

**LINOWES**  
**AND | BLOCHER LLP**  
 ATTORNEYS AT LAW

June 24, 2015

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**VIA EMAIL AND HAND DELIVERY**

Mr. Casey Anderson, Chair  
 and Members of the Planning Board  
 Montgomery County Planning Board  
 8787 Georgia Avenue  
 Silver Spring, Maryland 20910

Re: 4526 and 4530 Avondale Street, Bethesda, Maryland (the “Properties”) – Written  
 Testimony for 6/24/15 Planning Board Hearing on the Bethesda Downtown Plan (the  
 “Sector Plan”)

Dear Mr. Anderson and Members of the Planning Board:

On behalf of HP11 LLC (“HP11”), owners of the two properties referenced above, we are submitting this letter as our written testimony for the Montgomery County Planning Board’s (the “Planning Board”) June 24<sup>th</sup> public hearing on the Sector Plan (specifically, the Public Hearing Draft dated May 2015 – the “Public Hearing Draft”). The Public Hearing Draft locates the Properties in the Wisconsin Avenue District, seemingly recognizing them as part of the spine of downtown Bethesda, yet inexplicably recommends that they remain in the current R-10 zone (see Figure 3.01 on page 95 of the Public Hearing Draft). We believe that the Sector Plan should consider alternative zoning for such lots located just east of Wisconsin Avenue along the south side of Avondale Street, particularly the Properties and potentially ones adjacent to them, to allow the development of higher density multi-family mid-/high-rise projects. The Properties are located only two lots east of Wisconsin Avenue, less than 700 feet in walking distance from the Bethesda Metro Station, and are directly adjacent to the 200-foot tall Chevy Chase Bank towers to the south (which cast considerable shadows over the Properties during times of the day and create a sense of enclosure). Given these existing conditions, we believe that certain properties on Avondale Street that are nearer to Wisconsin Avenue provide a great opportunity to create higher density development than the current R-10 zoning permits and which the Public Hearing Draft does not propose to change.

With the County’s focus on centralizing the downtown core of Bethesda through increased heights and density, and further considering the height and density of The Whitney at Bethesda Theater (the existing multi-family development located just one block north of the Properties, which is zoned for up to 5 FAR and up to 90 feet in height), increasing the allowable height and density of properties located along Avondale Street closest to Wisconsin Avenue would allow redevelopment of these properties consistent with the immediate neighborhood and stated goals

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Mr. Casey Anderson, Chair  
and Members of the Planning Board  
June 24, 2015  
Page 2

of the County. Specifically, we believe that the Properties should be rezoned to CR with a density of 5 FAR and maximum building height of up to 120 feet.

Development of a 10- to 12-story residential building in place of the existing improvements on the Properties would not meaningfully change or extend north-leaning shadows or the characteristics of the neighborhood or Avondale Street, and would improve the opportunities for an increased level and quality of housing, including affordable housing, and public space. Certainly a higher density of all the properties between Avondale Street and Middleton Lane that are close to Wisconsin Avenue could also be considered during the County's deliberations; however, it is important to note that given the formidable existing improvements immediately to the south of the Properties and the existing configuration of roads, the Properties (perhaps in conjunction with other similar properties contiguous to the Properties) are likely limited to what is proposed in this letter because they cannot be joined with properties on the north side of Avondale Street. We believe that, for these reasons, increasing the permitted density and height of the Properties makes good planning and urban design sense on its own, regardless of the County's desire or enthusiasm for a larger canvas of increased density in this neighborhood.

We thank you for your consideration of these comments, and we look forward to continuing to work with you and Planning Staff on the Bethesda Downtown Plan.

Very truly yours,

**LINOWES AND BLOCHER LLP**



C. Robert Dalrymple



Heather Dlhopsky

cc: Ms. Leslye Howerton  
Mr. Robert Kronenberg  
Mr. John Avioli  
Mr. Davis Camalier



## Bethesda Arts & Entertainment District Written Testimony in Support of the Staff Draft of the Bethesda Downtown Plan

### **Bethesda Downtown Plan**

The Bethesda Arts & Entertainment District ("Bethesda A&E"), the 501(c)(3) corporation whose mission it is to "create and implement arts and entertainment projects that contribute to the artistic, cultural and economic growth of downtown Bethesda," supports the recommendations and guidelines in the Staff Draft Bethesda Downtown Plan. We greatly appreciate the inclusion of the arts as a significant part of this Plan as written in the support of the A&E District's priorities on page 22. The arts play a significant role in the success of our downtown and greatly contribute to making Bethesda an economically viable area by attracting thousands of patrons to our live theatres, art galleries, special events and more. These patrons also eat in our restaurants, shop in our many retailer stores and park in Montgomery County garages. The arts provide economic stability to downtown Bethesda and again, we greatly appreciate the Staff recognition of this in the Plan, such as on page 8 with the recognition that arts and entertainment are factors to "catalyze economic development in the Downtown."

The 1994 Bethesda CBD Sector Plan called for a "Cultural District" in downtown Bethesda and we feel that the Bethesda Urban Partnership and the Bethesda Arts & Entertainment District have succeeded in creating effective programs that celebrate regional artists, attract patrons to Bethesda and provide entertainment options for local residents. We appreciate the recognition in the Staff Draft to "continue to support Bethesda as an art and cultural destination" (page 70), and request that the Planning Board support the continued efforts of the Bethesda A&E District.

### **Bethesda Arts & Entertainment District**

After receiving the Maryland state Arts & Entertainment designation in 2002, the Bethesda Urban Partnership and Bethesda Arts & Entertainment District created many new programs such as the Bethesda Art Walk, The Trawick Prize, Play in a Day, Bethesda Fine Arts Festival and the Bethesda Painting Awards to name a few.

### **Recent Bethesda A&E District Initiatives**

Within the last three years, we created "**Tunnel Vision**" which added public art to the Metro pedestrian tunnel under Wisconsin Avenue and features the artwork of 12 local artists.

**Gallery B** opened in 2011 and features rotating monthly exhibitions featuring the work of local artists as well as The Trawick Prize: Bethesda Contemporary Art Awards and Bethesda Painting Awards exhibitions.

**Studio B** opened in 2014 and provides studio space to four individual artists who create their artwork within the A&E District and also have retail gallery hours for patrons to view and purchase their artwork.

Additionally, we also created the **Bethesda Film Fest** in 2013 which honors the work of local documentary filmmakers with three screenings of their films selected by a panel of industry judges.

Our newest program is the **Bernard/Ebb Songwriting Awards** which began in March 2015 and honors the region's top songwriter with a \$10,000 prize and a live concert of the competing finalists at the Bethesda Blues & Jazz Club. A young songwriter under the age of 18 is also recognized with \$2,500. The Bernard/Ebb Songwriting Awards was created by Cathy Bernard in honor of her uncle Fred Ebb, a Tony, Emmy and Grammy award-winning songwriter.

We have also initiated a **Public Arts Award** program and have honored three local building owners, David Goldberg, Lenny Greenberg and The Donohoe Companies for their efforts in adding public art to our downtown beyond their public amenity requirements. This is an annual award.

### **Future Projects for the Bethesda Arts & Entertainment District**

These new programs have been great additions to downtown Bethesda, but there is still more to do!

As noted in the Woodmont Triangle Amendment to the Bethesda CBD Plan in 2006, Bethesda needs a **community theatre** for local theatre, dance and choral companies to have a place to perform within our downtown and we appreciate the continued Staff acknowledgement and support of this need on page 89 of the Plan, and the proposed identification of such space as a major public facility resource (if a non-profit and/or public owned/managed facility).

The Staff Draft recommends encouraging opportunities to "integrate public art throughout the downtown areas" (page 70), and the new Bethesda A&E initiative "**Paint the Town**" is consistent with the Staff's integration of public art and placemaking goals. "Paint the Town" is a public mural program to connect mural artists with local developers so that there is additional public art in downtown Bethesda, particularly on blank building walls.

We are also working on a **sculpture program** that will place large sculptural B's throughout downtown Bethesda and in front of various arts venues such as The Writer's Center, Round House Theatre and Imagination Stage to further promote the arts in Bethesda. This project will place 15-20 B's throughout Bethesda that will be designed and painted by different artists thus providing another opportunity for local artists, and adding more public art and recognition to arts venues in Bethesda. We are still in the process of raising funds for this initiative as well as future programs to ensure that the Bethesda A&E District is a premier example of an arts destination complete with visual and performing arts initiatives.

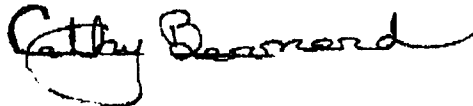
We greatly appreciate the opportunity to **fund these Bethesda A&E initiatives** from financial support of new developments or existing buildings that want to make updates to their current projects. We had the opportunity create a win-win with Brookfield Properties when they built-out our Studio B art studio and provided two five-year leases in exchange for decommissioning public art that was 30 years old. They also provided improved LED lighting for the Metro Pedestrian Tunnel which also showcases the "Tunnel Vision" exhibit. This success with Studio B was accomplished through staff and developer coordination with BUP and A&E; therefore, we want to reiterate our request made in the June 2014 A&E letter to Staff (attached) to require A&E input for public art in CR zone projects in A&E Districts (not County Arts Commission that may not be familiar with initiatives and priorities).



