290 feet, 29 stories. The Metro Plaza is a  
3       prime opportunity to be the symbolic center of  
4       downtown Bethesda. It should be open and  
5       inviting, and it should be the social/cultural  
6       center of the city.

7                   It should be inviting, and not hidden.  
8       We don't need another hidden park or pocket park  
9       in Bethesda. I like to think of myself as an  
10      urban explorer. I do a lot of walking. I've  
11      walked around Bethesda for the last year now on  
12      my lunch breaks, and I often come -- I've come up  
13      to these small parks, this one behind us  
14      included, and I'm confused. Is it a public  
15      space? Is it a private space? It's quiet. It  
16      can be dark. Is it safe? Am I allowed here?  
17      What is this? I don't understand. I'm starting  
18      to understand, but it's been confusing. I just  
19      don't think Bethesda needs another park like  
20      that.

21                   I think that the Brookfield space will  
22      create the same thing. Brookfield has used some

1 great precedent studies in their plan -- Central  
2 Park, Bryant Park. Those are amazing places, but  
3 the scale of those parks are so different than  
4 what we have here at the Bethesda Metro Plaza. I  
5 will say, too, New York City is wonderful, and  
6 it's great to walk around in. It's grand, but it  
7 gets tiring of being overbidden by the very, very  
8 tall buildings that are there.

9           When I came to the D.C. area, I just  
10 remember walking through the streets and feeling  
11 air and being able to see the sun and the sky. I  
12 just hope that Bethesda keeps that in mind as you  
13 go forward with your plan. Density is great, but  
14 let's keep it real and keep it in scale for our  
15 community. Thank you.

16           CHAIR ANDERSON: Thank you.

17 (Applause.) We really need to limit applause or  
18 shouting out or anything like that. It kind of  
19 just slows everything down. Holly Troy.

20           MS. TROY: I apologize. This is an  
21 impromptu opportunity for me to make a quick plea  
22 to the Committee. I live in the Sacks Community.

1 I think two of my neighbors just spoke.  
2 Christina made it very clear that nobody really  
3 agreed on anything in our community, but one  
4 thing that we all do seem to agree on is that the  
5 flow of traffic through our neighborhood is very  
6 disruptive and unsafe. I've been a county  
7 resident for over 45 years, and my husband, as  
8 well.

9 We love Bethesda. We moved to Sacks  
10 last year because it was a cozy, quaint street  
11 and have found that since we moved there, it's  
12 been pretty hectic. We haven't moved in yet.  
13 We've actually been fixing up our house, but it's  
14 just crazy getting out of the driveway or taking  
15 the kids for walks. It's just really not  
16 conducive to a residential-type street. I just  
17 wanted -- I spoke with Matthew, and I just wanted  
18 to make the plea to please reconsider Leeland  
19 Street as an arterial road, and please designate  
20 it as a residential street because that's really  
21 what it is in the midst of all the high rises.

22 CHAIR ANDERSON: Thank you. Keith

1 Geimer.

2 MR. GEIMER: Yes. My name is Keith  
3 Geimer.

4 CHAIR ANDERSON: Pull up the  
5 microphone if you could.

6 MR. GEIMER: I'm a 40-year Bethesda  
7 native, and so I remember -- I'm speaking about  
8 the plan on Page 32 for the Metro Plaza Building.  
9 I remember when that was a fun place. There was  
10 a millennial girl up here earlier that spoke of a  
11 need for that type of active environment with --  
12 there used to be a food court, a lot of music  
13 when you came off the Metro, ice skating rink,  
14 all of those nice things.

15 It's the last open business center to  
16 Bethesda, so I'm against the building proposal.  
17 I've seen these pocket parks. I've lived in this  
18 building, the Metropolitan, for five years.  
19 They're dangerous a little bit at night. They're  
20 creepy. There's drug use if they're dark and  
21 pretty abandoned. No one uses them. I'd get  
22 accosted by panhandlers and such. That's why I

1 moved over to the Crescent Plaza Condominium,  
2 which has been actually very hard because there's  
3 construction on all sides of it.

4 I think that's a great thing because  
5 eventually, that will be beautiful and very nice,  
6 and the Washington property use is going to also  
7 be a nice building. So I'm not opposed to  
8 buildings, but that spot is special and used to  
9 be even more special and could be again. That's  
10 all I have to say.

11 CHAIR ANDERSON: Thank you. Mr.  
12 O'Hare.

13 MR. O'HARE: Thank you. My name's  
14 Andy O'Hare, and I'm chair of the Bethesda Urban  
15 Partnership Board. Thank you for the opportunity  
16 to share opposite perspectives on the Bethesda  
17 Plan this evening. The Bethesda Urban  
18 Partnership, or BUP, was formed in 1994 as the  
19 first Urban District Corporation of Montgomery  
20 County. It was a unique concept, at the time, of  
21 public/private partnership designed to provide  
22 private sector level of service with largely

1 public sector funds. The concept has clearly  
2 proven to be a success, as BUP celebrated its  
3 20th year in 2014. BUP's mission is to manage  
4 and market downtown Bethesda. It does this  
5 through maintenance and beautification, marketing  
6 and event planning, transportation management,  
7 including a wildly successful Circulator, which  
8 we've heard about tonight, and promotion of  
9 Bethesda as an arts and entertainment  
10 destination.

11 Continued success in these areas will  
12 be critical to the success of the Bethesda Plan.  
13 As a key stakeholder, BUP finds much to applaud  
14 and support in the plan. Of particular note are  
15 the following elements. We support alignment of  
16 the different Bethesda boundaries, including the  
17 parking lot district, the urban district, the  
18 transportation management district, and the arts  
19 and entertainment district.

20 This will eliminate jurisdictional  
21 confusion and facilitate efficient planning. We  
22 support the creation of additional public green

1 space, including a central civic gathering space.  
2 This will maintain and establish an ambiance that  
3 even Bethesda deserves. Taking on additional  
4 responsibility for the maintenance of these new  
5 and existing public green spaces by BUP is a  
6 logical next step in an expansion of our  
7 responsibility, albeit one for which additional  
8 funding will be needed. A remixing of retail  
9 opportunities focused on the areas around the  
10 Metro and the Woodmont Triangle will provide  
11 greater balance to downtown Bethesda as a whole.

12 Creation of the new districts will  
13 facilitate a sense of place and focus future  
14 growth. Retention of market rate housing --  
15 which has been noted several times tonight -- for  
16 millennials and their successors will ensure  
17 Bethesda remains a vibrant and dynamic  
18 multi-generational community. Activation of  
19 Norfolk Avenue will meet the needs of a growing  
20 residential neighborhood.

21 Improvement in the access to public  
22 spaces will foster community gathering. Creation



1 of a Bethesda Plan Implementation Advisory Group,  
2 with BUP as the host, will ensure that  
3 stakeholders from multiple constituencies are  
4 heard. In the area of transportation, which will  
5 be critical to the plan, we support bike-friendly  
6 infrastructure and evaluation of the one-way  
7 streets downtown, expansion of the parking lot  
8 district, and potential expansion of the  
9 Circulator. We do have a few concerns, including  
10 integration of bus rapid transit through the  
11 Woodmont and Wisconsin Avenue right of way -- we  
12 don't think there's enough space on the road to  
13 do that -- rehabilitation of Bethesda Metro  
14 Station, which has been mentioned several times,  
15 and funding for the additional green space that's  
16 been noted in the plan.

17 CHAIR ANDERSON: Thank you. Okay, Mr.  
18 Elmendorf.

19 MR. ELMENDORF: Thank you, Mr.  
20 Chairman. My name is Steve Elmendorf with the  
21 Law Firm of Linowes and Blocher. Tonight I am  
22 representing the Bethesda Farm Women's Co-Op

1 Market, one of the priority sending sites in the  
2 Master Plan -- the Proposed Sector Plan. This is  
3 a co-op that's been in operation for about eight  
4 years. I have written testimony at the end of  
5 the record. I'm just going to summarize right  
6 now. One of the key elements in the Sector Plan  
7 is this whole concept of priority sending areas.  
8 Whether those sites achieve the goals intended  
9 for them in the plan is largely going to depend  
10 on whether somebody is willing to buy the density  
11 that's put on these sites. Buying density is an  
12 expensive proposition. If you want to buy  
13 100,000 square feet off of one of these right  
14 now, get out your checkbook and write me a check  
15 for over \$5 million. Initially, it's an  
16 expensive proposition.

17 I am concerned that the plan right now  
18 does not provide any real incentives for owners  
19 of receiving areas to want to incur that expense.  
20 In my testimony, I gave you a couple ideas, and  
21 it's just a couple, really challenge the Board  
22 and the staff to go back and put your thinking

1 caps on. You need to come up with some real  
2 financial incentives to get properties willing to  
3 buy these densities.

4 The one I suggested -- I told you,  
5 after you write your check for \$5 million,  
6 surprise, for that 100,000 square feet, you now  
7 have to buy BLTs, which is going to cost you  
8 another \$600,000. I'm all for making the folks  
9 up in the Reserve as rich as possible, but not at  
10 the expense of this plan. So what I had proposed  
11 was one thing would be to exempt that transfer  
12 density from a BLT requirement and exempt an  
13 equal amount of existing density on that  
14 receiving site from a BLT requirement to give a  
15 real financial incentive to the property owners  
16 who want to buy this density. I also suggested  
17 -- and if you are going to density average right  
18 now under the law, instead of having to do 100  
19 incentive density points, you've got to get 150.

20 That's crazy, if you really want these  
21 sites to buy this density and density average, to  
22 tell them surprise, you now have got to achieve

1 at least 150 points. To me, when you do the  
2 Bethesda Overlay Zone, the BOZ, as it's referred  
3 to in the plan, those two things are -- at a  
4 minimum, you ought to write into there to change  
5 the rules to create a plan (Simultaneous  
6 speaking).

7 If you don't, to be honest with you,  
8 I think this plan's going to have to be  
9 considered to be a failure because you're not  
10 going to achieve one of the major goals, which is  
11 to get these priority sending sites to what you  
12 want them to be. Thanks.

13 CHAIR ANDERSON: Thank you. So if we  
14 could get Pam Lindstrom and anybody else who's  
15 with that Sierra Club group, along with -- how  
16 many people is that?

17 SPEAKER: Just two, total.

18 CHAIR ANDERSON: Two, total? Okay,  
19 that's good, and Steven McSpadden, who I'm sorry  
20 I jumped the gun on that one. I guess Clinton  
21 Smith from Clark is not here. Is that right?  
22 Okay, so we'll strike that one off. So that's

1 three people, David Kitchens and Jean Rozansky,  
2 and then we're going to probably take a break.

3 Would you like to start?

4 MS. FREEDMAN: Sure.

5 SPEAKER: You have to pull it real  
6 close.

7 MS. FREEDMAN: Good evening. My name  
8 is Michal Freedman, and I'm here as a member of  
9 the Executive Committee of the Montgomery County  
10 Sierra Club. My testimony focuses on why  
11 adequate affordable housing in downtown Bethesda  
12 can help Montgomery County respond to the threat  
13 of climate change, a threat that grows  
14 increasingly dire every year.

15 In 2007, Montgomery County was one of  
16 only 12 counties in the country that pledged to  
17 reduce greenhouse gas emissions by 80 percent by  
18 the year 2050, and specifically, it pledged to  
19 reduce emissions in the short term, by this year,  
20 by 10 percent. Where does the county stand? The  
21 Department of Environmental Protection issued a  
22 report two months ago evaluating the changing

1 greenhouse gas emissions and found that energy  
2 use had increased since 2005 by 5 percent, so we  
3 are now down 15 percent, and things will get  
4 progressively worse unless there's a commitment  
5 to respond to the pledge.

6 It's, therefore, all the more  
7 important that the final Bethesda Downtown Plan  
8 help reverse this trend. Planning for adequate  
9 affordable housing in downtown Bethesda can play  
10 a vital role. Transportation is one of the three  
11 largest contributors to greenhouse gas emissions,  
12 and it is a growing share of emissions. Studies  
13 show that we can't reduce this contribution by  
14 just changing vehicle design or improving fuel  
15 mileage.

16 What has to be done is reduce the  
17 vehicle miles driven. One of the most obvious  
18 ways of reducing automobile dependence and  
19 reducing the number of vehicle miles driven and  
20 reducing suburban sprawl is to provide adequate  
21 affordable housing near jobs in urban areas like  
22 downtown Bethesda. I want to make a second

1 point, which is a good part of our country's  
2 transition to a reduced carbon society depends on  
3 persuading people that living in a walkable,  
4 bikeable neighborhood with increased reliance on  
5 public transit is both a satisfying and a moral  
6 way to live. But the opportunity to follow a  
7 morally commendable way of life can't be limited  
8 to certain segments of society.

