



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
9/6/07
Item #

MEMORANDUM – Local Map Amendment

DATE: August 24, 2007 (Revised staff report)

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Ralph Wilson, Acting Zoning Supervisor *RW*

FROM: Carlton W. Gilbert, Planner Coordinator *CWG*
(301) 495-4576

SUBJECT: **Local Map Amendment No. G-864:** BA Old Georgetown Road, LLC and Christ Evangelical Lutheran Church of Bethesda-Chevy Chase, applicants, - reclassification of 1.87 acres of land from the R-60 Zone to the PD-44 Zone for the development of a multi-family building (107 units), renovation of the existing chapel, and construction of a new multi-purpose church building, located at 8011 and 8015 Old Georgetown Road, Bethesda MD

Master Plan: 2006 Approved and Adopted Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District

PUBLIC HEARING: September 17, 2007

STAFF RECOMMENDATION:

APPROVAL of Local Map Amendment No G-864 and the accompanying Development Plan for the following reasons:

1. The application complies with the purpose clause of the Planned Development Zone (59-C-7.11),
2. The development plan is compatible with existing and proposed uses in the surrounding area, and
3. The rezoning conforms to the recommendations of the 2006 Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

I. INTRODUCTION and SUMMARY

The applicants have submitted an application for a Local Map Amendment for the reclassification and redevelopment of the property located at 8011 and 8015 Old Georgetown Road in Bethesda, Maryland. The request is to rezone 1.87 acres of land from the R-60 to the PD-44 Zone. The subject property is located on the northwest corner at the intersection of Old Georgetown Road and Glenbrook Road. The property is situated on the western border of the Woodmont Triangle area, and is developed with an existing church, an education building, and three adjoining single-family detached homes located on Glenbrook Road and Rugby Avenue that are owned by the church. The church is partnering with Bozzuto Homes to redevelop the existing church community center and to develop 107 dwelling units, including 17 Moderately Priced Dwelling Units (MPDUs) within an 8-story, multi-family building. The 2006 Approved and Adopted Woodmont Triangle Amendment to the Bethesda CBD Sector Plan recommends the PD-44 Zone for the subject property. The proposed development requires District Council approval of a Local Map Amendment and a Development Plan.

II. BACKGROUND

A. Description of Property

The property is identified as Parcels P860, P869, P816, P859, and Lots 1, 2, 3, 4 & 11, Block B of Robertsons Addition to Bethesda, and Lot 9, Block C & Block D of Robertsons Addition to Bethesda on Tax Map HN23. The subject property contains 1.87 acres of land fronting on both Old Georgetown Road and Glenbrook Road with approximately 320 feet of frontage along Old Georgetown Road and approximately 180 feet of frontage along Glenbrook Road. The property is approximately 310 feet deep along the western property line. Parcel P869 is developed with a church worship building. Parcel P860 is developed with a two-story frame and stucco residential building used by the church. Adjacent to the church on the east is an existing three-story brick and frame building used for a community center. Two-story residential structures exist on Lots 9 and 11, located at the dead end of Rugby Avenue, and Lot 4 adjacent to the entrance on Glenbrook Road. These auxiliary structures house programs for the community, including daycare, family counseling, and the Bethesda Cares homeless lunch program.

Parking is provided in the rear of parcels P860 and P869. Access to the parking is from Old Georgetown Road and Glenbrook Road. The property is landscaped with trees and shrubs near the buildings and parking areas and along Old Georgetown Road. There are no forests, streams, wetlands, or buffers on the property. There are no large trees on the property.

B. Surrounding Area

Staff defines the surrounding area to be generally bounded by Battery Lane to the north and west, Wilson Lane to the south, and Woodmont Avenue to the east. The

neighborhood is characterized by a mixture of residential, office and institutional uses classified in the R-60, R-10, CBD-1, and the C-T zones. The property is adjacent to single-family detached homes to the north and the Bethesda-Chevy Chase Rescue Squad to the west. Both of these areas are zoned R-60. A 12-story multi-family residential building is located in the northwest portion of the neighborhood along Battery Lane. An 11-story office building located across Glenbrook Road is zoned CBD-1. An automobile filling station is located at Auburn Avenue and Old Georgetown Road. Single-family detached dwellings in the R-60 zone are located across Old Georgetown Road. A 3-story condominium office building, one-story commercial buildings and medical offices are located in the C-T zone across Old Georgetown Road at the southeast portion of the neighborhood. A public garage is located one block to the south between Auburn Avenue and Del Ray Avenue.