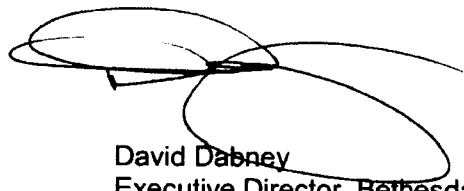
The language on pages 23 and 89 in the Bethesda Downtown Plan support “zoning incentives for facilitating arts improvements” and project amendments in exchange for contributions to the Bethesda Arts & Entertainment District. These recommendations should significantly help us complete newly proposed projects with this additional support and we request the Planning Board’s continued support of such collaboration of developments with Bethesda A&E. We will continue to update and publish our initiatives to provide a current resource for existing and new developments for collaboration on placemaking and creating vibrancy in the Downtown.

Our goal, and the goal of the Bethesda Urban Partnership’s Strategic Plan is to ensure that Bethesda has a vibrant Arts & Entertainment District that attracts artists, arts patrons and arts organizations. A flourishing arts and entertainment district will provide economic development to all of downtown Bethesda. We thank the Staff for the recognition of the importance of the arts in the Bethesda Downtown Plan and incorporation of our requested recommendations from conversations and our letter dated June 5, 2014 (attached for reference and specifics) and request that the Planning Board similarly support Bethesda A&E in its recommendations for the Bethesda Downtown Plan.

Thank you.



Cathy Bernard  
President, Bethesda Arts & Entertainment District



David Dabney  
Executive Director, Bethesda Urban  
Partnership, Inc.

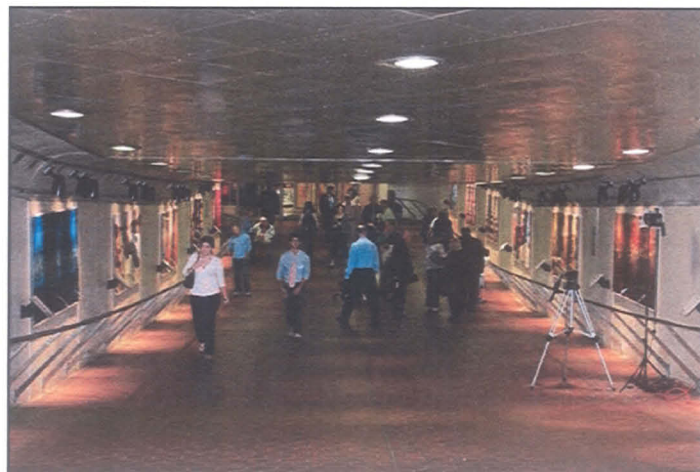
**ATTACHMENTS**

Photo pages detailing recent and future A&E initiatives  
June 5, 2014 letter to Park & Planning

## **“Tunnel Vision” Before**



## **“Tunnel Vision” After – Completed May 2012**



## Sculptural B

**B Sculpture with Arts & Entertainment District Board member, Mark Kramer, who designed and fabricated the mock-up.**





## Studio B Before



## Studio B After – Opened January 2014



## **“Paint the Town”**



**Rugby Avenue, Bethesda, MD**

According to Chris Bruch of Donohoe (building owner),  
*“Blank walls make great canvasses for local artists to showcase their talent. Artwork and murals enliven the area and make Bethesda recognizable as a cultural community.”*



**Building owner, Lenny Greenberg, receives the A&E District's Public Art Award from Board member, Jane Fairweather in 2014.**





June 5, 2014

Elza Hisel-McCoy, Assoc. AIA, LEED-AP  
Planner Coordinator, Area One  
Montgomery County Planning Department  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

**Re: Bethesda Downtown Plan**

Dear Mr. Hisel-McCoy:

As the Chair of the Board of Directors for the Bethesda Arts & Entertainment District (the "Bethesda A&E District"), I am pleased to present the attached recommendations for Planning Staff to consider in the formation of recommendations for the Bethesda Downtown Plan.

As background, the State of Maryland first designated downtown Bethesda as the Bethesda A&E District on July 1, 2002, and made a re-designation in 2012. The Bethesda A&E District is run by the Bethesda A&E District, Inc., a 501(c)(3) non-profit organization that is managed by the Bethesda Urban Partnership ("BUP") who works with the Board of Directors and advisory committees of artists and art business representatives to improve upon the arts representation and initiatives in downtown Bethesda and present ideas for future artistic endeavors.

The Maryland Department of Economic Development awarded the Bethesda A&E District with an Outstanding Achievement Award in 2012. Officials from the Maryland State Arts Council have recognized the success of the Bethesda A&E to entice its sizeable downtown workforce to "stay and play" in the area after work and capitalize on the unique cultural and economic landscape of the area. The latest initiatives of the Bethesda A&E include the Tunnel Vision Project, Gallery B, Studio B, and the Bethesda Film Festival.

The importance of creating and enhancing the Bethesda A&E District was recognized in the 1994 Bethesda CBD Sector Plan and the 2006 Woodmont Triangle Amendment, and we are hopeful that Planning Staff will continue to support the Bethesda A&E District in its recommendations for the Bethesda Downtown Plan. Similar to the formation of the Bethesda A&E District and specific facilities such as Round House Theatre and the Studio B art studio space that were recommended in previous Sector Plans for Bethesda, the attached list includes recommendations for general and specific arts and entertainment improvements (the "what")

The Bethesda Arts and Entertainment District is managed by the Bethesda Urban Partnership, Inc.

and some tools to implement the recommendation and encourage improvements in the Bethesda A&E District (the "how"). We have also attached images to reflect some of the ongoing and potential Bethesda A&E initiatives and priorities.

Thank you for your consideration of the recommendations of the Bethesda A&E District.

Very truly yours,

A handwritten signature in dark ink, appearing to be "J. Morenoff", written in a cursive style.

Jerry Morenoff

Enclosures

cc: Robert Kronenberg, Chief, Area One, Montgomery County Planning Department  
Andy O'Hare, Chair, Bethesda Urban Partnership, Inc.  
Dave Dabney, Executive Director, Bethesda Urban Partnership, Inc.  
Stephanie Coppola, Bethesda Urban Partnership, Inc.

## **Bethesda A&E Recommendations for Bethesda Downtown Plan**

The Bethesda Downtown Plan should support all public and private sector arts and entertainment forms (film, visual arts, theatre, dance, music, literature/poetry) and venues within the A&E District to appeal to diverse audiences and help stimulate economic development.

What: Support the priorities of the A&E District as identified (and updated) by the A&E Board, such as:

1. The Bethesda Urban Partnership (BUP) and its management of the A&E District, promotion of arts initiatives, and its collaboration with the private sector to create cultural events and exciting festivals for the community.
2. A flexible community theatre/stage space (known as a “black box”) of approximately 5,000sf (can be below grade- with street entrance) with potential for 200-250 seats. Identify as a “major public facility” resource for CR zone if nonprofit and/or public owned/managed facility.
3. Incorporate potential arts facility or improvements to public/private redevelopment, such as parking lots and garages (identify as a “major public facility” resource for CR zone).
4. A&E District wide branding –such as flags, signage, pavement markings - to identify the district and highlight arts and entertainment locations.
5. Improvements to existing infrastructure and public facilities–arts to improve blank walls and buildings.
6. Improvements to existing public spaces and arts amenities consistent with priorities of A&E District, including potential arts installations (which may be temporary).

How: Tools to implement and encourage the Arts and Entertainment–

1. Adequate budget for BUP to sustain its management role with the A&E District and its promotion of Arts and Entertainment activities and events in the A&E District.
2. Walkability in A&E District –provide streetscape improvements and allow flexibility for arts within pavement and public right-of-way (facilitate process and acceptance of maintenance agreements).
3. Recommend A&E tax credits for more than just creation of new arts studio space and include all publicly accessible arts and entertainment improvements.



4. Encourage developer and Planning Board consultation with BUP/A&E for public arts amenities for projects on priorities, feasible implementation, maintenance, etc.
5. Provide zoning incentives for facilitating arts improvements:
  - 1) In the CR zone, in an A&E District, allow for the A&E District Board to review and/or accept new public art improvements or payments, instead of Countywide Public Arts Trust Steering Committee. (Zoning Rewrite § 4.7.3.E.5).
  - 2) In the CR zone, in an A&E District, allow for more points (up to 20 instead of 15) for public art that is recommended in a Master Plan or by the A&E Board as a priority project, and allow for up to 25 points for provision of a recommended off-site public art or payment accepted by the A&E for an identified A&E priority (more points for payment since not in project).
  - 3) In the CR zone, in an A&E District, exclude the area of an on-site public arts facility or space (accepted by the A&E and/or identified as a priority A&E project in Master Plan or by A&E District Board) from the calculation of FAR, and allow for additional building height to accommodate such space. For an on-site public arts facility that is below grade, allow the project to add the area to the buildable FAR calculation.
  - 4) For CBD Optional Method project amendments to existing developments, encourage and support revitalization, replacement and/or relocation of existing public art and/or support a payment accepted by the A&E District for a public A&E initiative that is recommended in a Master Plan or by the A&E Board as a priority project.
  - 5) For CBD Optional Method project amendments to existing developments, support/continue to allow the exclusion of FAR of the area of an on-site public arts facility or space (accepted by the A&E and/or identified as a priority A&E project in Master Plan or by A&E District Board). For an on-site public arts facility that is below grade, allow the project to add the area to the buildable FAR calculation.
  - 6) Support the exclusion of any on-site public arts facility or space in and A&E District from the calculation of development impact taxes, transportation management district fees or similar taxes and fees.