9 It must be in reach of all segments of  
10 our county. So in summary, we must plan for  
11 adequate affordable housing in downtown Bethesda,  
12 both because it will contribute to reduced carbon  
13 pollution and because the opportunity to live in  
14 ecologically sensitive ways should be in reach of  
15 all people of all means. Thank you.

16 CHAIR ANDERSON: Thank you, Ms.  
17 Freedman. Ms. Lindstrom.

18 MS. LINDSTROM: Pam Lindstrom. We  
19 just --

20 CHAIR ANDERSON: Mic closer.

21 MS. LINDSTROM: Oh, sorry. We just  
22 received a message that we are celebrating 50

1 years as Sierra Club members.

2 SPEAKER: Oh, congratulations.

3 MS. LINDSTROM: I also want to develop  
4 the theme of the need for more affordability,  
5 more opportunities for all residents to live in  
6 downtown Bethesda as the chief contribution that  
7 this business district can make to a sustainable  
8 community. I notice that the representative from  
9 HOC commended this plan and the staff's work. I  
10 am not going to argue with the general  
11 commendation that it pays more attention to  
12 affordable housing than any other plan we've  
13 seen.

14 However, I was going to make the  
15 opposing observation that compared to other parts  
16 of the provision that you all portrayed for  
17 Bethesda, affordable housing is lacking in  
18 rhetoric. Chapter 2, which discusses in detail  
19 the high priority themes for this plan, it  
20 discusses many aspects of sustainability. It has  
21 a chapter labeled "Land Use," but affordable  
22 housing and, in fact, housing at all is not to be



1       seen in that section.

2                       Yet, the case can be made that  
3       providing affordable housing, and affordability  
4       in general, are the most important contribution  
5       that this plan can make to sustainability. This  
6       case is laid out more thoroughly in a couple of  
7       longer papers that I will submit in due time. We  
8       want Bethesda to be our great model for -- I'm  
9       sure you've heard the term equitable  
10      transit-oriented development. Bethesda can be  
11      and should be our great model for equitable TOD.  
12      This plan is not there yet. Many of these  
13      problems could be addressed just by putting a  
14      section into Chapter 2 that's labeled "Housing,"  
15      and lays out the case as you have for the other  
16      sustainable features.

17                   CHAIR ANDERSON: Thank you very much.  
18      Mr. McSpadden.

19                   MR. MCSPADDEN: Thank you. I'm  
20      Stephen McSpadden. I have lived in Bethesda for  
21      close to 30 years. I was a founding member of  
22      the community association that has been actively

1 involved with these issues. I'm concerned that  
2 the current staff draft of the Bethesda Master  
3 Plan fails to achieve, in two ways, the delicate  
4 balance between new development and preserving  
5 the quality of life as follows. First, the  
6 Eastern Gateway District Proposal tiered  
7 allowable heights seems like a potential recipe  
8 for disaster with different heights and setbacks,  
9 and potential six-story buildings in the middle  
10 of east Bethesda. I appreciate the creativity in  
11 the plain sense proposal, but to further create  
12 higher density on a block-by-block basis will  
13 permanently change the nature of and put more  
14 stress on this existing single-family  
15 neighborhood. Second, another area of the plan  
16 that needs to be worked is Bethesda Metro Center.

17 This base was the centerpiece of the  
18 1994 Master Plan, and it is completely ignored in  
19 the current draft. I remember in the past, a  
20 food court and the ice skating rink were once at  
21 the location. The Metro Center has been a  
22 historic town square and a major community

1 gathering space in Bethesda. While Bethesda Row  
2 and other areas may be a little bit more popular  
3 now, Bethesda Metro Center is still a large open  
4 public space, on top of a heavily used Metro rail  
5 station.

6 The staff draft contains nothing --  
7 nothing on how to improve this existing public  
8 space of two acres. The only attention given to  
9 this space seems to be put a new building on it  
10 that is referred to on Page 97 of the draft.  
11 While one of the major goals of the master plan  
12 is to have the civic gathering spaces in the  
13 Wisconsin Avenue Corridor, implementation of the  
14 staff proposal would, in effect, get rid of a  
15 civic gathering green space in Metro Center. The  
16 staff's proposal to support three centers with  
17 civic gathering spaces and green spaces in each  
18 center completely disregards the space above the  
19 Bethesda Metro Station.

20 For example, the draft has three  
21 paragraphs envisioning a new corner of part of  
22 the current Shell gas station on Old Georgetown

1 Road. Also, would it not make more sense to  
2 first improve the Bethesda Metro Plaza before  
3 trying to acquire a hardware store for another  
4 green space? The plan should instead focus on  
5 ways to improve the current space by putting in  
6 more grass (Simultaneous speaking) rather than on  
7 taking away an existing city space for the  
8 development of a new high-rise building.

9 In summary, the lack of attention on  
10 how to redesign this space is a major flaw in  
11 this current draft. With all the new residents  
12 coming into Bethesda, we really need as much  
13 civic green space as possible. I would urge you  
14 to rework the current proposal for Bethesda Metro  
15 Center to designate the Plaza as a civic green  
16 and to preserve it as a community amenity. Thank  
17 you very much for hearing me out.

18 CHAIR ANDERSON: Thank you.

19 (Applause.)

20 MR. KITCHENS: Good evening. My name  
21 is David Kitchens. I'm a partner at Cooper Cary  
22 Architects, live in Rockwell, Maryland. I'm

1 going to be addressing Page 95, Figure 3.01,  
2 Circle 19, and Page 97, Figure 3.02. In over 20  
3 years of working in Bethesda, beginning at  
4 Bethesda Row, we've always recognized that the  
5 Bethesda Metro Plaza was a major civic plaza  
6 space that was really the center of Bethesda.  
7 Even as we began to develop Bethesda Row, we saw  
8 that was a counterbalance for public open space  
9 at the south end and complementing the central  
10 space, which was Metro Plaza.

11 The issue that I have is that the plan  
12 really begins to supplant that idea. The Plaza  
13 historically is the crossroads of Bethesda and is  
14 vitally important as a community gathering space,  
15 as recognized in the 1994 Plan. I'll give you  
16 the fact that it was designed in a character when  
17 Bethesda was really an urban office park, but  
18 Bethesda has grown and matured over the years and  
19 has become a residential community these days.  
20 As our millennial friend told us earlier, we need  
21 to celebrate our living room that we have here in  
22 Bethesda and really reposition it. Our plan that

1 we developed for Clark Enterprise really  
2 supported our long-term belief that this needs to  
3 be a more flexible public gathering space.

4 It does celebrate our transportation,  
5 and it does celebrate connections to the  
6 community. We believe that what happens with the  
7 recommendations in the staff plan is that the  
8 over eight FAR and the 290 feet in height places  
9 a building in a location, which is identified on  
10 Page 97, in the only position that it can be in,  
11 which creates just another insular plaza in  
12 Bethesda.

13 There's already been enough said about  
14 the insular plazas tonight in Bethesda, about how  
15 they're not sure you're supposed to go there, not  
16 sure you're safe there. The retail in those  
17 plazas doesn't work. But I believe that the  
18 plaza that we have today with the improvements  
19 and the elimination of a lot of the divisive  
20 elements, like the changes in grade and all that  
21 and making it simple, connecting it, bringing the  
22 Metro up in an urban manner, like they do

1 downtown, would make it far more successful and  
2 bring more people to the plaza. I'm a great  
3 believer in that plazas make the development.  
4 The development does not make the plaza. So I  
5 think that by improving the park and the plaza  
6 here is that we can build a better development  
7 around it and can really create some of the great  
8 retail that we had when it was really a lunchtime  
9 enjoyment and really create it as Bethesda's  
10 living room for the new people who are going to  
11 be living here.

12 CHAIR ANDERSON: Thanks very much.

13 Jean Rozansky's not here, is that right? Okay,  
14 we're going to take about a five-minute break.  
15 After the break, the people who will be up are  
16 Leonard Cooper, John Hautman, Jody Kline, Mike  
17 Binder and Rebecca Owen, so if you could be --

18 (Whereupon, the above-entitled meeting  
19 went off the record at 8:14 p.m. and went back on  
20 the record at 8:25 p.m.)

21 CHAIR ANDERSON: All right, do we have  
22 Mr. Cooper? Go right ahead.

1                   MR. COOPER: My name's Leonard Cooper.  
2 I come to you today as an architect for almost 50  
3 years. I'm an architect who's asking you not to  
4 build a building. We have an opportunity here in  
5 the Bethesda Metro Center to have a park area and  
6 plaza area. I also come to you today as a  
7 resident of Bethesda now.

8                   I've been here for eight years, four  
9 years at the Palisades Apartments, and four years  
10 at the Chase Condos. I moved here because this  
11 is where I'm going to retire, and because I'm  
12 across the street from the Metro. I take the  
13 Metro to work every day. I walk to the grocery.  
14 I walk to the cleaners. I walk to the  
15 restaurants. I fill up my gas tank about every  
16 two or three months. That's why I'm here.  
17 That's why I'm in Bethesda.

18                   I love the convenience, but I really  
19 miss having grass and a park area to go to.  
20 There aren't that many places in Bethesda where  
21 we have this opportunity, so I'm asking you here  
22 today to not build a high-rise building in the



1 Metro Plaza. That is one thing we don't need is  
2 another high-rise building here. Thank you.

3 CHAIR ANDERSON: Thanks very much.

4 John Hautman.

5 MR. HAUTMAN: Hello. My name is John  
6 Hautman. I'm the CEO of eMMUNITY, Inc., a  
7 Bethesda-based biotech company. I'm actually a  
8 resident of Bethesda. I live up on East West  
9 Highway at the topaz house. I cross Metro Plaza  
10 every day, grocery store, restaurants, dry  
11 cleaners. But I actually first came to Bethesda  
12 in 1987.

13 I remember when Metro Plaza was a  
14 vibrant place. I remember taking my sons there  
15 for Christmas tree lightings, for ice skating,  
16 for music. Now when I want to go to an outdoor  
17 summer concert, I go to Rockville. Rockville has  
18 a very nice central park area. It's very  
19 vibrant. They have great concerts.

20 Bethesda doesn't have that. It's  
21 shocking to me that Bethesda doesn't have a  
22 central core green space. I remember when the

1 building was put up catty corner to the plaza,  
2 the Chevy Chase Land Building. It really did  
3 overpower the intersection, but I guess it was  
4 positive. We don't need another 290-foot  
5 building just opposite to it. When my friends  
6 come to Bethesda, I want them to see a vibrant  
7 park area, like Clark Enterprises has proposed,  
8 with fountains and eating areas. I don't want  
9 Bethesda to become like Tysons Corner or Rosslyn,  
10 concrete areas devoid of warmth. We need green  
11 spaces in Bethesda. I'd like to see Metro Plaza  
12 return to what it originally was designed for.

13           There never has been, as far as I can  
14 tell, any support amongst the community for  
15 another high-rise building. So I would urge you,  
16 as representatives of the public, my  
17 representative, to not approve a plan which would  
18 permit the construction of a huge skyscraper in a  
19 space which needs to be devoted to public use.  
20 Thank you so very much for giving me this  
21 opportunity to speak.

22           CHAIR ANDERSON: Thanks very much.

1 (Applause.) Please, I just can't have the  
2 applause. It adds up to time out of this, and  
3 it's not really helpful. I'm sorry, but we just  
4 can't have that. Mr. Kline.

5 MR. KLINE: Good evening. My name is  
6 Jody Kline. I'm an attorney with the Law Firm  
7 Miller, Miller & Canby, and I want to talk to you  
8 for a minute about four property owners who've  
9 really gotten excited about the Pearl District.  
10 Can I draw your attention to Page 111 of the  
11 master plan, so I can kind of point out where the  
12 property's located? My four clients own the  
13 properties that are Circle 3, which are the top  
14 of the page on the north side of East West  
15 Highway.

16 You can see there's two houses that  
17 have been converted to office, and then two other  
18 office buildings that exist there. No. 2 is the  
19 parking lot for Our Lady of the Lord's Catholic  
20 Church across the street. The beautiful thing of  
21 what these gentlemen have done is all gotten  
22 together, as the discussion about the Pearl

1 District started building and building, and tried  
2 to join in with the property owners at No. 6 and  
3 No. 7 to see if we could do something in  
4 combination.