C. Intended Use and Approval Procedures

The use of the property must be in accordance with the development plan submitted in conjunction with the rezoning application. As previously stated, the church is partnering with Bozzuto Homes to redevelop part of the site with market rate and affordable housing in a two-wing, 114 foot high structure, with 8 floors of dwelling units in a wing facing Old Georgetown Road, and 9 floors in a perpendicular wing along the rear of the property, adjoining Rugby Lane. The portion of the structure along Old Georgetown Road will be setback after the 2nd floor, the 5th floor, and the 7th floor – reducing its visual bulk, and leaving a portion of the side façade and steeple of the church open to view along the sidewalk. The residential rear elevation will have two step-backs as follows: the building rises 20 feet and steps-back 7 feet (above the 2nd floor). At that point, the building rises another 53 feet and steps-back an additional 10 feet (above the 7th floor). The primary pedestrian entrance to this property will be from Rugby Road, but primary vehicle access will be from Old Georgetown Road.

The church sanctuary is to remain, but the educational building will be replaced with a new five story (76 feet high) education/community center building that includes a 4th floor gymnasium, with breezeway connections to the main church building. The residences and the church functions will be served by a common two level underground parking garage, accessed from a driveway off of Old Georgetown Road. There will also be a garage entrance directly off of Glenbrook Road. All loading and deliveries will occur in the Glenbrook Road access area.

Overall, in addition to the housing resources that will be created from this development, an expanded community service function will be provided by the church. Development of the site will allow the church to expand its existing programs that include child day care, adult day care, rehearsal and performance space for performing arts programs, space for community functions, support programs for families and individuals, and a family life center – in addition to its religious programs.

Final design of the development will be reviewed by the Montgomery County Planning Board at the time of subdivision and site plan review. The applicant must submit a site plan in accordance with Section 59-D-3 of the Zoning Ordinance before any development of the site may take place.

The binding elements include the following:

1. The density of the site must be limited to that permitted in the PD-44 zone.
2. Primary access points will be from Old Georgetown Road and Glenbrook Road.
3. Within the 60-foot setback, measured from the face of curb of the existing Old Georgetown Road, the new residential building will not exceed 50 feet in height as measured from the terrace grade.
4. The church and community center/gymnasium will maintain existing setbacks from Old Georgetown Road. Within a 52-foot setback, measured from the face of the curb of the existing Old Georgetown Road, the new community center building will not exceed 50 feet in height.
5. The maximum height of the development is 114 feet.
6. The maximum number of dwelling units will be 107, including 15% MPDUs.
7. The green space will meet or exceed 50% of the gross lot area.
8. All green areas (including the active/passive recreation rooftop green area) will be accessible to all residents or occupants of the buildings.

III. Zoning History

The property was placed in the R-60 Zone with the enactment of the 1954 comprehensive zoning of the area. The R-60 zoning was reconfirmed in 1977 as part of the Sectional Map Amendment following the 1976 Bethesda Plan, and again as part of the 1994 SMA (G-711), which followed the 1994 Bethesda Plan. The Woodmont Triangle Amendment, adopted in 2006, recommended designating the property R-60/PD-44.

Local Map Amendment: None prior to this proposal.

IV. Public Facilities

The subject application will be adequately served by public facilities.

1. Water and Sewer: The subject property is located in water and sewer category W-1/S-1, and will be served by the existing water and sewer mains within the public streets and WSSC rights of ways adjacent to the property.
2. Schools: The subject property is located within the Bethesda Elementary School, the Westland Middle School, and the Bethesda-Chevy Chase High School attendance area. Based on average yield factors derived from the M-NCPPC 2005 Census Update Survey, the impact of this project is estimated to be approximately 5 elementary, 5 middle and 4 high school students.

Based on the current Annual Growth Policy, there is adequate capacity at the elementary, middle, and high school levels to accommodate the proposed residential development.