**Bethesda Urban Partnership and  
Bethesda Arts & Entertainment District-produced  
Cultural Events, Festivals and Art Venues**



**Flexible Community Theatre/Stage (Black Box Theatre)**

Montgomery County has more than 200 local dance, choral and theatre companies that do not have a permanent performance space and would be suitable to rent a community theatre for weeknight and weekend performances available to the public.



Discussion with filmmakers after Bethesda Film Fest screening.



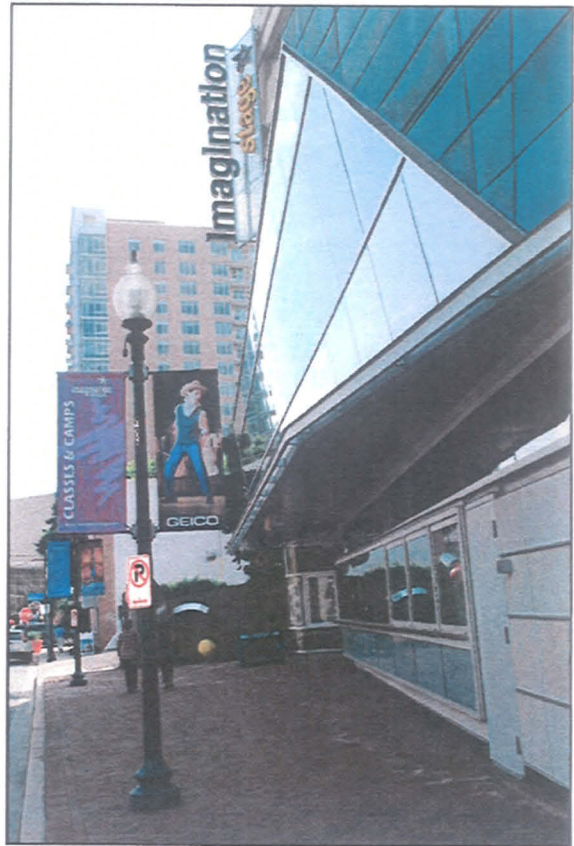
Play in a Day actors during rehearsal.



## A&E District Branding



Model of a concept for  
Bethesda A&E branding.

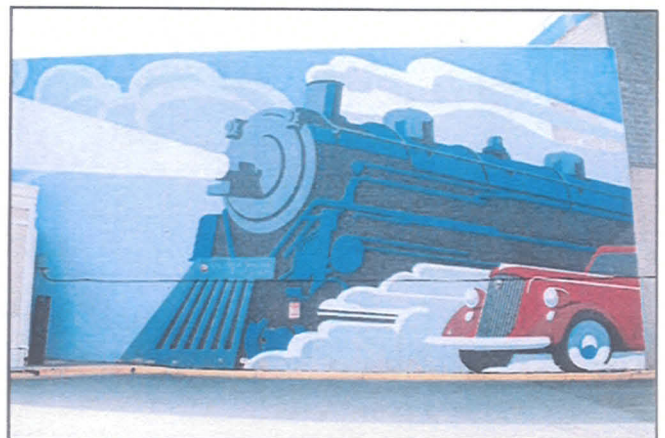


Street lights with banners provide additional  
branding opportunities for the  
Bethesda A&E District.

## Public Art to Improve Blank Walls and Buildings



Trompe l'oeil painting at Pizzeria da Marco  
on Woodmont Avenue.



Outdoor mural at 4810 Bethesda Avenue.

## Improvements to Existing Public Spaces and Arts Amenities



**“Tunnel Vision” features the artwork of 12 regional artists in the Metro pedestrian that runs under Wisconsin Avenue.**

## Studio B



**Studio B opened in January 2014 and features three studios where individual artists create their original artwork.**



**David W Sears, Chair, Montgomery County group of Sierra Club  
Testimony to Planning Board re: Bethesda Master Plan**

My name is Dave Sears. I'm chair of the Montgomery County Sierra Club group. I am here tonight representing our 5000 members.

The environmental concerns of the Sierra Club that are germane to the Bethesda Plan include energy efficient buildings, a green approach to stormwater management, increased walkability and bikability, less focus on parking spaces, easy connectivity among transportation modes (including walking, biking, Metro, Purple Line and BRT), and affordable housing. In most respects, we believe the plan does a good job of handling these concerns. For that, we commend you.

The exception, however, is affordable housing.

We are disappointed, but not surprised, by the plan's lackluster attention to affordable housing. Across the nation, affordable housing is the component of Smart Growth that is the hardest to put in place and the easiest to let slide. That is all the more reason that the Bethesda plan must do a better job of emphasizing the importance of affordable housing as a critical piece of the future Bethesda.

The future Bethesda that we are looking for is an attractive higher density mixed use mixed income walkable transit-served community. We should not short-change the mixed income aspect.

Let me back up for a moment and explain how the Sierra Club has arrived at this view.

In recent years, the Sierra Club has grown increasingly concerned about the effects of climate change upon the planet.

One critical component of our overall strategy to address climate change is to encourage Smart Growth.

How does affordable housing come into this picture?

In brief, recent studies show that the best affordable housing investment is near transit and the best housing investment near transit is affordable housing.

That is, residents of affordable housing who live near transit use the transit at a higher rate – and drive less – than affordable housing residents who live farther from transit stations.

And, residents of affordable housing who live near transit use the transit at a higher rate – and drive less – than higher income residents who live near transit.

Thus, if we going to use the Bethesda Master Plan to design an even more attractive higher density neighborhood – with walkability and transit access for more folks, the environmentally smart way to do this is to substantially increase the absolute number of affordable housing units – and the percentage of total housing units which are affordable. Those residents are going to drive less and use transit more than their more affluent neighbors – a boon to transit ridership and to addressing climate change.

In sum, the Bethesda Plan must place a greater emphasis on affordable housing – that is a critical ingredient for a successful future Bethesda.



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[JSKLINE@MMCANBY.COM](mailto:JSKLINE@MMCANBY.COM)

June 24, 2015

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

RE: Bethesda Downtown Plan,  
 May, 2015 Staff Draft;  
 Testimony on Bradley Boulevard Shopping Center;  
 "Arlington South District"

Dear Chairman Anderson and Members of the Planning Board,

I am submitting this letter in conjunction with my testimony on the Bethesda Downtown Plan on behalf of the owners of the Bradley Boulevard Shopping Center located in the northwest quadrant of the intersection of Arlington Road and Bradley Boulevard.

The Bradley Boulevard Shopping Center is a 3.13 acre parcel of land which is developed today as a strip shopping center containing almost 51,000 square feet of stores that provide neighborhood-serving retail services for the area including such community favorites as Strosnider's Hardware store and the Bradley Beer & Wine store with delicatessen service. A copy of a tax plate map is attached with the Shopping Center property outlined in blue. Also attached is an aerial photograph of the area with the Shopping Center marked in the center of the photograph and surrounding uses identified.

The Shopping Center property was originally zoned in the C-2 zone, subject to the overlay zone for the Arlington Road district (Section 59-C-18.12) until October 31, 2014 when it was comprehensively rezoned. The Staff Draft of the Plan recommends that the property be rezoned to the **CRT 0.75, C-0.75, R-0.5, H-70 zone**.

The owners intend to maintain the current shopping center in its present form into the foreseeable future providing that retail demand remains strong. They also intend to retain the neighborhood orientation of their leasing program. It is when the current leases end and redevelopment is appropriate that the owners have asked me to address in this letter.

The owners have sought advice from respected mixed use designers and have been advised that an appropriate redevelopment model for their property would be retention of ground floor retail uses, the market with which the owners are most familiar, topped by multiple floors of multi-family residential dwelling units. The question that the Staff Draft's modest recommendation for zoning on the subject property (CRT 0.75, C-0.75, R-0.5, H-70) raises is what is the proper redevelopment density for their land?

The owners were surprised, and disappointed, that the Staff Draft recommended only a total of 0.75 FAR redevelopment potential for their property. Such zoning essentially allows only one floor of residential development over the existing 50,646 square foot shopping center footprint. For both economic and design reasons, no property owner is likely to redevelop their property solely to add a single floor of residential development over ground floor retail uses.

The owners understand that they are located at the southwestern edge of the planning area boundary and sensitivity to residential uses to the west is necessary when considering an appropriate density for the Shopping Center. However, the Shopping Center property is adjoined on the west by land zoned R-10 which allows **43.5** dwelling units per acre (effectively a 1.0 FAR density) **and no height limit**. Furthermore, detached residential uses are located at least 425 feet (and as much as 558 feet) from the Shopping Center's property line. (See the attached annotated aerial photograph).