5 You can see fortunately, they control  
6 most of that whole block from Lady of Lord's all  
7 the way to BCC High School on the other side.  
8 They've been very active in working with your  
9 staff. They're really encouraged by what the  
10 plan is doing, in terms of encouraging the Pearl  
11 District. They're not sure that the density that  
12 is enough to let them be able to deliver what  
13 they had envisioned they would be able to do with  
14 their properties. You can see down on the table  
15 below the legend, the density that's recommended  
16 is FAR 2 for the property.

17 They had envisioned something greater  
18 than that, trying to create more of a street  
19 frontage on the north side of East West Highway.  
20 I had a letter prepared, but I could see the  
21 format tonight doesn't work well to go through a  
22 letter with you, so I'm going to just send it to

1 you, but within that letter, there's a massing  
2 study done by a very talented design firm,  
3 Perkins Eastman.

4 By the way they've laid out the  
5 development, I'm going to suggest that you and  
6 your staff look at maybe split zoning the  
7 property, so that there was more intense zoning  
8 on the southern frontage, along East West  
9 Highway, and maybe less density on the back of  
10 the property, as you start moving into these  
11 Bethesda neighborhoods, just something to look  
12 at. The second thing I'd like to say from the  
13 zoning point of view is if you take a look at the  
14 commercial density that's recommended of 0.5, at  
15 least two of the property owners have fairly  
16 major office buildings already and, in fact,  
17 wanted to increase their presence and have larger  
18 office buildings. The 0.5 FAR for commercial is  
19 not consistent with the ideas that they had and  
20 what they wanted to try and accomplish.

21 I'd like to tell you to just take the  
22 cap off of 0.5 and wherever you end up with FAR,

1 we'd like to see the amount of commercial go up  
2 because we want to add more commercial. Last  
3 thing I'm going to say is if you take a look at  
4 Pages 112 and 113, there's an asterisk on the  
5 property for a neighborhood green front. There's  
6 text on Page 112 to the left saying, "To serve  
7 Bethesda Chevy Chase High School and Lady of the  
8 Lord Church."

9 We'd much rather provide green space  
10 that contributed to the Pearl District than to  
11 the neighborhood behind us. Thank you.

12 CHAIR ANDERSON: Thank you. Mr.  
13 Binder. Oh, take a microphone. Thank you.

14 MR. BINDER: I'm here tonight to voice  
15 my support for the sustainability initiatives  
16 described on the Bethesda Downtown Plan,  
17 including the establishment of a high-performance  
18 area. The plan has the potential to improve the  
19 triple bottom line of environmental, social and  
20 economic health required for true sustainability,  
21 that it's a healthy ecosystem, healthy people and  
22 a healthy economy.

1           It seeks a holistic balance between  
2 these essential elements to meet the challenges  
3 of a future constrained by dwindling natural  
4 resources, climate change, and increasing  
5 economic stratification. Many cities are  
6 considering the adoption of new building codes,  
7 including the IVCC, designed to slow the decline  
8 in environmental health. As an architect, I feel  
9 these prescriptive standards don't go far enough,  
10 in fact.

11           Our goal should be not merely to be  
12 less bad, but to start reversing the damage  
13 that's been done in the past. That's why I  
14 applaud Bethesda's plans to go beyond the  
15 minimums prescribed by codes like the IVCC and to  
16 truly distinguish itself as a leader in  
17 sustainable development. Being green has proven  
18 its value in attracting new residents and new  
19 investments throughout the region, the country  
20 and the world. People want to live and work in a  
21 city that's healthier, more efficient, and more  
22 beautiful. There are social and market -- these

1 are the social and market courses that are going  
2 to build a long-term prosperity of Bethesda.

3 I have heard some disturbing rumors  
4 that under pressure from some developers, the  
5 Board is considering scaling back the  
6 high-performance district, or the  
7 high-performance area, as described in Section  
8 2.5 of the Bethesda Downtown Plan. I understand  
9 the concerns these businesses have about added  
10 development costs, and economic health is  
11 essential to -- as the central part of  
12 sustainability.

13 There's ample evidence, however, to  
14 show you that high-performance buildings and  
15 communities deliver strong long-term return on  
16 investment, in terms of lower energy costs,  
17 increased resilience, greater worker  
18 productivity, and reduced healthcare costs. So I  
19 urge the board to resist the temptation to put  
20 short-term profits for a few ahead of the  
21 long-term health and prosperity of the community.  
22 I believe we should maintain those elements of



1 the Bethesda Downtown Plan that will truly  
2 distinguish Bethesda as a great place to work and  
3 live now and in the future. Thank you.

4 CHAIR ANDERSON: Thank you. Ms. Owen.

5 MS. OWEN: My name is Rebecca Owen.  
6 I'm head of real estate for Clark Enterprises, a  
7 Bethesda resident, and I'm here to talk about the  
8 tale of two very different proposals for the top  
9 of Bethesda Metro Plaza, as you've heard today.  
10 The Bethesda Metro Plaza is the largest community  
11 gathering space in downtown Bethesda.

12 CHAIR ANDERSON: I'm sorry. David  
13 Kitchens' work has been retained by Clark, is  
14 that right?

15 MS. OWEN: Yes, David (Simultaneous  
16 speaking).

17 CHAIR ANDERSON: Then I can't let you  
18 speak because I can't have multiple people who  
19 are retained by the same -- or work for the same  
20 property owner testifying on the same property.  
21 It's just not fair to everybody because  
22 otherwise, we'd be here all night. One per

1 customer. I'm sorry.

2 MS. OWEN: But I'm a resident of  
3 Battery Park, so I can speak on behalf of Battery  
4 Park.

5 CHAIR ANDERSON: Well, if you've been  
6 authorized to speak on behalf of your civic  
7 association (Simultaneous speaking).

8 MS. OWEN: I do have a letter of  
9 support from the Battery Park Civic Association,  
10 as well as the Edgemoor and the Kenwood Civic  
11 Association.

12 CHAIR ANDERSON: Have you been  
13 authorized to speak on behalf of them?

14 MS. OWEN: I didn't ask for consent to  
15 speak (Simultaneous speaking).

16 CHAIR ANDERSON: Then I can't allow  
17 it. I'm sorry. One representative for each  
18 property. I have to have a hard and fast rule,  
19 or I'd have multiple people coming in. We've had  
20 this problem before. We'll read your testimony.  
21 We welcome you to come to the work session. I'm  
22 sure we'll air this out in great detail, but not

1 tonight. I'm sorry. Mr. Kline.

2 MR. KLINE: Go again?

3 CHAIR ANDERSON: Yes, and in case  
4 you're wondering, the reason he gets to go again  
5 is because he's representing a different client  
6 for a different property, just to be absolutely  
7 clear. Go ahead.

8 MS. OWEN: Can he speak for me? He's  
9 representing me (Simultaneous speaking).

10 CHAIR ANDERSON: Not unless you have  
11 another property in Bethesda, which is another  
12 possibility.

13 MR. KLINE: We'll be submitting  
14 comments. Changing subjects away from the Metro  
15 Plaza, can I draw your attention to Page 115 of  
16 the master plan? That's because it's the easiest  
17 way for me to go through this quickly. I want to  
18 talk to you for a second about the owners of the  
19 Bradley Boulevard Shopping Center.

20 If I had more time, I would ask  
21 everybody in this room who's ever bought a  
22 sandwich or a bottle of wine in Bradley Beer and

1 Wine or bought something in Strosniders in our  
2 shopping center to raise their hand. Okay, I'll  
3 take Board members' hands, as well. That's fine.  
4 We've found a niche there that just really is  
5 great for us. It's really neighborhood serving.  
6 My clients are very comfortable with that.  
7 That's what they want to be doing for the  
8 foreseeable future. The question I want to talk  
9 to you about is what happens when the leases  
10 expire and the redevelopment comes up? We've got  
11 51,000 square feet of building that's there  
12 today. We hired Street Sense to come in and tell  
13 us what to do, and it will stack residential on  
14 top of your building, go up and take advantage of  
15 the situation and what's going on around you.

16 We're at about a 3.15 FAR today. If  
17 we took the 0.75 commercial FAR that's  
18 recommended in the plan for the shopping center,  
19 we're essentially doubling our density. That's  
20 all we're doing. People have said that the  
21 tenants in the Bradley Boulevard Shopping Center  
22 are mom-and-pop operations, but there aren't

1 enough mom and pops to basically fill up one  
2 floor above this. Nobody redevelops a shopping  
3 center to add one floor in density.

4 So I'd like you to -- I'd like to  
5 explain to you why I think the property could  
6 handle more density, and certainly more  
7 commercial density than is recommended. It's  
8 easy to describe this. Take a look at the map on  
9 Page 115. No. 3, the property to the east of  
10 Arlington Road, the recommendation for that  
11 property is 2.75 FAR. The property to the west  
12 of us, which is not covered on this plan, but  
13 it's zoned R-10, R-10 basically is a 1 FAR  
14 property. It allows 43 dwelling units per acre.  
15 You've got a plan that's recommending, basically,  
16 a density of 0.75 sandwiched in between 2.75, at  
17 least one on the other side.

18 The property can handle more density,  
19 and we think it needs to have more density, in  
20 order to be able to handle that redevelopment and  
21 come up with something compatible when the time  
22 is appropriate to do so. I have a letter ready.

1 I'll send that to you separately. Thank you very  
2 much.

3 CHAIR ANDERSON: Thank you. Okay, I  
4 think we're ready for -- do we have Nellie Wild,  
5 Robert Eisenberg, David Cheek and Christine Real  
6 de Azua? Let me just issue a blanket apology to  
7 everybody whose name I'm going to mispronounce  
8 tonight.

9 MR. WALLACE: I'll be speaking for  
10 David Cheek.

11 CHAIR ANDERSON: Oh, okay. Why don't  
12 you go ahead?

13 MR. WALLACE: Good evening. My name  
14 is Scott Wallace, and not David Cheek, with the  
15 Law Firm of Linowes and Blocher, and I represent  
16 Meridian Group. Mr. Cheek could not be here  
17 tonight. He asked me to provide testimony on  
18 behalf of Meridian Group.

19 Meridian is the new owner of the  
20 Bethesda Hyatt Regency Hotel at Bethesda Metro  
21 Center. The public hearing draft of the Sector  
22 Plan update represents a significant improvement

1 over the draft plan, particularly with respect to  
2 Bethesda Metro Center, and Meridian supports the  
3 density and height recommendations for the Hyatt  
4 site.

5 Metro Center has some of the tallest  
6 buildings in the county, so additional density  
7 and heights comparable to the heights approved  
8 around Metro Station's at White Flint will be  
9 compatible with the surrounding area and will  
10 help to ensure that Bethesda grows through smart  
11 projects that leverage existing infrastructure  
12 and create a successful and vibrant downtown  
13 core. With regard to the Metro Plaza, Meridian  
14 has seen Brookfield's general plans for the  
15 Plaza, is pleased about their ideas regarding how  
16 the space can be transformed from the under-used  
17 area that it is today into an invigorated,  
18 mixed-use site that Meridian understands will  
19 include improvements to the public use space on  
20 the Plaza level and the bus bay level.

21 Redevelopment of the Plaza will  
22 encourage Meridian to pursue redevelopment of the

1 Hyatt site with complimentary uses and  
2 improvements. Overall, Meridian believes these  
3 plans will be good for Bethesda for the following  
4 reasons. First, Metro Center is a multi-modal  
5 hub sitting on top of a Metro station. It is  
6 served by multiple bus routes, major roads, bike  
7 routes and pedestrian connections.

8 It's within a ten-minute walk of  
9 thousands of existing homes, with more on the  
10 way. Redevelopment would complement and connect  
11 other areas of Bethesda, such as Woodmont  
12 Triangle and Bethesda Row. Given its central  
13 location above Metro, a bus facility and a  
14 parking garage, infrastructure is already in  
15 place and ready for additional development. As  
16 mentioned previously, Brookfield's plans include  
17 needed improvements to the bus bay level. On the  
18 fiscal side, redevelopment of the site would also  
19 bring tax benefits to the county and state and  
20 revenue to WMATA, and while not specifically  
21 required by the draft plan, Meridian understands  
22 Brookfield's plans include a central park at the



1 Plaza, which will serve as a gathering place for  
2 the public and will include government -- and  
3 will include programmed events to be coordinated  
4 and paid for.

5 Finally, Brookfield's plan is to have  
6 a building of architectural significance to  
7 replace the existing three-story glass building  
8 that detracts from the environment of the Plaza.  
9 In summary, redevelopment of the Plaza, a  
10 location central in central Bethesda is in line  
11 with the plan's economic, community and  
12 environmental sustainability goals. Thank you.