3. Other Public Facilities: The property is located adjacent to the Bethesda-Chevy Chase Fire and Rescue Company located at Battery Lane at the intersection with Old Georgetown Road. The Bethesda Fire Station (Company 6) is located at the corner of Wisconsin Avenue and Bradley Boulevard. The Bethesda Police Station also is located less than one-half mile away, at Montgomery Avenue and Wisconsin Avenue.

V. ANALYSIS

A. Master Plan Recommendation

The Community-Based Planning staff recommends approval of this rezoning request based on the information submitted and its consistency with the recommendations of the Woodmont Triangle Sector Plan.

The 2006 Woodmont Triangle Sector Plan considered this site, as well as the residential homes along Rugby Avenue to its intersection with Norfolk Avenue. The Plan recommends use of the PD-44 zone for the site, provided that issues of compatibility with existing single-family homes could be addressed. The intent of this recommendation is to allow redevelopment of the church, and possible longer-term redevelopment of the homes along Rugby Avenue. The Plan recommends that any zoning application be compatible with the existing single-family homes on Rugby Avenue and the homes across Old Georgetown Road. The Plan recommends that any rezoning for the site not result in multi-family development "surrounding or isolating a limited number of single-family homes."

The Sector Plan recommends that heights along Old Georgetown Road north of St. Elmo Avenue be limited to 50 feet extending 60 feet back from Old Georgetown Road to maintain compatibility with existing development. The intent of the height and setback restriction is to maintain compatibility with the homes across Old Georgetown Road. Staff believes that the intent of the Sector Plan would be to seek compliance with this requirement since the church property does confront homes, particularly at the northwestern end of the property.

The proposed rezoning to the PD-44 reflects the recommendation in the Sector Plan. The resulting development is compatible with its surroundings, and the residential structure will allow the church to expand its community facilities and programs. The residential building facing Old Georgetown Road is stepped back to create a tiered façade that does not negatively impact homes on the opposite side of that road. The building height restriction (50 feet in height for 60 feet back from Old Georgetown Road) is met. Based on methodology used by the Department of Permitting Services (DPS), the height is measured from the base of the building, not from the curb when a pre-

existing "terrace" is present (see attached letter from DPS). The residential building will be constructed on a terrace. The new landscaping and the building setbacks will greatly improve pedestrian access and the pedestrian experience along this segment of Old Georgetown Road. And the scale of the building is compatible with nearby existing structures on Old Georgetown and Battery Lane.

The church education/gym building location will not fully meet the height and setback restriction of the Sector Plan. This building is 76 feet high and it is setback 52 feet from Old Georgetown Road, not 60 feet as envisioned by the Sector Plan. As a result, a portion of this building intrudes into the 60-foot setback restricted area by 8 feet. Although strict compliance with the Sector Plan building height recommendation is not achieved, staff believes that the proposed height is compatible with the adjacent development for several reasons:

- The existing building across Glenbrook is over 100 feet tall,
- The building opposite the existing office tower is a 4 story office structure in the C-T Zone,
- The intrusion of excess height into the restricted area is limited, and
- The use of the building – church classrooms and activities, day care, and community services – serves important community functions.

On balance, staff believes the building height is in substantial compliance with the Sector Plan recommendation.

The setback of the residential building along the rear of the property, adjoining Rugby Avenue, is acceptable. The building design creates a buffer to the east, since it is more than 20 feet from the building entrance to the existing single family dwelling on Rugby Avenue. The single-family home on the other side of Rugby Avenue will be located over 70 feet from the building.

A lesser buffer will be created between the residential building and the existing home that faces Glenbrook Road. That home was recently extensively redeveloped, but there will be almost 20 feet between the multi-family structure and the side of that home, and over 40 feet from its rear side, meeting the required setback for the zone. In addition, the building parking entrance was reconfigured to ensure that the home would not be immediately adjoining the service/loading dock entrance. The loading dock is now removed from the property boundary.

The setbacks are sufficient, in that they meet the zoning requirements and reflect the location of the single family homes in an area clearly intended for eventual redevelopment by the Sector Plan.