In summary, the owners believe that the Staff Draft's recommendations are too "modest" in the densities that they recommend for the Shopping Center property and, in effect, perpetuate the limitations contained in the highly restrictive Arlington Road overlay zone. Given its location, the Shopping Center can accommodate greater density without an adverse effect on surrounding residential development. The owners would particularly like to see the FAR recommendations for residential increased to be more in keeping with the multi-family residential component which they hope to someday integrate into their existing development. Therefore, the owners request that zoning of **CRT 1.25, C-1.0, R-1.0, H-70** be placed on their property.

Thank you for your consideration of these comments on behalf of the owners of the Bradley Boulevard Shopping Center.

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in dark ink that reads "JODY KLINE". The signature is written in a bold, slightly slanted, sans-serif style. There is a horizontal line above the first few letters of the first name.

Jody S. Kline

JSK/sf

CC: Leslye Howerton  
Robert Kronenberg  
Marc DeOcampo



Montgomery County

District: **07** Account Number: **00446014**

[New Search \(http://sdat.resiusa.org/RealProperty/\)](http://sdat.resiusa.org/RealProperty/)







GIANT GROCERY STORE

BETHESDA  
AVENUE/BETHESDA  
ROW SHOPS

LOT 31 DEVELOPMENT

OLD POST OFFICE  
REDEVELOPMENT  
(MULTIFAMILY)

SUBJECT PROPERTY

THE FIELDS GARDEN  
APARTMENTS (3-STORY)

NEW SAFEWAY GROCERY  
STORE



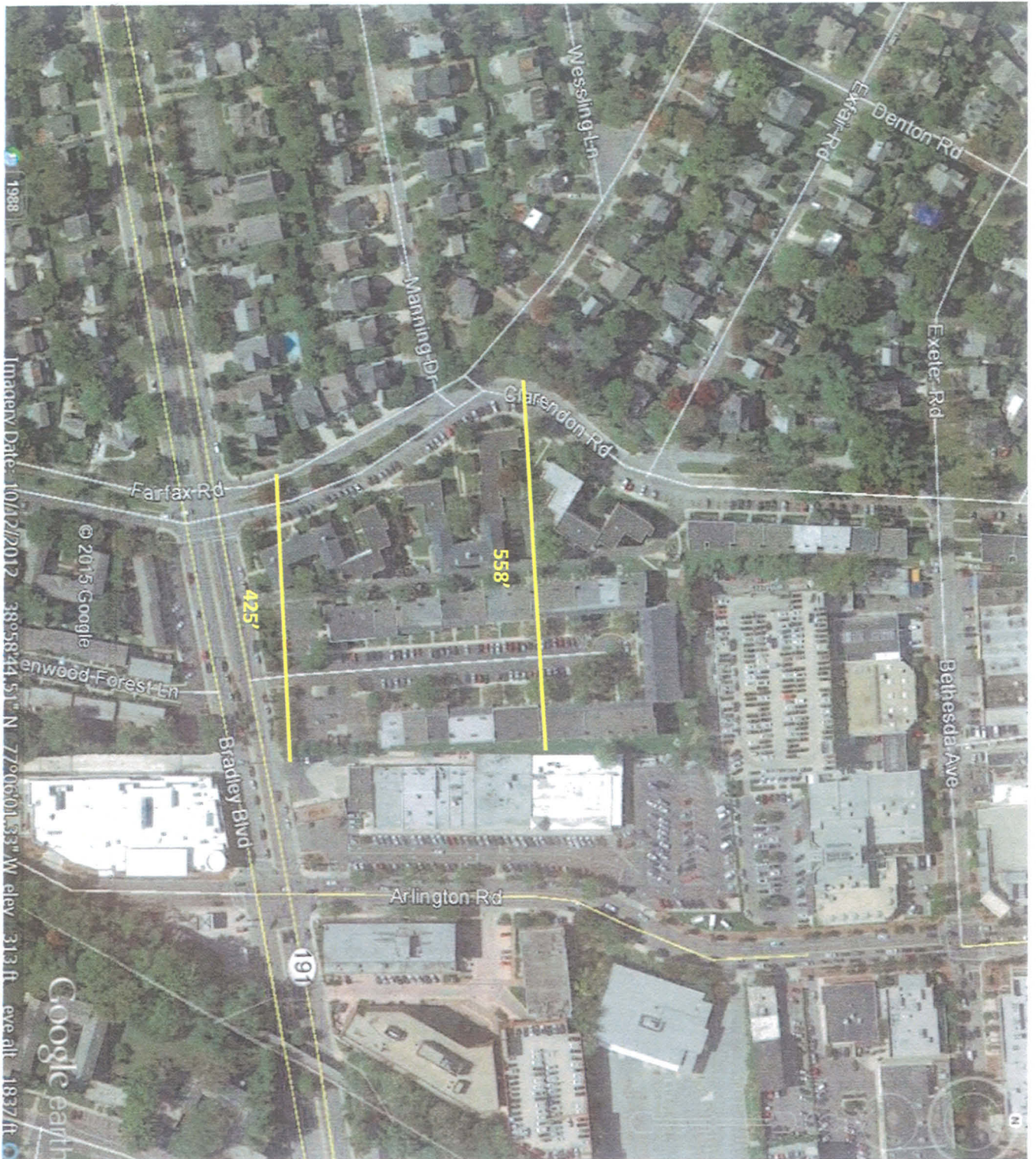
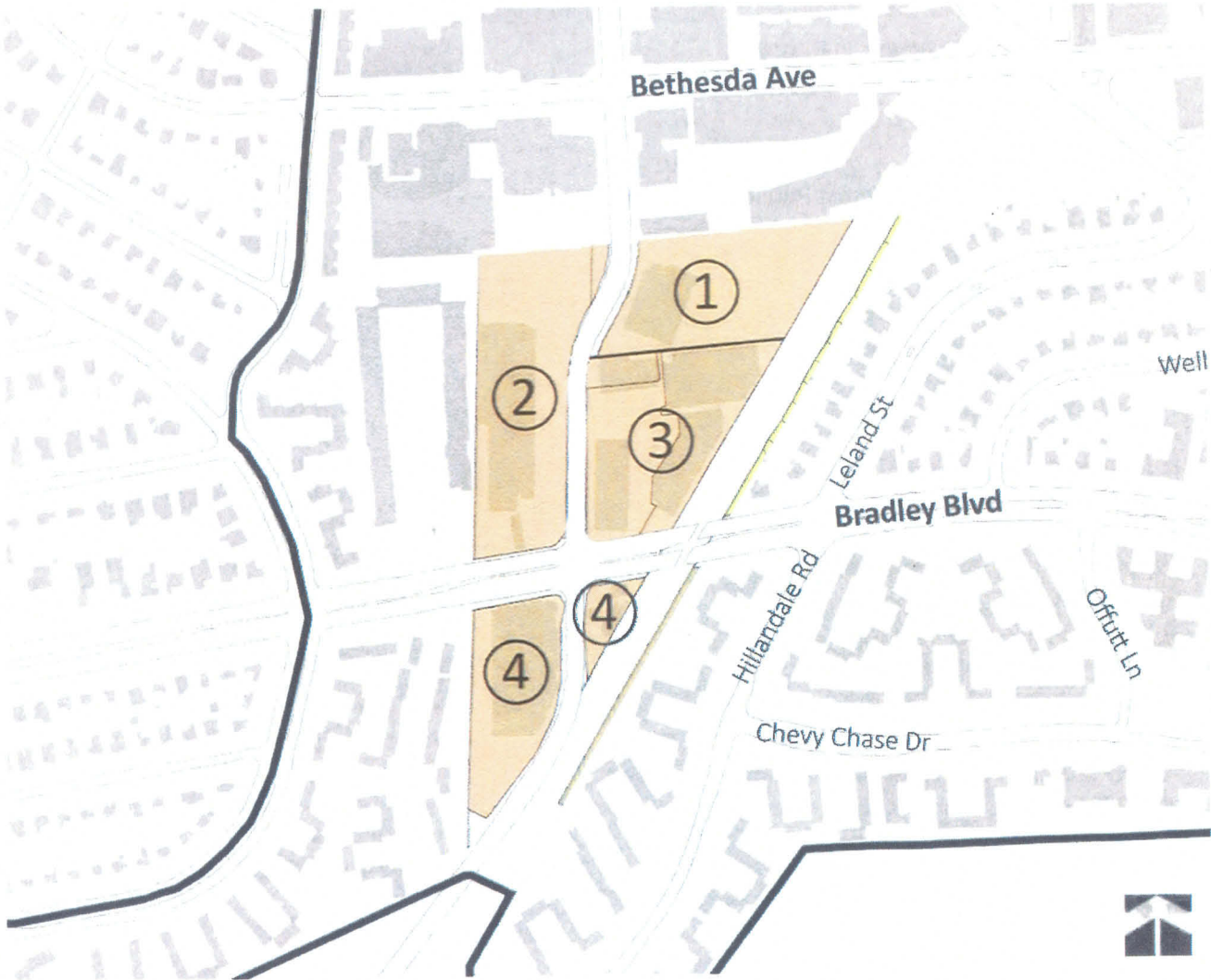


Figure 3.09: Arlington South District Recommended Zoning



- Sector Plan Boundary
- ① CRT 2.0, C-0.5, R-2.0, H-70
  - ② CRT 0.75, C-0.75, R-0.5, H-70
  - ③ CRT 2.75, C-1.75, R-1.0, H-70
  - ④ CRT 0.75, C-0.75, R-0.5, H-45



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June 24, 2015

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

RE: Bethesda Downtown Plan,  
May, 2015 Staff Draft;  
Testimony of East-West Highway Property Owners Group,  
"Pearl District"

Dear Chairman Anderson and Members of the Planning Board,

I am writing this letter on behalf of four property owners who have banded together under the name "East-West Highway Property Owners Group" for the purposes of planning and advocacy for their properties in the Bethesda Downtown Plan. The location of the four properties is shown on the attached aerial photo with the clients' properties shaded in light red (adjacent to the parking lot for Our Lady of Lourdes Church). You will note that the East-West Highway Property Owners Group controls all of the land on the north side of East-West Highway between the private institutional use of Our Lady of Lourdes Catholic Church and the public institutional use of Bethesda-Chevy Chase High School. In essence, the property owners control a substantial portion of the block, and all of the frontage on East-West Highway, between Pearl Street and B-CC High School.