13 CHAIR ANDERSON: Thank you. Are you  
14 Ms. Wild?

15 MS. WILD: I am, yes.

16 CHAIR ANDERSON: Would you like to go  
17 next?

18 MS. WILD: Yes, thank you. My name is  
19 Nellie Wild. I'm a Bethesda resident. I'm a  
20 former board member of my community association,  
21 although my comments today are strictly my own,  
22 and not representing the community association.

1 I'm a former board member of the Washington  
2 Conservatory of Music here in Bethesda, and I'm  
3 active in community affairs. I'm speaking today  
4 against the planning staff's recommendation to  
5 allow the development of the Bethesda Metro Plaza  
6 with a new building in the middle of the current  
7 Plaza of up to 290 feet in height.

8 My husband and I chose to raise our  
9 young children in Bethesda for a number of  
10 reasons, all of which center around quality of  
11 life issues, quality of public schools, safe  
12 neighborhoods, access to numerous recreational  
13 and outdoor opportunities, access to world-class  
14 healthcare, and the list goes on.

15 Ours is a community of tremendous  
16 resource and pride. For any community to be  
17 cohesive, to attract and to retain residents, and  
18 to be sustainable, however, it needs vibrant  
19 public open spaces. The staff's draft plan  
20 recognizes this by stating that increasing parks  
21 and open spaces are among the top priorities of  
22 the plan. There are good examples of smaller

1 micro parks around Bethesda, but my neighbors and  
2 I want larger public spaces, such as those being  
3 incorporated into the newer neighborhoods in  
4 downtown D.C., to serve as convening space for  
5 larger public gatherings, such as movies,  
6 concerts, festivals, and even in its current  
7 state, the Bethesda Metro Plaza can fill this  
8 need.

9           The plan recognizes that Bethesda has,  
10 over the years, become more urban. The Plaza  
11 area represents an opportunity for our community  
12 to develop a high-quality open space to enhance  
13 urban living. More and more truly great cities,  
14 both here in the United States and all around the  
15 world, for that matter, are recognized for the  
16 emphasis they place on activated open spaces.

17           The Bethesda Metro Plaza is an  
18 incredible opportunity to enhance our community  
19 and to ensure that Bethesda remains an attractive  
20 option for both residents and businesses alike.  
21 The current plaza could be turned into a  
22 world-class public space that would benefit

1 generations of future residents. Please do not  
2 deprive the community of this great resource by  
3 allowing the Plaza to be over-developed. Thank  
4 you.

5 CHAIR ANDERSON: Thank you. Mr.  
6 Eisenberg.

7 MR. EISENBERG: Hi, thank you. My  
8 name is Bob Eisenberg, and I'm a 15-year resident  
9 of Bethesda. First, I want to thank you, the  
10 Board and the staff, for your service to the  
11 community. You're doing very important work.

12 My wife and I are very pleased to be  
13 raising our three young children here, and I'm  
14 speaking today to oppose the staff's proposed  
15 change in land use designation for the Metro  
16 Plaza that would allow future development on it.  
17 The draft master plan emphasizes the importance  
18 of civic greens located on main streets and  
19 integrated into the public realm, which I think  
20 is a laudable goal.

21 In spite of this, the staff has  
22 proposed eliminating this key public open space

1 by supporting a new, very large building in the  
2 center of the Plaza and relegating the remaining  
3 smaller open space, which is less than half the  
4 size, to an interior portion of the site, which  
5 is disconnected from the street and the public  
6 realm, which seems in conflict with the stated  
7 goal. The need for a public open space is  
8 apparent to all. Bethesda is clearly changing.  
9 There's 3,000 additional high-rise residences are  
10 planned to occupy Bethesda within a half-mile  
11 radius of the Bethesda Metro Center space in the  
12 next four years. These generally are smaller  
13 residential units in the newer buildings. These  
14 new urban parks have become year-round centers of  
15 community activity and draws for new employees,  
16 as well as residents.

17 My wife and I frequently find  
18 ourselves looking to take the family to community  
19 events, festivals and so forth, and all too often  
20 have to look outside of Bethesda to find these  
21 events, as somebody else had mentioned earlier  
22 this evening. A number of my neighbors have

1 expressed similar frustrations. Bethesda clearly  
2 shouldn't be starved for such community  
3 activities.

4 We should be embracing this  
5 opportunity to enhance such community space in  
6 this master plan. As I mentioned, the Bethesda  
7 Master Plan vision outlines the need for viable  
8 open civic spaces. I would argue that we have  
9 this here and now in the Bethesda Metro Plaza.  
10 Master plans don't typically show proposed  
11 building footprints, merely proposed heights,  
12 density, uses, and so forth. At the very least,  
13 I would urge the Board to instruct the staff to  
14 remove what's described as illustrative potential  
15 development building footprint, as shown on Page  
16 97 of the staff draft, from the next planned  
17 draft.

18 I don't believe there's been an open  
19 public discussion along the proposed new  
20 high-rise building, and public discussion is  
21 important, especially when it comes to  
22 eliminating community public space. In closing,

1 I plead with the Board to please preserve the  
2 Bethesda Metro Plaza as a major community  
3 gathering space in its next draft of the Bethesda  
4 Downtown Plan.

5 CHAIR ANDERSON: Thank you, Ms. Real  
6 de Azua.

7 MS. REAL DE AZUA: Yes. I am  
8 presenting these comments tonight, thank you, as  
9 an individual, and on behalf of 20 other  
10 individual citizens, many of whom have expertise  
11 in their professional or volunteer capacity in  
12 environment and energy, architectural design,  
13 engineering and related fields. In short, we are  
14 deeply concerned that the proposed plan is a  
15 missed opportunity to ensure sustainable living  
16 in Bethesda, and here's why. The plan, in its  
17 introduction, correctly identifies major  
18 challenges, such as, and I quote -- and you've  
19 heard these this evening before -- "highest  
20 average rents in the county, lack of urban parks  
21 and green space, high impervious cover within  
22 watersheds with poor to fair water quality, high

1 energy demand, high carbon emissions."

2 The plan also outlines an excellent  
3 vision and goals to address these challenges,  
4 including, and I quote again, "model for  
5 sustainability, affordable housing, safely walk  
6 and bike to stores and offices past new  
7 energy-efficient buildings, new parks and open  
8 spaces that provide green, tranquil places," all  
9 excellent goals.

10 However, there is virtually nothing in  
11 the plan to ensure that downtown Bethesda will  
12 successfully address these challenges and how to  
13 ensure that you will meet those goals and other  
14 goals that need to be added into the plan from an  
15 environmental perspective. Instead, let me read  
16 from the plan itself. It says, "The following  
17 recommendations may be achieved through the  
18 optional method public benefits in the CR zone  
19 and are simply recommendations, not requirements  
20 of the Sector Plan." The reality is that the  
21 optional methods for public benefits is really  
22 pretty much business as usual, as it is already



1 conducted in the county.

2           Mere recommendations and business as  
3 usual will not get us to the sustainability  
4 levels that we're all expecting, that you've  
5 described in the plan, and that we would like to  
6 see more of. Here are just a few more specific  
7 examples of what is wrong and what is needed.  
8 For example, the plan describes a towards net  
9 zero goal for buildings' energy consumption, Page  
10 64, which is good, but it also requires standards  
11 to achieve that goal.

12           The planned house, in colorful charts,  
13 a 400 increase in open space, 336 acres of green  
14 roofs, again merely suggestions. Air pollution,  
15 park space, water supply and sewage, investments  
16 in necessary infrastructure, all of these are  
17 lacking. We therefore urge the Board to correct  
18 these and many other flaws that we list in our  
19 written comments. In closing, we would say other  
20 communities, including in nearby Washington,  
21 D.C., are proving that strong green initiatives  
22 are not only doable, but profitable.

1 CHAIR ANDERSON: Thank you.

2 MS. REAL DE AZUA: Thank you.

3 CHAIR ANDERSON: Okay, we can get Jean  
4 Rozansky, who was not available earlier, as well  
5 as Philip Bogdonoff, David Vise, Deborah Ingram,  
6 and Peter Keller. I'm told you need to speak for  
7 Ms. Rozansky, or can she --

8 MS. ROZANSKY: I'll just introduce  
9 myself.

10 CHAIR ANDERSON: Okay, that's right.

11 MS. ROZANSKY: But I cannot speak,  
12 unfortunately. Good evening, everyone. I am  
13 Jean Rozansky. I live in Bethesda, and I'm here  
14 to share my thoughts with you about the Bethesda  
15 Metro Center and why I support, unequivocally,  
16 Brookfield's proposal for a signature building.

17 SPEAKER: I'll try to speak and  
18 deliver with her panache. I'm not only here on  
19 my own behalf, but also for my late husband, Alan  
20 Rozansky, who some of you may recall as Buddy.  
21 Buddy was partners with Alan Kay for many years.  
22 During that time, they built the Hyatt Hotel and

1 office buildings above Bethesda Metro, and Buddy  
2 had an office in Three Bethesda Metro Center, so  
3 you see I feel a deep personal connection to that  
4 space. Buddy and I used to talk about how there  
5 were very few places in Bethesda where a person  
6 could enjoy a park setting and breathe fresh air,  
7 while interacting with others.

8 We wanted a place that people of all  
9 ages could enjoy, families, children, and even  
10 those of us in our wiser years. Brookfield's  
11 plan gives us that space. I know there's another  
12 proposal to just turn the cement Plaza into a  
13 lawn, but it will still remain a little-used  
14 vacant space. Brookfield's plan would make the  
15 central park much more inviting, with connected  
16 promenades that can have shops and cafes to  
17 browse in.

18 I'm particularly excited about their  
19 ability to program the park through their  
20 company, Arts Brookfield. We have a perfect  
21 example right here in Montgomery County of how  
22 successful the central park can be. Rockville

1 Town Square is the same size as the park  
2 Brookfield is proposing, and that's a very  
3 popular destination. People love to go there  
4 because it's more than just an expansive lawn.  
5 The town square is surrounded by shops and cafes,  
6 which make the space much more interesting, and  
7 the City of Rockville does a great job hosting  
8 all kinds of events there that folks love to  
9 attend.

10 Brookfield can give us the same  
11 experience at Metro Center. I'd also like to  
12 mention the Metro bus space at the Bethesda  
13 station. That area needs serious improvement.  
14 As it is now, people who ride the bus or take  
15 Metro to Bethesda have a most unpleasant station  
16 awaiting them. Brookfield's plans include making  
17 improvements to the bus space. That is very  
18 important. Something needs to be done.

19 I recently received mail from Clark  
20 saying that Brookfield's building will be 290  
21 feet tall, but Brookfield's plans are for a  
22 building significantly lower, about 200 feet, the

1 same size as Clark's building, and they are  
2 creating a half-acre park. Please vote in favor  
3 of Brookfield's plans for Bethesda Metro Center.  
4 Thank you very much for your time.

5 CHAIR ANDERSON: Thank you.

6 MS. ROZANSKY: Thank you.

7 CHAIR ANDERSON: Are we on Mr.  
8 Bogdonoff?

9 MR. BOGDONOFF: Yes. I'm Philip  
10 Bogdonoff. My bottom line is that I want to  
11 applaud and very, very strongly support the  
12 establishment of the high-performance area. Why?  
13 Global warming.

14 It's been in the news recently with  
15 the Pope's encyclical that things are worse than  
16 the media generally has been reporting. Bethesda  
17 and Montgomery County need to reduce their CO2  
18 footprint. We've got numerous regulations on the  
19 books in the county, and to my knowledge, none  
20 have been met or shown any sign of being met.

21 Building construction is a significant  
22 component of our CO2 footprint, and it's where

1 the rubber meets the road, in terms of  
2 establishing standards that demand higher  
3 performance. The high-performance area is a  
4 necessary step. It's not sufficient. We need to  
5 move towards buildings that actually mimic what  
6 nature does. Buildings are now being designed to  
7 do that, building with green roofs and green  
8 walls and rainwater catchment systems, etc., but  
9 we can exceed, and even create buildings that may  
10 heal the environment by mimicking what nature  
11 does. So the high-performance area is a way for  
12 us to establish a standard to let us move in that  
13 direction. As was noted, our friends in D.C. are  
14 doing this better than we are and showing that  
15 it's beneficial.

16 About global warming, I recently heard  
17 a talk by Dr. Thomas Goreau. He's one of the  
18 original authors of the Kyoto Protocol. He  
19 pointed out that the two-degree limit that's  
20 based on the 350 parts per million has been  
21 misinterpreted by the media. It's an incomplete  
22 story. The question was asked, "What do we need

1 to do to keep our temperature increase below two  
2 degrees by the end of the century?"