The shadow study conducted for the project indicates that at the times of greatest shadow impact, the existing homes are more impacted by the existing 11-story office structure at the corner of Old Georgetown Road and Glenbrook Road than by the proposed new buildings.

The proposed use will not “isolate” the existing homes. The language in the Plan seeks to avoid piecemeal redevelopment along Rugby Avenue that would leave homes surrounded by taller multi-family structures. This development is on the edge of the area. The intent of the Plan is that eventual redevelopment at the higher recommended density on this section of Rugby Avenue should be accomplished via assembly.

The proposed rezoning will add housing resources to the Woodmont Triangle area, and will allow the Christ Evangelical Lutheran Church to improve its facilities and expand the services it offers to the wider community. The PD-44 zone proposed is recommended for the site in the Sector Plan. The Community-Based Planning staff believes that the service that the church will provide to the community is a fair trade-off.

Several issues are important for consideration at the time of subsequent reviews:

1. Landscaping and streetscaping of the frontage along Old Georgetown Road and Glenbrook Road.
2. Including a green roof on the residential structures
3. Landscaping/fences for the buffer areas adjoining the single family homes on Glenbrook and Rugby.
4. Traffic patterns for the access road from Old Georgetown to Rugby.
5. Scheduled loading/delivery times for the Glenbrook entrances, to avoid conflict with other uses in the building and along Glenbrook.

B. Transportation

The following information is Transportation Planning staff’s Adequate Public Facilities (APF) review of the application.

RECOMMENDATIONS

Transportation Planning staff recommends the following restrictions as part of the APF test for transportation requirements related to the subject local map amendment application:

1. The site redevelopment is limited to the existing house of worship, a replacement community center, an expanded child daycare center for up to 125 children, and a new high-rise apartment building for up to 107 units.
2. At the time of preliminary plan review, the applicants must:

- a. Enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the Bethesda Transportation Management Organization (TMO). The TMAg must be signed and executed by all parties prior to certified site plan.
- b. Abandon the rights-of-way at the dead end section of Rugby Avenue and the public alley on the west side of Glenbrook Road.
- c. Provide 16 bicycle parking spaces that include three inverted-U bike racks in a weather-protected area near the main public entrance for visitors to the condominium and 10 bike lockers for residents in the parking garage within 50 feet of the elevators. The Transportation Planning staff will determine the ultimate location of the bicycle facilities prior to approval of certified site plan.

DISCUSSION

Site Location, Parking, and Vehicular Access Points

The subject site is located on the north side of Old Georgetown Road (MD 187) between Glenbrook Road and the Bethesda/Chevy Chase Rescue Squad. The table below gives the number and location of parking spaces plus the vehicular access points by the time of day for each land use.

Land Use on the Site	No. of Parking Spaces - Level	Enter Point	Exit Point	Predominant use of access Day &/or Time of Day
Existing House of Worship	92 spaces on 1 st Level	Glenbrook Road	Glenbrook Road	Sundays
Replaced Community Center		Glenbrook Road	Glenbrook Road	Weekdays, Middays & Weekends
Expanded Child Daycare Center – Staff Trips		Glenbrook Road	Glenbrook Road	Weekdays AM & PM Peaks
Expanded Child Daycare Center – Parents Trips	N/A	Old Georgetown Road	Glenbrook Road	Weekdays AM & PM Peaks
High-Rise Condo Apartments - Residents' Trips	196 spaces on 2nd & 3rd Levels	Primary=Old Georgetown Road	Primary=Old Georgetown Road	Weekdays AM & PM Peaks
		Secondary=Rugby Avenue	Secondary=Rugby Avenue	
High-Rise Condo Apartment - Visitors' Trips	At-Grade at the Rugby Avenue Terminus	Rugby Avenue	Glenbrook Road	Any Time
Deliveries for all Land Uses on the Site	Loading Dock	Glenbrook Road	Glenbrook Road	Any Time

Available Transit Service

The Bethesda Metrorail Station is located 2,800 feet to the south of the subject site. Although no transit service is available along Glenbrook Road or Rugby Avenue, Ride-On routes 30, 47, and 70 operate along Old Georgetown Road.