The East-West Highway Property Owners Group have been active participants in the formulation of ideas for the "Pearl District". Our clients support the concepts regarding the Pearl District found on pages 108-110 of the Staff Draft Master Plan.

On the other hand, our clients had anticipated that the implementation of the Plan's goals for the "Pearl District" would be accomplished through more generous zoning recommendations than are found in the Staff Draft. In particular, all of our clients properties are recommended for the CR 2.0, C-0.5, R-2.0, H-120 zone (see page 111 of the Staff Draft plan). For that reason, our clients have asked me to write and explain why the East-West Highway Property Owners Group

feel that the following points should be considered in the Planning Board's deliberation regarding the recommendations contained in the Staff Draft.

1. CR 2.0 FAR is inadequate zoning for this assemblage of properties.
  - a) Our clients consulted the respected design firm of Perkins Eastman to obtain recommendations for form, scale and mix of development on their combined properties. The expert designers at Perkins Eastman concluded that the property should be developed with a mix of office, retail and residential uses at a densities in the range of 3.0+ FAR. A "massing drawing" prepared by Perkins Eastman is attached showing how the existing buildings on our clients respective properties could be removed and replaced with mixed-use buildings and residential structures in order to further the goals of the Master Plan while generating a reasonable revenue stream for the property owners.
  - b) Our clients understand that their property is located adjacent to single family detached zoning and single family residences. However, those residences are located substantial distances to the north and the activity level contemplated to occur on the office/retail components of our clients' property will be less dramatic than occurs currently on the B-CC High School campus. If the Planning Board feels that the northern portions of our clients' property, that abuts single family detached zoning, should exhibit more "transition" to the residential uses to the north, the Planning Board could consider "split zoning" for our clients' property so that the greatest density could occur along the East-West Highway frontage and development at the rear (or northern sector) of the properties would "step down" in a manner compatible with the scale of development to the north.
  - c) Our clients request that the Planning Board consider bestowing FAR greater than 2.0 on our clients' properties for the reasons set forth above. Alternatively, our clients suggest that there be two "bands" of zoning on their property, one adjacent to East-West Highway at CR 4.0 and that the northern portions of the properties be given zoning of CR 2.0. The attached sketch from Perkins Eastman is representative of what the clients wish to achieve on their combined properties and this sketch demonstrates how these properties could be developed with such a zoning configuration.
2. A commercial FAR of greater than 0.5 is appropriate for the subject properties.
  - a) All of our clients own and occupy offices located on each of their properties. It is the desire of at least two of the property owners, through redevelopment, to continue to use and even expand the amount of office space that is present today.
  - b) Our clients' vision for the redevelopment potential of their combined properties may be different than other property owners in the Downtown planning area, our clients view residential development as



adding "energy" to the "Pearl District and as a value enhancing factor that allows them to retain and even expand their existing envelope of office space including retail uses supportive of the goals of the "Pearl District", rather than opting for residential development because the office market is so weak.

3. Neighborhood park designation

Our client notes the asterisk on the northern portion of its lot as shown on Figure 3.08 ("Pearl District Public Realm Improvements") reading Potential open space (location TBD)" The drawing on page 75 of the Staff Draft Plan (Figure 2.22; "Urban Parks Hierarchy") labels such a green area as a "neighborhood green." Text on page 112 describes the intended purpose of the "neighborhood green". Creating a "neighborhood green" from our clients' property in order to benefit B-CC High School and Our Lady of Lourdes Church is contrary to the vision of our clients who are trying to focus on making the "Pearl District" an energetic urban activity area. The location for a "neighborhood green" as shown on the Staff Draft Master Plan will reduce our client's buildable area and will not serve to enhance their combined redevelopment. Our clients would rather, through the development review process, create an urban node at the intersection of Pearl Street and East-West Highway that would be more in the nature of an "Central Civic Green" as an alternative form of park space identified in the Plan.

In conclusion, the East-West Highway Property Owners Group appreciate the attention that the Plan gives to the potential for the "Pearl District." Our clients do ask however that the zoning to be placed on their property be more representative of what they feel is necessary to make the Pearl District a reality.

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in dark ink that reads "Jody Kline". The signature is written in a cursive, slightly stylized font. The first name "Jody" is written with a large, looped 'J'. The last name "Kline" is written with a large, looped 'K' and a trailing flourish.

Jody S. Kline

JSK/sf

CC: Leslye Howerton  
Robert Kronenberg  
Marc DeOcampo







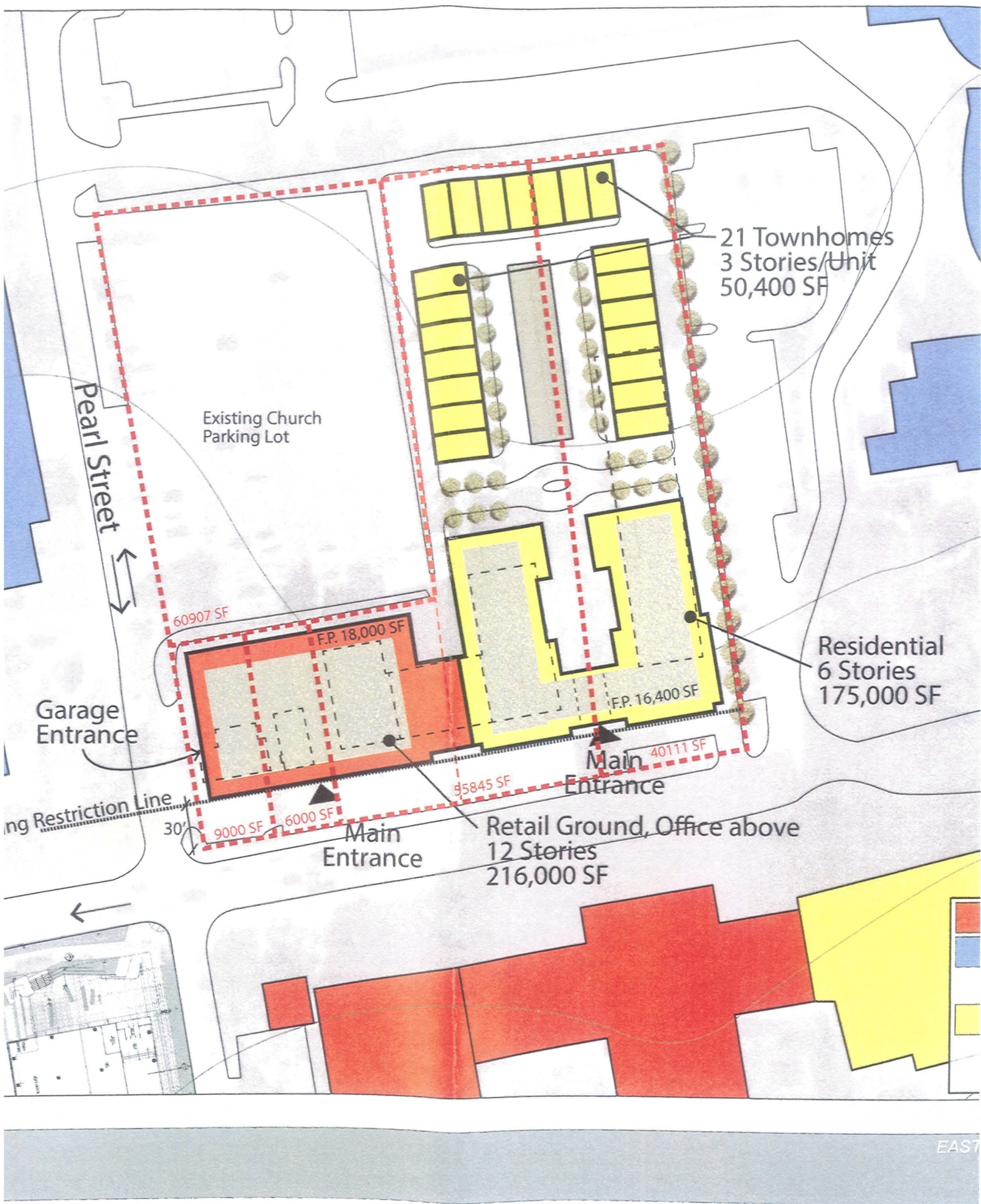
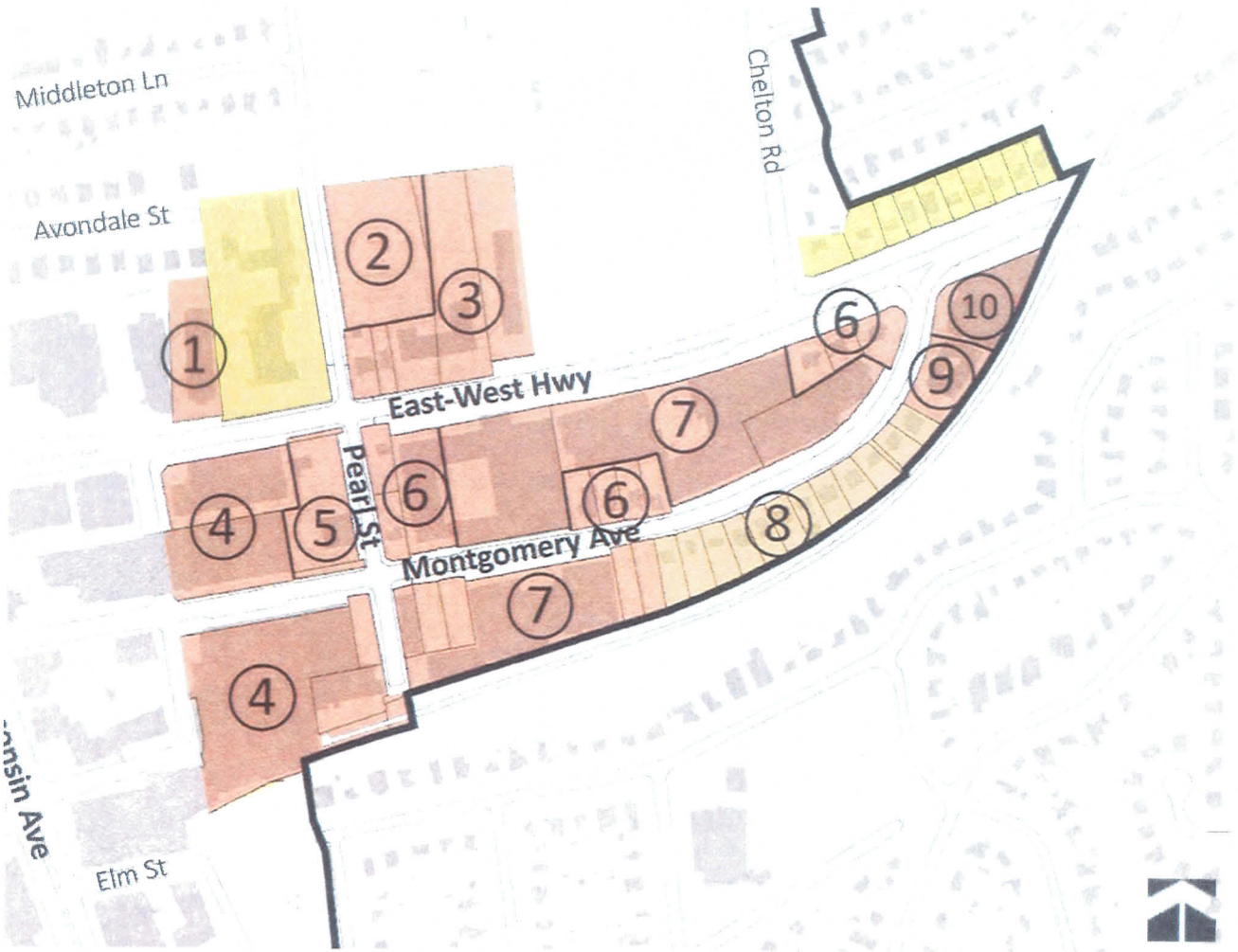