3 That last phrase usually gets  
4 eliminated. The 350 target is what came out of  
5 the models to say that's what we have to do, at  
6 least, but at 350, we continue increasing by two  
7 degrees every 75 to 100 years. At four degrees  
8 C, the scientists think we'd have destroyed our  
9 ecology and our agriculture sufficiently that  
10 civilization cannot persist. At 400 degrees --  
11 and we crossed 400 degrees in February -- 400  
12 parts per million, excuse me -- the equilibrium  
13 temperature based on the fossil record is 17  
14 degrees C, that's about 62 degrees Fahrenheit  
15 above where we are. We have not shown, globally,  
16 any ability to limit our emissions. We need a  
17 standard like the high performance to start  
18 getting us moving in that direction. Otherwise,  
19 we're literally cooking ourselves off the planet.  
20 Thank you.

21 CHAIR ANDERSON: Thank you. Mr. Vise.

22 MS. VISE: Hi, I'm Mr. Vise.

1 CHAIR ANDERSON: You're Ms. Vise?

2 MS. VISE: Yes, Laura Vise. This is  
3 Page 73, relating to Bethesda -- the public park  
4 across from Bethesda Elementary School. My  
5 comments on the Bethesda Downtown Sector Plan  
6 focus on the proposed expansion of a public park  
7 across from Bethesda Elementary School. Our home  
8 at 5016 Moreland Lane is adjacent to the park and  
9 across from the school. We support a public  
10 park. We also have key concerns about how it is  
11 done. When the park was first created in a  
12 residential neighborhood, it was agreed that the  
13 park would close at dusk, and there would be no  
14 lights at night. To maintain the residential  
15 character of the neighborhood, it is essential  
16 that the expanded park have no lights and close  
17 at dusk. Night lighting would adversely impact  
18 us and all adjacent homeowners. It must be  
19 avoided. The proposed park and adjoining  
20 playground are used by elementary school  
21 students, where safety is critical.

22 Adding benches or picnic tables or



1 other permanent seating in the park, right beside  
2 the school's playground, would attract adults and  
3 loiterers during school hours, posing a threat to  
4 the safety of the children and creating a  
5 dangerous situation. This is why no permanent  
6 seating was included when the park was first  
7 created. To protect the children, having no  
8 permanent seating in the park is essential.

9 The expansion and vision is possibly  
10 tearing down a house owned by the county, on  
11 Edgemoor Lane, to increase access to the park.  
12 Greater access to the park creates a hazard for  
13 the safety of children because it would attract  
14 loiterers and others during school hours. This  
15 is unsafe. Adding park access in this way would  
16 also disturb the residential character of the  
17 neighborhood. There are homes on both sides of  
18 the county-owned house. Creating new access by  
19 tearing down this house would slice the  
20 neighborhood in half, disrupting its residential  
21 character by interfering directly with adjacent  
22 homeowners. Thank you for your consideration.

1 CHAIR ANDERSON: Thank you. Ms.  
2 Ingram.

3 MS. INGRAM: Yes. My name is Deborah  
4 Ingram. I'm a 28-year resident, and I'm here to  
5 talk about the tall buildings that are for the  
6 corridor from Bradley all the way up to East West  
7 Highway. A number of people tonight have said  
8 that they don't want another Rosslyn. They don't  
9 want more tall buildings in Bethesda. They're  
10 upset about the prospect of a tall building at  
11 Bethesda Metro Station.

12 I think they may have missed all the  
13 tall buildings that you're proposing to build  
14 between Bradley and East West Highway, along  
15 Wisconsin. The buildings along there, right  
16 across from the Hyatt, is proposed to be 290  
17 feet, but that's not so bad because that's where  
18 all the tall buildings are, and no one's living  
19 right there. But as you go south, when you get  
20 to Waverly, from Waverly on down, you're abutting  
21 established residential neighborhoods and having  
22 a direct impact on people's homes, their quality

1 of life, etc. The buildings between Waverly and  
2 Willow are proposed to be 250 feet tall. That's  
3 90 feet taller -- or 70 feet taller than the  
4 Chevy Chase Bank Building is currently -- pretty  
5 tall buildings.

6 When you go on down to the building on  
7 the other side of the Farm Women's Market, it's  
8 proposed to be 200 feet, and then the building  
9 just on the other side of that is held at its  
10 current 90 feet. Going further south, you do  
11 keep the buildings at the low end of 90 feet  
12 which is, of course, much taller than their  
13 current one-story size, but 90 feet's a heck of a  
14 lot better than 250.

15 I actually support putting the taller  
16 building at the Bethesda Metro Station because if  
17 you're trying to reach your goals of a certain  
18 number of housing units and a certain amount of  
19 additional commercial square footage, I see that  
20 the density has to go somewhere, and that might  
21 be a nice place to put it because it at least  
22 keeps it out of the faces of people's homes.

1 They're not in shadow, etc. But I really think  
2 you need to consider reducing heights along  
3 Wisconsin Avenue when you're abutting residential  
4 neighborhoods. I'm also here to speak in favor  
5 of the proposal that you have seen for turning  
6 the parking lots behind the Farm Women's Market  
7 and the other businesses between Willow and Walsh  
8 into park land.

9 That, abutting the Elm Street Park  
10 which is currently there, would create a very  
11 large and open and useable park space. We've  
12 heard requests from many residents tonight asking  
13 for a park space that's more than just a pocket  
14 park, something that's substantial and useful and  
15 actually, you could run and play and picnic in.  
16 That park plan would provide all of that. So I  
17 urge you to consider reducing building heights  
18 and looking at some substantial park space.

19 Thank you.

20 CHAIR ANDERSON: Thank you. I think  
21 next -- we don't have Peter Keller, I think? Oh,  
22 okay. You can come on up to the next group.

1 We'll take Peter Keller. Is Janice Soreth here?  
2 I understand she's back. Okay, great, you can  
3 come up, too. Kirt Suomela and Stewart Schwartz.  
4 How about Tom Keady? Joseph Allen? Oh, there he  
5 is. Come on up. Okay, so we'll try Mr. Keller  
6 first.

7 MR. KELLER: Thank you very much. I'm  
8 Peter Keller. I'm just representing myself. I  
9 live in an apartment on 5,000 Battery in Madison  
10 Park. We're very close to the park. That's  
11 Battery Lane there. We see there's a proposal to  
12 put a road through from Newark Avenue all the way  
13 up to Battery Lane.

14 I speak in opposition to that. We've  
15 noticed, as the buildings have been put up around  
16 here, trees go away, bushes come in sometimes.  
17 There's some very nice trees in that area.  
18 There's no way you can put a road through there  
19 without taking down some very nice oak trees.  
20 Park spaces are sacred. They should be created,  
21 not destroyed.

22 I do appreciate -- it's been stated

1 that this is contingent upon having Oak Park  
2 expanded, such that there's no net reduction, but  
3 I understand if that's to happen, it would be  
4 across the road at Battery Lane. I just don't  
5 see that that really would have the same effect  
6 as the park as it now stands. If a road's put  
7 through, all the park west of the road would  
8 effectively be useless. The playground, where a  
9 road would come into Newark, would have to go  
10 away. I don't see how that could still be here.  
11 It's a very nice little playground. Then there's  
12 a basketball court and a tennis court there, but  
13 I think they would then be right next to a road,  
14 and I don't see how they would be still use that  
15 they are right now.

16           Initially, I thought there'd be an  
17 additional problem, in that Newark would then  
18 become a thoroughfare leading up to Battery Lane,  
19 and that would be an additional problem, but I  
20 see now that the plan calls for Newark itself to  
21 become what I consider quite a nice development,  
22 and the road would actually not be appropriate as

1 a thoroughfare, so that seems to take away even  
2 more of the rationale for having a road at the  
3 other end. That's my rationale. Thank you.

4 CHAIR ANDERSON: Thank you. Kirt  
5 Suomela.

6 MR. SUOMELA: So my name is Kirt  
7 Suomela. I live in the east Bethesda  
8 neighborhood and have for 20 years. Having  
9 reviewed the staff plan with some neighbors,  
10 we're seeking some clarity on a few points, which  
11 I'm going to mention. Regarding the housing  
12 units, the 1994 Downtown Plan, at Page 25, said  
13 that there was 5,200 housing units, and then at  
14 Pages 28 and 51, it said ultimate build-out of  
15 the plan was going to be another 2,700 units,  
16 bringing the total to 7,900.

17 I was expecting that the new plan, the  
18 2015 plan, start at that. But the staff's  
19 December 2014 briefing, at Page 42, said  
20 build-out of the 1994 plan was going to be  
21 11,400, which was comprised of 7,210 existing and  
22 3,109 approved.

1 I thought I'd find clarity in the May  
2 2015 draft, but on Page 25, it doesn't speak to  
3 what the total build-out of 1994 is, but rather  
4 speaks to the fact that the new plan, when built  
5 out, will have 8,355 more dwelling units, which  
6 it says is 46 percent above the current level,  
7 meaning the current level would be 18,163. I'm  
8 asking for clarity on where the 1994 plan ends  
9 and where the 2015 plan begins. Then that begs  
10 another question, which would be does any of this  
11 even matter? If the 1994 plan envisioned only a  
12 total of 7,900 dwelling units, and we're well  
13 above that, does the plan have any sort of  
14 constraint on future development? Will this same  
15 issue exist in another 20 years? That's one  
16 metric. The second metric is the non-auto-driver  
17 mode share, which is a ratio of total commuters,  
18 and those commuters that do not drive their own  
19 car on auto drivers.

20 The plan does mention that percentage  
21 goal is recommended to increase 50 percent, which  
22 is good, but the other thing the plan says is it



1 recommends that this metric apply both to  
2 commuters and residents. It needs clarity on how  
3 the residents are involved in that. But the  
4 bigger one was the Bethesda greenway, which the  
5 neighborhood was told was going to involve a  
6 bunch of parks.

7 On two places, Pages 125 and 126, it  
8 says on lots with existing single-family homes,  
9 the greenway only occurs if the entire block is  
10 redeveloped in the future, which to me is a  
11 caveat that it's not going to happen because I  
12 can't see the whole block being redeveloped.

13 CHAIR ANDERSON: Okay, thank you very  
14 much. Janice Soreth.

15 MS. SORETH: Good evening. My name is  
16 Janice Soreth, and I'm a homeowner and a resident  
17 of Nottingham Drive in Chevy Chase since 1995. I  
18 live just down the street from the Bethesda Fire  
19 Department property at Wisconsin and Bradley, and  
20 I've resided there with my family over the past  
21 20 years and raised my children there.

22 It's a single-family residential

1 street with active multi-generational households.  
2 We like that, and we want to keep it that way,  
3 and we want to keep the fire station, but we  
4 strenuously object to the proposed re-zoning  
5 there. Through the Chevy Chase West Association,  
6 I learned, about a year ago, the news that the  
7 Bethesda Fire Department was looking to redevelop  
8 this site into a multi-story residential  
9 structure with an embedded, relocated fire  
10 station.

11 I understand the CCW Association has  
12 met informally with the FD representatives over  
13 the months to discuss other options. I feel  
14 strongly that Bethesda downtown should end at  
15 Bradley Boulevard. It seems natural. Underlying  
16 zoning for the fire station property should  
17 remain R-60, in line with the least dense  
18 adjacent zoning. This is consistent with a  
19 majority of the county's fire and rescue  
20 stations. The CR zoning, in contrast, has vast  
21 uses and would be inappropriate for this edge  
22 property. Nottingham Drive dead ends in a quiet

1 cul-de-sac, adjacent to Norwood Park. In this  
2 setting, there realistically is no capacity and  
3 no safe way to add more vehicular traffic, when  
4 there's but one way for residents driving to  
5 enter and to exit Nottingham.

6 The safety of our families on foot and  
7 for the pedestrians approaching Norwood Park  
8 would be compromised. The BFD proposal would  
9 exacerbate and already challenging traffic  
10 environment, and it would likely compromise their  
11 emergency response time, as well. The zoning  
12 should be left as it is for the safety and  
13 wellbeing of our families and neighbors and  
14 pedestrians, as well the ability of the BFD to do  
15 their job.

16 We heard earlier from a better writer,  
17 but I think her points bear repetition. The BFD  
18 hasn't convincingly demonstrated that the fire  
19 station needs to be updated, and that the only  
20 way to do so is by intense development that seems  
21 counter to public safety. The BFD's primary  
22 purpose is, in fact, public safety, not property

1 management. The county provides the fire and  
2 rescue services that BFD houses, so I believe the  
3 county should take the lead in determining  
4 whether a new fire station is needed and how to  
5 configure it.

6 In sum, I strongly urge you to reject  
7 any change in zoning other than R-60 for the fire  
8 station property to endorse the notion that the  
9 public safety needs over the next decades demand  
10 that this be a stand-alone fire station, and I  
11 ask respectfully that you do not impose a CR zone  
12 at this location with its heights, densities and  
13 uses fundamentally incompatible with our  
14 residential, single-family neighborhood. Thank  
15 you for the opportunity to speak.

16 CHAIR ANDERSON: Thank you. Ms. Glen.

17 MS. GLEN: Good evening. Thanks for  
18 your time. My name is Kelly Glen, and I'm here  
19 representing, tonight, the Coalition for Smarter  
20 Growth for regional organizations supporting  
21 smart growth throughout the Washington, D.C.  
22 region. We support the proposed Bethesda

1 Downtown Plan and commend its focus on adding  
2 more housing, jobs, and retail amenities to the  
3 thriving downtown. The plan addresses a number  
4 of lingering problems, such as poorly planned  
5 public spaces, wide, high-speed roadways that are  
6 unsafe for people walking and cycling, young and  
7 older. The plan fosters a more diverse and  
8 livable place.

9 We believe the plan is a bit cautious  
10 in some respects, but it is an important step  
11 forward for Bethesda and the county. In terms of  
12 increasing housing and commercial space, we  
13 support the proposed increase in building  
14 heights, which will not only increase the number  
15 of homes and jobs with Metro access, but create  
16 opportunities for land owners to contribute open  
17 space, streetscape improvements, and other  
18 community amenities.

19 With regards to fixing street designs  
20 and network connectivity, Bethesda today can be a  
21 hostile place for people who walk and bicycle, so  
22 we commend the plan's attention to redesigning

1 streets to be safer and to function better. We  
2 support reconfiguring the one-way paired streets  
3 to two way, which improves safety, retail  
4 performance, and a number of other things. We  
5 also support the creation of protected bicycle  
6 lanes to encourage more vulnerable and  
7 risk-averse cyclists. We also support the new  
8 street connections proposed in the plan and hope  
9 that more will be explored, as well. In terms of  
10 public and open spaces, we support the plan's  
11 intent to update the county's approach to public  
12 open space.

13           Public park spaces created in an  
14 earlier era were often isolated and hard to find.  
15 We support on-site creation of open space, where  
16 it results in strong public plazas and green  
17 spaces that are active community gathering  
18 places. In terms of elevating housing and  
19 affordable housing in the plan, we appreciate the  
20 plan's support for increased housing supply, the  
21 15 percent NPD requirement of the optional method  
22 and preservation of existing market affordable

1 housing.

2           However, we think more should be done  
3 and suggest the housing section be included in  
4 the area-wide approach, which should examine the  
5 level of need, supply-side solutions, and  
6 innovative approaches to the preservation and  
7 creation of affordable housing. We support the  
8 15 percent NPD requirement in the  
9 high-performance area, which covers much of the  
10 plan area. We also recommend that the Board  
11 consider a jobs-housing linkage fee for  
12 commercial development in downtown areas like  
13 that approved by Fairfax County for Tysons.  
14 Given that NPD requirements for high-end  
15 condominium projects often result in fees paid in  
16 lieu of on-site units, we ask that the Board  
17 ensure that fees are sufficiently high enough to  
18 produce off-site units within the plan area.

19           Let's see if there's anything else I  
20 need to say quickly. In terms of the Metro core,  
21 improving the Metro core is critical, and  
22 allowing for greater height, 290 feet as

1 proposed, will make that possible. A better  
2 public plaza at the Metro station can be created  
3 as part of more intensive redevelopment at the  
4 area. With redevelopment, we will increase  
5 transit usage, but we must include the quality of  
6 the transit center and public spaces, as well.  
7 Thanks so much for this time.

8 CHAIR ANDERSON: Thank you. So we  
9 don't have Mr. Keady, but I see we have Mr.  
10 Allen.

11 MR. ALLEN: Thank you. My name is  
12 Joseph Allen, and I serve as the chair of the  
13 Washington Area Bicycle Association Action  
14 Committee for Montgomery County. On behalf of  
15 the over 10,000 WABA supporters in the county, I  
16 encourage you to fully adopt the comprehensive  
17 bicycle network envisioned in the draft plan.

18 A low-stress, predictable environment  
19 for people riding bicycles, walking and driving  
20 is essential to a safe and efficient  
21 transportation environment in an urban area such  
22 as downtown Bethesda. Importantly, riding a



1 bicycle becomes a viable choice for large  
2 segments of the population for everyday  
3 activities when bikeways connect directly to the  
4 places people want to go.

5           Gone are the days that the majority of  
6 people riding bicycles are Lycra or  
7 spandex-suited weekend warriors. More often,  
8 people today want to bicycle to go to the  
9 restaurant, pick up a book at the library, drop  
10 off the kids at school, or even pick up a few  
11 items at the grocery store, which I know  
12 everybody says you can't do. Our efforts are  
13 towards making everyone, from my 7-year-old  
14 daughter to our retired neighbors, able to  
15 comfortably and safely get from Point A to Point  
16 B. Downtown Bethesda is unique in having two  
17 high-quality bicycle trails. They have both  
18 Crescent Trail and Bethesda Trolley Trail  
19 connecting its vibrant destinations to the rest  
20 of the region. However, there are a lack of  
21 connections between these trails and downtown  
22 Bethesda.

1                   Furthermore, NIH and Walter Reed  
2                   Medical Center are home to huge numbers of  
3                   employees and patients, and yet they lack  
4                   high-quality bicycle connections. The proposed  
5                   bicycle network can provide huge health benefits  
6                   to those employees, and especially the patients,  
7                   including recovering military members. Arlington  
8                   Row and Woodmont Avenue serve as direct  
9                   connections between these trails, and yet lack  
10                  the safety features and connectivity.

11                  The residents who live in the area  
12                  have asked for years to improve the safety of  
13                  these roads, which have narrow sidewalks that are  
14                  immediately adjacent to the roadway. Schools, a  
15                  library, parks and other areas throughout  
16                  downtown Bethesda are isolated from nearby  
17                  neighborhoods by the current street grid that  
18                  emphasizes not people and human-scale  
19                  development, but rather congestion at certain  
20                  intersections. Studies have shown at most  
21                  regions, only ten neighborhoods can produce the  
22                  majority of congestion in an area. Changing the

1 traffic generated from these small number of  
2 places -- as I said, only ten neighborhoods -- by  
3 only 1 to 5 percent can improve the travel times  
4 for everyone by as much as 20 percent.

5           Offering high-quality choices for  
6 walking and bicycling can produce a shift that  
7 will benefit everyone. Changes to the road  
8 network to support high-quality bikeways can  
9 improve safety for all users, while ensuring  
10 those who need to drive can do so. Modern  
11 bicycle planning has supported the planning for  
12 the draft network, and it will mean that all  
13 users, including people driving, will benefit  
14 from this design.

15           The vision put forward in this master  
16 plan seeks to balance the urban nature of  
17 downtown Bethesda with human scale high-quality  
18 environment for those residing within and  
19 adjacent to it. The decision to implement a  
20 high-quality, low-stress bicycle network, as a  
21 part of this plan, will contribute highly to this  
22 effort. Its implementation will offer a choice

1 of new residents participating in bicycling as a  
2 low-risk, healthy and pragmatic way to connect  
3 them to a living, breathing, vibrant downtown  
4 Bethesda. Thank you.

5 CHAIR ANDERSON: Thank you. Okay, if  
6 we could get Daniel Cohen, Steven Lebling, David  
7 Levine, David Brown and Alan Vasquez. Oh, we're  
8 going to take two of these folks. In that case,  
9 we could take Elizabeth Lebarron and Eric Hart  
10 because I want to put Ana Maria Mutter and Sandra  
11 Purohit together. Do we have Ms. Lebarron and  
12 Mr. Hart?

13 Oh, very good. Glad to see you. Mr.  
14 Hart's coming up, but we could start with Mr.  
15 Cohen whenever you're ready.

16 MR. COHEN: Good evening. My name is  
17 Daniel Cohen. Thank you for allowing me to  
18 present testimony on behalf of myself and all of  
19 my neighbors on Middleton Lane in east Bethesda,  
20 most of whom are here this evening. Middleton  
21 Lane is geographically a residential street of  
22 single-family homes near the Bethesda Metro.

1 Really, Middleton Lane is the only residential  
2 street of single-family homes, the entirety of  
3 which is within the Bethesda central business  
4 district. As a result, we on Middleton Lane are  
5 uniquely interested in the current draft of the  
6 Bethesda Sector Plan and future developments the  
7 plan contemplates in the CBD.

8 We had previously identified several  
9 important issues with prior versions of the plan,  
10 and I can tell you this evening that the current  
11 draft plan you are considering has addressed each  
12 of those issues to our satisfaction. Our full  
13 statement for the record describes each of these  
14 issues. That said, there are several critical  
15 issues and a few technical items or simple errors  
16 in the current draft plan that we would like to  
17 bring to your attention.

18 The first of these issues critical to  
19 us is the building heights. We heard earlier  
20 about building heights going south from the  
21 Bethesda metro. We would like to talk about  
22 building heights going north. In the plan

1 approved in 1994, the residents of Middleton Lane  
2 in east Bethesda worked with the county to have a  
3 simple principle drive building heights. That  
4 principle was that the highest buildings were to  
5 be at the Metro station, moving north along  
6 Wisconsin, east along East West Highway, and  
7 northeast toward the residential area, the high  
8 limits for buildings are supposed to decrease  
9 progressively. However, the current draft plan  
10 does not maintain this principle.

11           Instead, the current draft plan has  
12 virtually no coherency in building heights. The  
13 height of the Metro Center would increase to 290  
14 feet, and then as detailed in our statement for  
15 the record, the heights would go up and down on  
16 both the east and west sides of Wisconsin Avenue  
17 .

18           Beyond being a hodgepodge of heights  
19 and ultimately unsightly, the variance of heights  
20 on the east side of Wisconsin, from Chevy Chase  
21 Acura to Chestnut Street, seems virtually  
22 impossible to develop in any rational way, given

1 the size of the lots at issue and the variance in  
2 heights on those lots. We believe these heights  
3 aren't acceptable, especially from the Acura  
4 dealership to Chase Avenue. We believe the  
5 building heights on the east side of Wisconsin  
6 Avenue should not be any higher than 110 feet  
7 from Avondale Street to Chestnut Street. The  
8 height on the west side of Wisconsin Avenue  
9 should not go up and down. The highest it should  
10 be moving north from the Metro Center is 175  
11 feet, progressively decreasing to 145, and then  
12 120, consistent with the vision and the principle  
13 codified in the existing master plan.

14 Next, it's critically important that  
15 Middleton Lane remain closed to Wisconsin Avenue,  
16 as it has for the past 30 plus years. The  
17 narrative demonstrates a clear intention that  
18 this be the case, but not all the figures show  
19 that closure. We ask those figures be corrected.  
20 Finally, there is an error in one of the figures  
21 that seems to show Middleton Lane as a business  
22 road.

1                   This appears to be a mistake, since  
2 maps and other figures and the accompanying  
3 narrative describe Middleton as a residential  
4 street. We ask that you revise the figure that's  
5 named in our statement for the record to show  
6 Middleton as a secondary residential street.

7                   CHAIR ANDERSON: Thank you. Steven  
8 Lebling. No Steven Lebling. How about David  
9 Levine? No. David Brown? I know we have David  
10 Brown.

11                   MR. BROWN: Good evening, David Brown  
12 from Knopf and Brown. Back in the day, I used to  
13 read my sons a book that was a favorite of mine  
14 when I was a little boy, a Caldecott  
15 Award-winning book from the '40s called The  
16 Little House, by Virginia Lee Burton.

17                   It was a story about a house that  
18 started out in the country, but the city  
19 literally grew up around it, to the point where  
20 it was obvious from the pictures in the story  
21 that it was no longer compatible with its  
22 surroundings. I don't think Ms. Burton used the



1 word compatibility, but I got my planning and  
2 zoning training early. The reason I mention that  
3 book is because I am here today representing what  
4 amounts to the little house in the block right  
5 next to us here, west of us, between Edgemoor and  
6 Moreland, facing Arlington.

7 I represent Peter Manian at 7505  
8 Arlington, who owns the last remaining house R-60  
9 zoned on that block that has been in continuous  
10 use as a single-family residence since the Manian  
11 family bought it in 1937, over 75 years ago. The  
12 Manians recognize that things can't continue the  
13 same, and that they endorse the recommendation in  
14 the plan for CR rezoning for the property.

15 Although my client concurs with the testimony  
16 given earlier this afternoon that the appropriate  
17 CR zoning for that property is something that  
18 would permit an economically feasible mid-rise  
19 building.