Figure 3.07: Pearl District Recommended Zoning



- |  |                                 |                                |
|--|---------------------------------|--------------------------------|
|  Sector Plan Boundary | ① CR 3.5, C-0.75, R-3.5, H-175  | ⑥ CR 2.0, C-1.75, R-2.0, H-120 |
|  R-60, THD            | ② CRT 1.5, C-0.25, R-1.5, H-120 | ⑦ CR 3.5, C-3.5, R-3.5, H-120  |
|  R-10, R-30           | ③ CR 2.0, C-0.5, R-2.0, H-120   | ⑧ CRT 0.5, C-0.5, R-0.5, H-35  |
|  | ④ CR 6.0, C-4.75, R-5.75, H-175 | ⑨ CR 2.0, C-1.75, R-2.0, H-60  |
|  | ⑤ CR 6.0, C-4.75, R-5.75, H-145 | ⑩ CR 3.5, C-3.5, R-3.5, H-100  |





# Coalition for Smarter Growth

DC • MD • VA

Testimony before the Montgomery County Planning Board regarding:

Bethesda Downtown Plan  
Public Hearing Draft, May 2015

By Kelly Blynn, Campaign Manager  
June 24, 2015

Good evening, my name is Kelly Blynn and I am representing the Coalition for Smarter Growth (CSG), the leading organization in the Washington, D.C. metropolitan region dedicated to making the case for smart growth. Our mission is to promote walkable, inclusive, and transit-oriented communities, and the land use and transportation policies and investments needed to make those communities flourish.

We support the proposed Bethesda Downtown Plan, and commend its focus on adding more housing, jobs and retail amenities to this thriving downtown. The plan addresses a number of lingering problems such as poorly planned public spaces, and wide, high-speed roadways that are unsafe for people walking and cycling, the young and the older. The plan fosters a more diverse and livable place – creating a great place to live, visit, meet friends at stores and restaurants, parks and plazas, and an easier place to navigate by transit, walking and bicycling. While the plan is overly cautious in a number of respects, it is an important step forward for Bethesda and the county.

**Increasing housing and commercial space in Montgomery County's premier downtown:** We support the proposed increase in building heights, which will not only increase the number of homes and jobs with Metro access, but create opportunities for landowners to contribute to open space, streetscape improvements and other community amenities. We support the plan's reinforcement of Downtown Bethesda's leading role in offering more environmentally-friendly places to live, work and shop, which will maximize transit, walking and bicycling, and cut regional air pollution and greenhouse gas emissions. Increasing the opportunity to live and do business here also strengthens Bethesda's ability to attract and retain major employers and higher quality and diverse retailers, strengthening the economy and improving the tax base. There is no better case for this than the recent statement by the Marriott Corporation that they plan to move from the Rock Spring office park to a Metro station location because that's where today's employees want to be.

**Fixing street designs and network connectivity:** Bethesda today can be a hostile place for people who walk and bicycle. So we commend the plan's attention to redesigning streets to be safer and to function better. We support reconfiguring the one way paired streets to two way streets, which improves safety, improves retail performance, and reduces the amount drivers circle lost in the vortex of Bethesda! We also support the creation of protected bicycle lanes to encourage more vulnerable and risk-averse cyclists.

The new street connections will improve pedestrian safety and accessibility, and reduce traffic, congestion, and the need for multilane streets and intersections. It will increase walking and bicycling trips, and cut vehicle trips. We recommend additional connections where feasible.

**Public and Open spaces:** We support the Plan's intent to update the county's approach to public open spaces. Public park spaces created in an earlier era are often isolated and hard to find. We support offsite creation of open space where it results in strong public plazas and green spaces that are active community gathering places. We also appreciate that the plan recognizes that streets are part of the public realm and should be designed to be safer, attractive and comfortable for residents and visitors.

**Elevating housing and affordable housing in the plan:** We appreciate the plan's support for increased housing supply, a 15% MPDU requirement for optional method, and preservation of existing market affordable housing. However, we think more should be done and suggest a housing section be included in the "Areawide Approach" which should examine the level of need, supply-side solutions, and innovative approaches to the preservation and creation of affordable housing. The plan's estimated 8,355 additional housing units will be created over 20 years (Land Use section) may roughly track the expected increase of 14,155 jobs, but given high prices and strong demand to live here, the plan should set a higher goal for housing supply and include more tools to achieve mixed-income housing.

We support the 15% MPDU requirement for optional method projects in the High Performance Area, which covers much of the plan area. We also recommend that the Board consider a jobs/housing linkage fee for commercial development in downtown areas like that approved by Fairfax County for Tysons.

Given that MPDU requirements for high-end condominium projects often result in fees paid in lieu of on-site units, we ask that the Board ensure that fees are sufficiently high enough to produce off-site units within the plan area, coupled with mechanisms for HOC and other affordable housing providers to fully utilize these fees within the plan area.

Some affordable housing advocates have questioned the approach of Affordable Housing Sending sites, and we hope that the Planning Board and Council will look in more detail at what strategies or combination of strategies would best provide affordable housing for the area. It may be that for older, low density, garden apartments that are market affordable due to age and condition, it will be preferable to create a mechanism that can redevelop these sites and other sites within the plan area to create significantly more affordable housing that is good quality, accessible, and permanently affordable, compared to preserving the existing buildings. Enabling HOC properties and non-profit housing organizations to significantly increase the amount of housing that can be created on their properties would be part of this solution.