20 I think also, as I've outlined in my  
21 written testimony, that also makes good sense not  
22 only from an economic perspective, but also from

1 a planning perspective, something like a  
2 five-story building that is set back to seven  
3 stories further back from the street is still  
4 going to be significantly lower than the  
5 buildings further east on that block just west of  
6 here.

7 We support the staff recommendation.  
8 We also support the testimony from this afternoon  
9 suggesting that the appropriate zoning would be  
10 something like a 4.0 FAR and a height of 75 feet.  
11 Thank you.

12 CHAIR ANDERSON: Thank you. Mr.  
13 Vasquez?

14 MR. VASQUEZ: Yes. Hi, my name is  
15 Alan Vasquez. I'm here on behalf of the Sussex  
16 House. I'm the president of Sussex House, it's a  
17 54-unit condo association with over 100  
18 residents. It's located on Battery Lane and  
19 adjacent to Battery Park. I want to thank the  
20 planning committee for its efforts in  
21 constructing a downtown plan for Bethesda's  
22 future. However, I want to express the Sussex

1 House's opposition to the proposed street that  
2 would run through Battery Park, connect Battery  
3 Lane to Norfolk Avenue.

4 We believe that not only would this  
5 proposed idea be a detriment to the Sussex House,  
6 but also to all residents of the Battery Park  
7 area, and strike against the goals of the  
8 Downtown Plan, as it intends to address. First,  
9 we need to discuss the uniqueness of Battery  
10 Park.

11 As noted in the preamble of the  
12 Downtown Plan, as we heard repeatedly tonight,  
13 one of the challenges that Bethesda faces is a  
14 lack of urban parks and green spaces. Currently,  
15 according to the Downtown Plan, there are only  
16 eight parks in Bethesda, representing a little  
17 over an acre of open space. Additionally, there  
18 are only six play areas. Therefore, the Sussex  
19 House argues that Battery Park is really the only  
20 park not associated with a school that combines  
21 both the open space and play areas for children  
22 and adults within walking distance of the Metros.

1 It also represents one of the few restful oases  
2 in Bethesda.

3 Second, we need to review some  
4 objectives of the Downtown Plan. In particular,  
5 the plan professes improving Bethesda's  
6 walkability and pedestrian corridors, putting  
7 more park and open spaces and environmental  
8 sustainability, including increasing our tree  
9 canopy. Thus, at first blush, the vision of the  
10 Downtown Plan should go hand in hand with  
11 improving the park. However, instead of going  
12 hand in hand, the plan to have a connector road  
13 is not only seen as a detriment to the community,  
14 but counterintuitive to the goals of the Downtown  
15 Plan.

16 While the plan states that it would  
17 not result in any net loss of park space, it  
18 would result in a functional loss. Despite  
19 statements otherwise, because of the space needed  
20 for a road, the proposed road would run right  
21 through the middle of an existing children's  
22 playground, parallel a heavily used basketball

1 court, and eliminate a current bike path/running  
2 path. Additionally, with cars traveling through  
3 Battery Park, not only would the street decrease  
4 the high quality of pedestrian use and bike use  
5 to NIH, it would also create a decrease in  
6 safety, as now cars would travel along an area  
7 where children and adults play.

8 Further, the proposed street would  
9 require the removal of trees, resulting in a  
10 decrease of the existing canopy. Moreover, it  
11 would eliminate -- lastly, I would suggest that  
12 this street would have little value to the  
13 residents of Battery Lane. In particular, fewer  
14 residents would remove their car from an existing  
15 parking spot to drive down Norfolk, just to look  
16 for parking in one of the garages in downtown  
17 Bethesda.

18 This road would provide zero return  
19 for residents of Battery Lane. Overall, I would  
20 suggest that the Planning Board eliminate the  
21 connector road from its plan. Thank you.

22 CHAIR ANDERSON: Thank you. Do we

1 have -- oh, you're Elizabeth Lebaron.

2 MS. LEBARRON: Yes.

3 CHAIR ANDERSON: Yes, very good.

4 MS. LEBARRON: First, I'd like to  
5 thank the Commission for giving us this  
6 opportunity to present opinions and testimony on  
7 behalf of residents. I am a resident 25 years of  
8 Bethesda. I live at the Whitehall Condominium.  
9 If you go to Page 125, you'll see that our  
10 complex is directly across the street, where the  
11 Norfolk Road extension is proposed to go.

12 I'm here on my own behalf, as a  
13 25-year resident, and also the parent of a teen,  
14 who has grown up using the park, and a park user  
15 myself. I oppose the proposed road along with  
16 about 12 of my fellow residents, who have  
17 patiently sat through this hearing to hear me  
18 speak and make their voices known, as well.

19 I'm not formally on the board of  
20 directors there. I'm simply speaking on my own  
21 behalf. I oppose the proposed road through the  
22 park for five reasons. Three of them address

1 quality of life, and two address the need for the  
2 road. First, as my colleague from the Sussex  
3 House has pointed out, the loss of mature trees  
4 are a great concern to us. Some of these trees  
5 are 40 feet tall and, as he pointed out, provide  
6 ample shade canopy for most of the park. I'm  
7 also very concerned about the negative  
8 environmental impact from additional carbon  
9 monoxide, oil runoff from cars, and lack of  
10 sufficient tree root systems to collect  
11 rainwater, as other people have addressed the  
12 global climate changes.

13 Third, I am very concerned about the  
14 loss of a green, quiet oasis. We did not collude  
15 before we came to this meeting, but that was the  
16 word that came to my mind, that there is a green  
17 space where people can rest, read, picnic, play  
18 with their children. It is truly a  
19 multi-generational use park. People also bring  
20 their dogs there.

21 The surface of the tennis court has  
22 become so poor that it can't be used for tennis

1 anymore, so dog owners come there, and parents  
2 bring their children on tricycles to watch them  
3 and play with dogs, etc. It is truly a well-used  
4 park. All hours of the day you will find people  
5 there of all ages. People walk from NIH to go to  
6 lunch in Bethesda, and they stroll through. They  
7 don't hurry through. They're not dodging  
8 traffic. The second pair of points, millennials  
9 are environmentally sensitive and want to walk or  
10 bike, rather than drive their cars. Fifth,  
11 Battery Lane is already a major thoroughfare for  
12 police and rescue services, and is also shared  
13 with busses, bicyclists and pedestrians,  
14 including young children walking to their school  
15 busses. I have witnessed people routinely flying  
16 past stopped school busses with a stop sign out,  
17 and adding a road would add to that confusion.  
18 Thank you again for your time.

19 CHAIR ANDERSON: Thank you. Mr. Hart.

20 MR. HART: Yes, good evening. My name  
21 is Eric Hart. Our family has been residents in  
22 Bethesda since 1956. I congratulate the Planning



1 staff on all of their hard work in preparing the  
2 draft plan that is before us.

3 We have watched, as a family, Bethesda  
4 grow as an urban center, and I appreciate the  
5 staff's attention to connectivity, including  
6 pedestrian, bicycle, automobile and mass transit.  
7 From an economic standpoint, I feel that for a  
8 growing urban center to be successful and vibrant  
9 that additional residential and office  
10 opportunities are essential to support the local  
11 businesses, restaurants, amenities and services  
12 that Bethesda provides us. All of these improve  
13 and build on the sense of community that our  
14 family has grown to love in the area and for all  
15 of Bethesda residents to enjoy. For these  
16 reasons, we strongly support the draft of the  
17 Bethesda Downtown Plan. Thank you.

18 CHAIR ANDERSON: Thank you. Okay, we  
19 now have, I think, our last panel. If I could  
20 get Jeb Donohoe, Ana Maria Mutter, Sandra  
21 Purohit, Patricia Haas and Howard Sokolove.

22 I don't have you, but come on up.

1                   SPEAKER: One of the guys you called  
2 is here now.

3                   CHAIR ANDERSON: Come on up. If I  
4 called your name, come up. If I didn't call your  
5 name, but you think you're signed up, please come  
6 here to the front row because we're just about at  
7 the final call here.

8                   SPEAKER: I was called earlier, I  
9 think.

10                  SPEAKER: You were.

11                  SPEAKER: You were.

12                  CHAIR ANDERSON: Come on up. I think  
13 we'll just go right to left. Ma'am?

14                  MS. PUROHIT: Good evening. My name  
15 is Sandra Purohit, and I live in Bethesda. I  
16 would like to present a petition on behalf of 470  
17 members of the Bethesda community, all of whom  
18 vehemently oppose the proposal to run a road  
19 through Battery Park, one of the last green  
20 spaces left in Bethesda proper.

21                               This issue matters to people in this  
22 community, and I urge you to read their comments,

1 including how a road will destroy the nature of  
2 the park, how it will create dangerous conditions  
3 for children and the elderly, how we should be  
4 adding green space, not fragmenting what little  
5 we have with roads. If you're looking for  
6 millennials, they're in Battery Park, and they  
7 don't want a road.

8 Over 100 of them signed our petition,  
9 and that's just based on those that added age. I  
10 understand that the plan calls for no net loss in  
11 the acreage of the park, but if acreage was all  
12 that mattered, then the grassy median that runs  
13 for hundreds of miles along I-95 would be one of  
14 the most popular parks on the East Coast. The  
15 reality is that roads seriously degrade the value  
16 of park space. A road through Battery Park means  
17 the opposite of tranquility, community and stress  
18 reduction that the plan describes as park goals.  
19 In short, we don't just need park acres, we need  
20 quality park acres. So I join my neighbors and  
21 strongly urge you to eliminate any proposal to  
22 ruin Battery Park by putting a road through it.

1           In regards to the rest of the plan,  
2           I'd like to stress that Bethesda is a progressive  
3           community, a community that believes in science  
4           and climate change. The people I met during this  
5           petition want to live in a place that reflects  
6           their progressive views, and this plan doesn't do  
7           that yet. Given the huge influx of people  
8           expected over the next 20 years, the plan will  
9           need much stronger mandates just to maintain the  
10          "poor to fair water quality," and the already  
11          high carbon footprint of the city.

12           In order to actually improve these  
13          conditions, the Board really need to push the  
14          envelope. While I strongly support the ecology  
15          and high-performance area goals of the plan,  
16          including efforts to address impervious services,  
17          better stormwater management through increased  
18          vegetation, and more energy and water-efficient  
19          buildings, I'm disheartened by the weakness of  
20          the language. Why are we asking for just minor  
21          improvements of the county mandates for LEED and  
22          stormwater treatment when we should be setting a

1 high bar that actually addresses our climate and  
2 water concerns? High-performance areas are a  
3 good start, but they just slightly exceed  
4 existing and proposed energy standards to levels  
5 that are already being achieved throughout the  
6 Washington region.

7 That's treading water, not making  
8 progress. In closing, I'd like to reiterate that  
9 there should be no road through Battery Park,  
10 that there should be substantially stronger  
11 climate, water and and energy-efficient mandates  
12 in the plan, so that over the next 20 years,  
13 Bethesda will actually reflect the values of the  
14 people who live, work, and recreate here. Thank  
15 you very much.

16 CHAIR ANDERSON: Thank you. You're up  
17 whenever you're ready.

18 MR. DONOHOE: Hi, my name is Jad  
19 Donohoe. I'm with the Donohoe Companies and come  
20 before you to speak about 7400 Wisconsin, also  
21 known as the former Bethesda Post Office, or  
22 formally known as Page 95, Circle 4. I'm here to

1 talk to you about maximum densities in the plan  
2 and suggestions for including the priority  
3 sending site concept. First, I wanted to  
4 mention, though, the one-way streets. We're  
5 excited by the Bethesda plan's emphasis on  
6 turning existing one-way streets around the core  
7 in Bethesda into two-way streets.

8 We think this is a good thing for  
9 building owners. We think it's a good thing for  
10 merchants, for pedestrians, and we think it's  
11 also going to be a good thing for drivers,  
12 particularly visitors, including some of the  
13 visitors here tonight, I'm sure, who had got  
14 caught on that long one-way, counter-clockwise  
15 circle.

16 Secondly, I wanted to mention maximum  
17 densities. The property, 7400 Wisconsin, sits  
18 directly atop the Metro. In fact, the Metro  
19 elevator is on our property, but we haven't  
20 received any increase in density in this plan,  
21 remaining at 8.0 FAR. The 8.0 limit in the CR  
22 zone is perhaps not appropriate for these few

1 blocks that are the very core of the core of  
2 Bethesda. Nothing sacred about the old 8.0 that  
3 was enshrined in the old CBD 3 zone. Lastly, I  
4 wanted to mention the priority sending site  
5 concept. Our property's designated as priority  
6 sending site. As one of the few developers who  
7 has, in the past, actually utilized this  
8 transferring density concept in the Woodmont  
9 Triangle area, we're more familiar with this than  
10 most.

11 It's our informed opinion that the  
12 incentives that are currently identified for the  
13 priority sending sites are insufficient to meet  
14 the goals that you've identified. There are ways  
15 to improve this program. One is a multiplier  
16 type of effect, where once that density is sent  
17 off, one square foot becomes three square foot on  
18 the receiving site, but only if it is actually  
19 sent off of the site.

20 Another option, or a further  
21 refinement could be that anyone who uses density  
22 from these priority sending sites would be

1 relieved of their requirement to purchase the  
2 BLTs, thereby preserving the down county sites,  
3 instead of an up county. Thank you for your  
4 time.

5 CHAIR ANDERSON: Thank you.

6 MS. MUTTER: Good evening. First of  
7 all, I have to say I am so glad to be in America,  
8 where everybody can be heard.

9 CHAIR ANDERSON: Actually, first of  
10 all, you have to tell us your name.

11 MS. MUTTER: My name, okay. Oh,  
12 what's my name? Okay, my name is Ana Maria  
13 Mutter, and I'm a resident of Bethesda for more  
14 than 40 years. I am a resident manager of  
15 Battery Gardens, but I am not representing  
16 Battery Gardens. I am as a concerned citizen. I  
17 want to talk about the park, to put a road  
18 through the park. That is not a good idea. I  
19 have seen the traffic in Battery Lane is  
20 tremendous.

21 I have a good friend who got killed.

22 He was a World War veteran, and he got killed



1 right down on Battery Lane. Three months ago,  
2 one of my tenants who says you have to stop. He  
3 got struck, and he got very hurt. What I'm  
4 saying is this. To have a road going through the  
5 park is not good. How the lady has say, it's a  
6 park which being utilized. Many people go over  
7 there because they enjoy it, and also it's good  
8 for the environment. I took some notes, but I  
9 don't need to say more than what I'm saying. Do  
10 not build the road through the park. I  
11 appreciate everybody's attention. I've been  
12 watching everybody, and everybody's pretty  
13 attentive what is being said. Thank you very  
14 much.

15 CHAIR ANDERSON: Thank you.

16 MR. KEADY: Thank you. My name is Tom  
17 Keady. I'm the president of the Bainbridge  
18 Companies. Our offices are located here in  
19 downtown Bethesda, actually across the street.  
20 Our company developed and owns Bainbridge  
21 Bethesda, which was a 17-story mixed-use  
22 apartment community in the Woodmont Triangle on

1 St. Elmo Avenue, which we completed last year.

2 Because of our belief in downtown  
3 Bethesda, we purchased, in 2012, the former Exxon  
4 property at Wisconsin Ave. and Montgomery Lane,  
5 actually directly across the street from Mr.  
6 Donohoe's post office property. On that  
7 property, we previously obtained a site plan  
8 approval under the previous CBD 2 zoning. During  
9 that process, the Planning staff, Planning Board,  
10 and others involved in the county believed that  
11 if we proceeded with that project under the prior  
12 site plan approval, we would be under-utilizing  
13 such a prominent and critical location, directly  
14 above the Metro and directly adjacent to the new  
15 Purple Line entrance, sitting between both of  
16 those Metro entrances.

17 We were encouraged to hold off on our  
18 construction and wait for the new Sector Plan to  
19 evolve, rather than under-utilizing the property  
20 at its current -- at the CBD 2 FAR. We're  
21 disappointed in the designation of FAR 6 under  
22 this proposed plan. The current site plan

1 approval we have actually is just over a 6.0 FAR,  
2 with the NPDU bonus, so the new zoning reflected  
3 in the plan actually does not increase our  
4 density.

5 It does give us additional height, but  
6 without additional density, we can't utilize the  
7 additional height. The proposed method of  
8 purchasing additional density to capitalize on  
9 that location just won't work. It's not going to  
10 work for us. It's not going to work for other  
11 properties. We don't really have an incentive to  
12 do anything other than develop our property under  
13 the previous approval we already have the way the  
14 plan is laid out now. In addition, the suggested  
15 right of way dedication through the BRT would  
16 increase the dedication we already had to make by  
17 an additional 14 feet, on a property that's only  
18 18,000 square feet currently. Again, it would  
19 further disincentivize us to develop under the  
20 new plan.

21 A property at this location, directly  
22 above Metro, directly adjacent to the new

1 proposed Purple Line and sitting there on  
2 Wisconsin Ave. at such a prominent location  
3 deserves, actually, the same 8.0 FAR and 290 feet  
4 height that Mr. Donohoe has on the post office  
5 property directly to the north of us, as well as  
6 the properties north on that side of Wisconsin.

7 We don't see any reason why this  
8 property doesn't have the 290 feet and 8.0 FAR  
9 recommended for other properties that are also  
10 above the Metro like ours. We delayed our  
11 project for two years hoping that we would get  
12 that kind of density, and we would encourage the  
13 Board. Thank you.

14 CHAIR ANDERSON: Thank you.

15 MS. HAAS: My name is Pat Haas. I  
16 have been a Bethesda resident for 36 years. I  
17 live in the Wingate Community, just inside the  
18 Beltway. I'm here to express my urgent support  
19 for preserving the Plaza at Bethesda Metro Center  
20 as a community space. I don't want this to be  
21 permanently lost, and I don't want a 200 or a  
22 290-foot high-rise to be built in this space that

1 would be much more attractive as green space, and  
2 much more useful.

3 With all the development that is  
4 happening in downtown Bethesda, I don't want the  
5 need to preserve and create spaces for the  
6 community to be overlooked. The Plaza was  
7 previously designated as community space, and it  
8 should remain community space going forward.  
9 Instead of getting rid of the Plaza, we should  
10 improve it into a more successful and inviting  
11 place.

12 We need to have places for festivals,  
13 instead of closing streets. We need to relax.  
14 We need to have an attractive Bethesda center.  
15 All of this is, very frankly, quite overdue. I  
16 understand the process of creating the guidelines  
17 for Bethesda's future we must balance many  
18 concerns, but one of the most effective and  
19 successful places for us to enjoy could be a  
20 gorgeous Bethesda Metro Center, a green space.  
21 We really need this. I think New York has more  
22 green space than Bethesda, and it's far more

1 attractive than what we have. Cities around the  
2 world have downtown parks to fill this need, and  
3 they are beloved by human beings, by their  
4 communities. Bethesda needs this kind of space,  
5 and unless you preserve the Metro Plaza as  
6 community space, the next generations will never  
7 be able to enjoy it. Thank you.

8 CHAIR ANDERSON: Thank you. Okay, if  
9 we could have anybody who has signed up, but has  
10 not yet been called, for whatever reason, please  
11 speak now, or forever hold your peace.

12 No, I'm sorry. We can't take  
13 additional speakers.

14 MS. PUROHIT: I know a lot of people  
15 that had signed our petition also wanted to  
16 speak, but had a really difficult time signing --

17 CHAIR ANDERSON: We've heard from 120  
18 people since 2 o'clock. There's only so much we  
19 can do.

20 MS. WRIGHT: We also wanted to mention  
21 that we didn't mention this evening, but we  
22 mentioned this morning is the record will be held

1 open for an additional week. If anyone has  
2 written testimony, they can submit that within  
3 the next week.

4 SPEAKER: Thank you.

5 CHAIR ANDERSON: And you can send an  
6 email. It doesn't have to be formal. There's no  
7 rules about that. Just write it down, email it,  
8 whatever's easiest.

9 SPEAKER: Okay, thank you.

10 MS. WARD: I'll keep this brief, since  
11 we are over time. I'm testifying as an  
12 individual, a former resident of Bethesda. When  
13 I was a post-doctoral fellow at NIH, when it came  
14 time to buy a house, I couldn't afford to live  
15 here, so I moved to north Bethesda, which is now  
16 just south of White Flint District. I'm here in  
17 support of the bikeways network in the plan. I  
18 was very involved in the testimony about bikeways  
19 in the White Flint plan, and I was actually quite  
20 disappointed in what was actually put into the  
21 plan.

22 They're now trying to do a little bit

1 more than is there, so I was really happy to see  
2 what you have in the plan, in terms of  
3 connectivity. That's really key to making it  
4 work. As Joe Allen spoke earlier for WABA  
5 Montgomery County Action Group, which I'm also a  
6 member of, we have these wonderful trails, the  
7 Bethesda Trolley Trail, which eventually will be  
8 a wonderful trail, and the Capital Crescent  
9 Trail, and we need to connect them.

10 I just want to share my personal story  
11 of about a year and a half ago, when I went to a  
12 meeting on the NIH campus. I actually don't work  
13 on the main campus, but I had a meeting down  
14 there, as I do occasionally. It was a beautiful  
15 December day. I decided to ride my bicycle. I  
16 live very close to Bethesda Trolley Trail. It's  
17 quite easy to get to the NIH campus. I had my  
18 meeting. Then I wanted to do a little Christmas  
19 shopping in downtown Bethesda at 10,000 Villages,  
20 one of my favorite stores. So I got on my  
21 bicycle, I got on the Trolley Trail, and then I  
22 looked at my Google Maps. I have an old version



1 that had bike lanes, and there was no way to  
2 really get there, so I found myself on Old  
3 Georgetown Road, then I found myself on Arlington  
4 Road, which was very scary at noontime on a busy  
5 December afternoon.

6 So I did not ride on the road. I rode  
7 on the sidewalk. As I learned later, by taking a  
8 WABA bicycling class, that wasn't a great idea  
9 because I went -- I stopped at an intersection.  
10 There were cars trying to get on to Arlington  
11 Road. A car was stopped at a stop sign. I went  
12 ahead in a crosswalk and the car pulled out and  
13 hit me. I had a fracture of my femur.

14 I was in a cast for six -- a brace for  
15 six weeks, all through the Christmas holidays. I  
16 never did finish that shopping. Again, it just  
17 illustrates to me the importance of connectivity  
18 and making that work. I'd just like to spend the  
19 last ten seconds talking about implementation.  
20 It's great to have those bikeways in the plan,  
21 but you need to implement them as early as  
22 possible when you are doing this development to

1 get people used to using bicycling as a safe and  
2 a low-stress way of getting around. Thank you.

3 SPEAKER: Ma'am, can we get your name  
4 for the record, please?

5 MS. WARD: I'm sorry. It's Mary Ward,  
6 and I am on the list on the website.

7 CHAIR ANDERSON: Who is well known to  
8 our Area 2 group (Simultaneous speaking). Before  
9 everybody leaves, I wanted to thank -- first of  
10 all, I want to thank everyone for coming. I want  
11 to say I really appreciate your cooperation on  
12 the three minutes. I'm sorry I had to be so  
13 rigid about cutting people off. I hope you  
14 understand that's what's gotten us to be able to  
15 get through 120 people in the time that we've had  
16 available.

17 We really do value your input. I know  
18 that's a very tight amount of time, so we  
19 encourage you very much to take advantage of the  
20 opportunity to send us an email or communicate  
21 with us in writing. I also want to tell you that  
22 everyone is free to come to the work sessions.

1 We will not have a formal signup process for  
2 speaking at the work sessions, but generally, if  
3 there's a specific topic that you want to talk  
4 about at one of the work sessions, which will be  
5 on our website at least a week or two weeks in  
6 advance, so you can see what the topic will be,  
7 you can come and we have a little bit more  
8 freedom to give you time to address some issues  
9 in more detail.

10 A lot of property owners and their  
11 lawyers take advantage of that because they know  
12 it's available, so I just want to let everybody  
13 know about it because you might not be aware that  
14 we generally have that flexibility. The other  
15 thing I want to say is I mentioned earlier that  
16 this is not the usual course of business. We  
17 usually are confined to Silver Spring, and we  
18 have to drag everybody to Silver Spring.

19 We were able to do that tonight only  
20 because all these staff people that you see  
21 around here has to bring all this equipment here.  
22 They had to test it. They're here until 10:00 at

1 night (Applause) be here until midnight breaking  
2 it all down, packing it up, and taking it back,  
3 so appreciate that round of applause for them.  
4 Thank you guys for staying so late and all the  
5 work you did to make this happen.

6 You can stream it pretty much right  
7 away by going to our website and you can replay  
8 it because you enjoyed it so much the first time.

9 (Simultaneous speaking.)

10 CHAIR ANDERSON: Thank you all for  
11 coming.

12 (Whereupon, the above-entitled matter  
13 went off the record at 9:55 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Bethesda Downtown Sector  
Plan Public Meeting

Before: Montgomery County Planning Board

Date: 06-24-15

Place: Bethesda, MD

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.



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Court Reporter

**NEAL R. GROSS**

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