We commend the innovative proposal to use the Firehouse at Bradley and Wisconsin Ave. as a site for adding affordable housing. This is a best practice successfully implemented in Alexandria's Potomac Yards and under construction in DC's West End. Co-use of other underutilized public facilities that would be compatible with affordable housing should be considered.

**Reinforcing the role of the Metro Core of Wisconsin Ave.:** Improving the Metro core is critical and allowing for greater height - 290 feet as proposed -- and additional infill, will make that possible. A better public plaza at the Metro station can be created as part of more intensive redevelopment of the area, this includes moving forward with the Brookfield proposal. With redevelopment we will increase transit usage, but we must improve the quality of the transit center and public spaces. We ask that the plan include specific provisions for these improvements including better connecting the transit center to surrounding streets and public spaces, increased daylighting of the transit center, and addition of a bike station and on-street bus bays.

Thank you for your consideration.

# **The Home Owners and Residents of Middleton Lane**

## **Statement for the Record before the Montgomery County Planning Board**

### **Bethesda Central Business District Sector Plan**

**June 24, 2015, 7:00-9:30 pm**

### **Bethesda / Chevy Chase Regional Service Center**

Within the Bethesda Central Business District (CBD), Middleton Lane is geographically the residential street of single family homes nearest to the Bethesda Metro. Moreover, Middleton Lane is the only residential street of single family homes the entirety of which is wholly within the CBD. As a result, the home owners and residents of the 22 single family homes on Middleton Lane are uniquely interested in the current draft Bethesda CBD Sector Plan (Plan) and future development the Plan contemplates in the CBD.

We have been active for the past year in reviewing drafts of the Bethesda CBD Sector Plan, meeting with Planning Board staff, writing letters, and meeting with other neighbors. During that time we have been extremely impressed with the dedication, professionalism and responsiveness of the Planning Board staff. In addition to the numerous public meetings on the Plan staff have attended, staff members have twice come to evening meetings on Middleton Lane. They have patiently explained both the proposals in various iterations of the draft Plan, listened to our concerns and answered our questions.

Further, in our letter to Chairman Casey Anderson, dated February 23, 2015, we identified three major issues with the draft Plan as of that time. The current draft Plan under consideration has addressed each of those issues to our satisfaction. In particular, we appreciate the deletion of the potential extensions of Waverly Street and Avondale Street, deletion of a so-called “desire line” that was to extend from Middleton Lane to Avondale Street through one house on Middleton Lane, and ensuring the building heights of the Avondale Street apartments remain at 35 feet. We also appreciate the positive statements in the current draft Plan concerning attempts to limit “cut-through” traffic in the East Bethesda neighborhood.

That said, while we are generally pleased with the current draft Plan, there are several critical issues and a few technical items or simple errors in the current draft Plan that we would like to bring to your attention. If left unaddressed, these issues could negatively affect Middleton Lane, the East Bethesda or “Pearl District” area and potentially lead to confusion when future development projects are being considered.

### **Critical Issues**

- **Building Heights:** On page 69, Figure 2.20, building heights along Wisconsin Avenue are much higher than the heights in the previously approved Sector Plan. In the Plan approved in 1994 the residents of Middleton Lane and East Bethesda worked with the County to have a simple principle drive the heights. That principle was that the highest buildings would be at the Metro Center or the cross-roads of Wisconsin Avenue and East-West Highway. Moving north on Wisconsin, east along East-West Highway and northeast towards the residential area, the height limits for buildings are supposed to

decrease progressively. The idea is that the highest building would be at the Metro Center, at 200 feet, and would function as, essentially, the center pole of a tent with a uniform decrease as buildings moved away from the center. In the current draft plan, Figure 2.20, shows the height at the Metro Center increasing to 290 feet and then heading north on Wisconsin Avenue on the west side decreasing to 175 feet for several blocks, then increasing to 250 feet for two blocks and then decreasing to 175 feet for a block, 145 feet for a block, 110 feet for half a block then up again for 145 feet for half a block then down again for 110 feet for half a block then up again for 120 feet. The same inconsistent and haphazard heights occur on the east side of Wisconsin Avenue, decreasing from 290 feet at the Chevy Chase Bank building to 110 feet for 2 and a half blocks then up again to 250 feet starting at the Chevy Chase Acura Car dealership and going north for two blocks and then down again to 120 feet until Chestnut Street. The heights step-down to 90 feet going east into the residential area and then to 35-70 feet at Tilbury Street. Beyond being a hodgepodge of heights that would ultimately be unsightly, the variance in heights on the east side of Wisconsin from Chevy Chase Acura to Chestnut Street seems virtually impossible to develop in any rational way given the size of the lots at issue. We believe these heights are unacceptable, especially from the Acura Dealership to Chase Avenue. Not only are these proposed heights in violation of the principle of massing building height toward the Metro Center, but they would be extraordinarily tall buildings directly to the west of and likely casting afternoon shadows on existing single-family homes on the residential streets of Chase Avenue, Harling Lane, Cheltenham Avenue, and Sleaford Road. No reasonable step-down of building heights would protect the residential blocks from the intrusion of 250 foot buildings less than a block away.

We believe the height on the east side of Wisconsin should not be any higher than 110 feet from Avondale Street to Chestnut Street. The height on the west side of Wisconsin should not go up and down. The highest it should be moving north from the Metro Center is 175 feet progressively decreasing to 145 feet and then 120 feet, consistent with the vision of the previous Master Plan, which has been held up as a successful model and emulated elsewhere.

- **Roadway Classification:** On page 33, Figure 2.08, all of the streets perpendicular to Wisconsin Avenue and Tilbury Street, as well as Tilbury Street, Sleaford Road, Middleton Lane and Pearl Street are shown as “business roads.” This appears to be a mistake since the maps, figures and accompanying narrative describe each of these streets as residential streets of single-family homes. We ask that you revise the plan to show Tilbury Street; Sleaford Road (from Tilbury Street to E. Plan Boundary); Pearl Street (from N. Plan Boundary to Middleton Lane); and Chelton Road (from Sleaford Road to East-West Highway) as Secondary Residential Streets.

It is important to us that the Plan show Middleton Lane, from the mid-block closure to Pearl Street, as a Secondary Residential Street, consistent with the narrative on pages 34 to 36. And, as described below, it is equally important to show the existing mid-block closure on Middleton Lane.


- **Middleton Lane Closure:** It is critically important that Middleton Lane remain closed to Wisconsin Avenue. The Plan demonstrates a clear intention that this be the case. Specifically, the narrative on pages 34 and 35 as well as figures on pages 123 and 126

reflect this intention. However, there are 10 figures which fail to show the closure. These figures need to be corrected. The figures in need of correction are on pages 24, 25, 33, 54, 67, 69, 73, 75, 83, and 141.


### **Technical Items and Errors**

- **Bikeway Classification:** There are several issues with this section. First, on page 42: The east end of Bikeway SR-8 should terminate at Wisconsin Avenue, or at least no further east than the east end of Avondale Street. It should not be shown as cutting through to Pearl Street. Also, Bikeway LB-7 (the Pearl Street bikeway) should be shown as a Shared Roadway between East-West Highway and Middleton Lane. On page 43, the Shared Roadway bikeway on Sleaford Road between Tilbury Street and the Capital Crescent Trail should be shown in Table 2.02. The segment of LB-3 between Montgomery Avenue and the Capital Crescent Trail should also be shown in Table 2.02. On pages 44-50, a description of the Sleaford Road bikeway is missing from the "New Bikeway Proposals" starting on page 44.
- **Pearl District Recommended Zoning:** On page 111, Figure 3.07, there are some inconsistencies between this figure and the surrounding pages. For example, the Recreational Park along Montgomery Avenue is zoned for buildings with heights of 35 feet. The Our Lady of Lourdes parking lot is shown on page 113 as a park. However, the same area is zoned for buildings 50 feet high on page 111. Either resolve these inconsistencies or explain why there is zoning for buildings in these areas in one part of the draft Plan while also showing these areas as parks in another section of the draft Plan.
- **Gateways to Bethesda:** On page 36 at the end of the page there are four gateway intersections that are identified, and the text notes that they "are discussed below." But the discussion is missing. We would like to see what the Plan contemplates for these intersections.

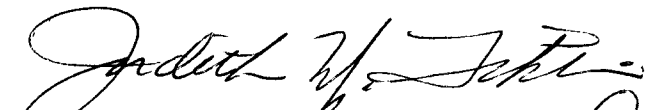
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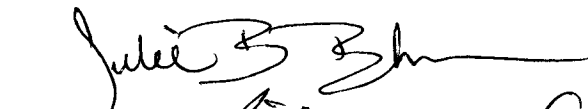
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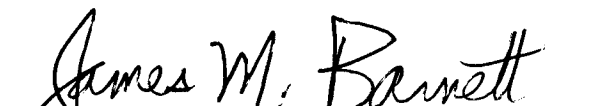
  
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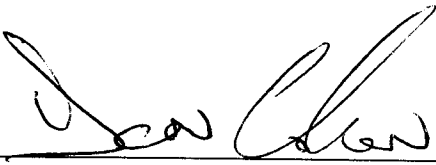
  
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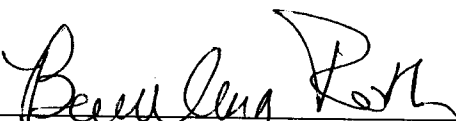


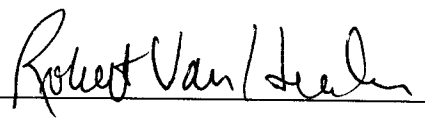
## Signatures of the Home Owners and Residents of Middleton Lane

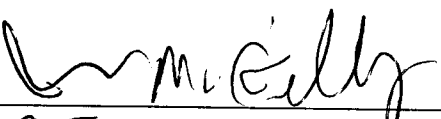
  
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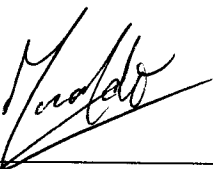
  
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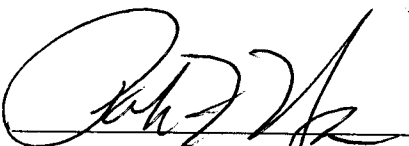
  
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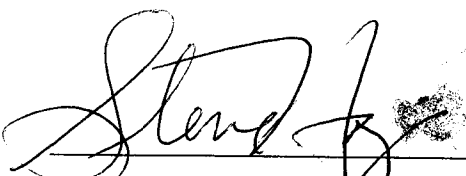
  
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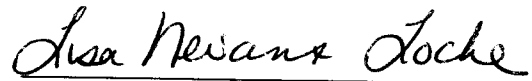
  
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## Signatures of the Home Owners and Residents of Middleton Lane



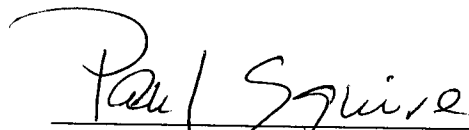
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## Signatures of the Home Owners and Residents of Middleton Lane



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Middleton Lane, Bethesda, MD

# Testimony of Michal Freedman, Vice Chair of the Montgomery County Sierra Club Regarding the Bethesda Downtown Plan

June 24, 2015

Chairman Anderson and Members of the Planning Board. My name is Michal Freedman and I am here as a Member of the Executive Committee of the Montgomery County Sierra Club.

My testimony focuses on why adequate affordable housing in downtown Bethesda can help Montgomery County respond to the threat of climate change, a threat that grows increasingly dire each year.

In 2007, Montgomery County was one of only 12 counties nationwide to pledge to reduce global warming emissions by 80% by the year 2050. Short term, emissions were to be reduced by 10% by 2015.

Where does the County now stand? In March 2015, the Department of Environmental Protection found roughly a 5% increase in energy use since 2005. So, the County is now about 15% behind in achieving its goals. Unless aggressive steps are taken, the gap between the County's pledge and its performance will only get worse.

It is thus all the more important that the final Bethesda Downtown Plan help reverse this dismaying trend. Planning for adequate affordable housing in downtown Bethesda can play a vital role. Transportation is one of the three largest contributors to global warming, and it is growing as a share of rising CO2 emissions. Studies show that we cannot reduce transportation-related carbon emissions through improved vehicle design and fuel economy standards alone. We must find ways to reduce vehicle miles driven.

One of the most obvious way of reducing automobile dependence, reducing the number of vehicle miles driven, and reducing suburban sprawl is providing adequate affordable housing near jobs in urban areas, like downtown Bethesda.

I want to make a second point. A good part of our county's transition to a reduced carbon society depends on persuading people that living in walkable, bikeable neighborhoods, with increased reliance on public transit, is both a satisfying and a moral way to live. But the opportunity to follow a morally commendable way of life cannot be limited to certain segments of society; it must be in reach of all segments of our County.

In sum, we must plan for adequate affordable housing in downtown Bethesda both because it will contribute to reduced carbon pollution and because the opportunity to live in ecologically sensitive ways should be in reach of people of all means.

Ladies and Gentlemen of the Planning Board:

My name is Elizabeth Konig; I have lived on Battery Lane in Bethesda, since 1968.

I was born in Queens, New York; went to school in Brooklyn, and worked as a secretary in Manhattan for many years before moving to Maryland. I know whereof I speak.

Some famous person -- I think it may have been the architect Frank Lloyd Wright, described New York City as "a crazed village." And so it was. And probably still is. Only still crazier. But to me it was home -- where I grew up. I could see the lights of the 1939 World's Fair from my bedroom window.

But now I'm here in Bethesda, and I see that there's a plan afoot to construct a road through the little park across the street from my apartment, Even worse, the Planning Board is considering approving a huge office tower on the site of the Metro Plaza on Wisconsin Avenue.

Oh my goodness! It looks like Bethesda is on the way to becoming another crazed village.

Having been there, done that, I'm thinking of moving! *Again*

*Thank you.*

**LINOWES**  
**AND | BLOCHER LLP**  
ATTORNEYS AT LAW

June 24, 2015

**Heather Dlhopsky**  
301.961.5270  
hdlhopsky@linowes-law.com

**VIA EMAIL AND HAND DELIVERY**

Mr. Casey Anderson, Chair  
and Members of the Planning Board  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: 4705 Miller Avenue, Bethesda – Written Testimony for 6/24/15 Planning Board Hearing  
on the Bethesda Downtown Plan (the “Sector Plan”)

Dear Mr. Anderson and Members of the Planning Board:

On behalf of Ms. Blanca Calcagno, owner of the property located at 4705 Miller Avenue in Bethesda (the “Property”), I am submitting this letter as our written testimony for the Montgomery County Planning Board’s (the “Planning Board”) June 24<sup>th</sup> public hearing on the Sector Plan (specifically, the Public Hearing Draft dated May 2015 – the “Public Hearing Draft”).

The Property is currently zoned CR-3.0, C-2.0, R-2.75, H-75T. The Public Hearing Draft proposes (on page 99, #5) that the Property be rezoned through the Sector Plan process and subsequent sectional map amendment to CR-3.5, C-2.25, R-3.25, H-200. The Staff Draft of the Sector Plan had recommended rezoning of the Property to CR-3.5, C-2.25, R-3.25, H-90, but it is our understanding that this was an error, and thus the Public Hearing Draft corrected the height (“H” component) from 90 feet to 200 feet. However, we also understand from Planning Staff that maximum density should have been adjusted at that time to 5 FAR (CR-5.0, with corresponding changes to the “C” and “R” components), but that additional change was inadvertently left out of the Public Hearing Draft.

We believe that a 5 FAR is appropriate for the Property given its location just one parcel in from the western side of the Wisconsin Avenue corridor (and adjacent to properties that front on Wisconsin Avenue, which are proposed to be rezoned to CR-5.0, C-5.0, R-5.0, H-200, and with which the owner of the Property may in the future pursue a combined redevelopment project), and only four blocks south of the existing Bethesda Metro Station and two blocks from the new south entrance to be constructed at Wisconsin Avenue and Elm Street. A rezoning of the Property to CR-5, with flexibility to allow for a combination of commercial or residential uses on

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Mr. Casey Anderson, Chair,  
and Members of the Planning Board  
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the Property, and maximum building height of 200 feet is appropriate for the Property's location and in order to fulfill the goals of the Sector Plan for higher-density development along the Wisconsin Avenue corridor and near transit.

We thank you for consideration of these comments, and look forward to continuing to work with you and Planning Staff on the Bethesda Downtown Plan. If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Heather Dlhopsky

cc: Mr. Robert Kronenberg  
Ms. Leslye Howerton  
Ms. Blanca Calcagno

# Action Committee for Transit

[www.actfortransit.org](http://www.actfortransit.org)

P.O. Box 7074, Silver Spring, MD 20907

## Testimony of Action Committee for Transit

### Bethesda Downtown Plan

The Action Committee for Transit strongly supports the goal of the draft plan: a downtown Bethesda that continues to grow and thrive as it becomes more walkable and more transit-oriented with the arrival of the Purple Line. We endorse the proposed increase in the overall density of residential and commercial density to help meet the region's growing demand for housing and jobs. We have the following comments on specific aspects of the plan:

- 1) We support conversion of one-way to two-way streets, especially Woodmont Avenue.
- 2) We support mixed-use development at the firehouse at Wisconsin & Bradley, but only if revenue generated by the development helps to enhance fire and rescue services.
- 3) County-owned parking lots east of Wisconsin Avenue should be used for medium-density residential development with a strong emphasis on affordable housing. Single-family neighborhoods should not be walled off from their surroundings by "buffers"; they should be connected through gradual transitions.
- 4) Developers should be allowed to meet affordable housing requirements off-site by preserving existing affordable housing within downtown Bethesda, but only if amount preserved is at least 2.5 times amount of new housing they would be required to provide on site. It is essential, however, that the affordable housing remain in proximity to the new building within downtown Bethesda.
- 5) The Sacks neighborhood should be rezoned for urban development as requested by many current homeowners. Single-family housing currently in that area is incompatible with its mixed-use and apartment surroundings. Urban areas should not be treated as second-class; they and their residents are entitled to the protection from incompatible land uses that the county frequently grants to single-family detached houses.
- 6) We support a cycle track on Arlington Road.
- 7) We support construction of a new building above the Metro station bus area and oppose creation of a new park above the bus area. Whether or not a new building goes in, the plaza above the bus area should be partially removed to bring more air and light to the bus waiting area.