Pedestrian Facilities

Sidewalks exist along Old Georgetown Road, Glenbrook Road, and Rugby Avenue. The existing intersections have been marked with crosswalks and equipped with pedestrian signals at the studied intersections. The traffic signal timings provide for a pedestrian to cross the intersection on a 3.0 feet per second walking time.

Master-Planned Roadways and Bikeway

In accordance with the *Bethesda CBD Sector Plan*, Glenbrook Road and Rugby Avenue are designated as business district streets with a recommended 80-foot right-of-way. Old Georgetown Road is designated as a major highway, M-4, with a recommended 110-foot right-of-way. In accordance with the *County Functional Master Plan of Bikeways*, a shared signed roadway, SR-7, is designated along Glenbrook Road.

Sector-Planned Transportation Demand Management

The site is located in the Bethesda Transportation Management District. The applicant must enter into a Traffic Mitigation Agreement with the Planning Board and DPWT to participate in the Bethesda Transportation Management Organization (TMO) to assist in achieving the 37% non-auto-driver mode share goal for employees in the CBD as described in Recommendation No. 2a.

Local Area Transportation Review (LATR)

The proposed mixed-use development would generate the following peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.):

Type of Land Use	Number of Staff Persons or Units	Weekday Peak Hour	
		Morning	Evening
Existing House of Worship	(No Change)	N/A	N/A
Replaced Community Center	(Replacement Only)	N/A	N/A
Expanded Child Daycare Center	25 Total Staff	61	68
Proposed High-Rise Apartments	107 Units	32	32

Subtotal of Proposed Land Uses- Peak-Hour Trips	93	100
Existing Child Daycare Center	14 Existing Staff	- 45
Net Increase in Peak-Hour Trips	+51	+55

A traffic study was required to satisfy LATR, because the proposed mixed-use development generates 30 or more total peak-hour trips during the weekday morning and evening peak hours. The table below shows the Critical Lane Volumes (CLV) at the studied intersections:

Traffic Condition	Congestion Standard	Weekday Peak Hour	Traffic Condition		
			Existing	Background*	Total
Old Georgetown Road and Battery Lane	1,800 Bethesda CBD	Morning	1,139	1,139	1,139
		Evening	1,320	1,320	1,323
Old Georgetown Road and the Site Access	1,800 Bethesda CBD	Morning	---	---	992
		Evening	---	---	962
Old Georgetown Road and Glenbrook Road	1,600 Bethesda/ Chevy Chase	Morning	997	997	1,003
		Evening	1,026	1,026	1,044
Old Georgetown Road and Auburn Avenue	1,800 Bethesda CBD	Morning	949	949	961
		Evening	1,035	1,035	1,047
Glenbrook Road and the Site Access	1,800 Bethesda CBD	Morning	---	---	156
		Evening	---	---	128
Glenbrook Road and Rugby Avenue	1,600 Bethesda/ Chevy Chase	Morning	150	150	163
		Evening	150	150	165

* The CLVs in the existing traffic condition are the same as the CLVs in the background traffic condition.

The CLVs at all studied intersections are less than the appropriate congestion standard.

C. Environmental

As noted in the attached memorandum, Countywide Environmental Planning staff has recommended approval of this rezoning application.

Recommendation: Approval of the Preliminary Forest Conservation Plan

This proposal poses no difficulties for complying with the Forest Conservation Law or Environmental Guidelines.

Forest Conservation – Chapter 22A

An approved Natural Resource Inventory/Forest Stand Delineation is included in the submission. The NRI/FSD indicates no forest or specimen trees on site; the forest conservation requirement is for afforestation and no Tree Save Plan is required. Because the zone requested is a Planned Development zone, 15% of forest conservation requirements must be met on-site. But since the site is located adjacent to a Central Business District, the afforestation requirement can be met through tree cover or planting canopy trees. A Preliminary Forest Conservation Plan, also part of the submission, shows that the entire afforestation requirement will be met on-site with tree cover.

Environmental Guidelines

This site is located in a highly urban area that was developed before the Environmental Guidelines were adopted. It is not located within a Special Protection Area or Primary Management Area. This site has no specimen or significant trees, no steep slopes, and no erodible soils. There are no wetlands or streams.

Water Quality and Stormwater Management

The site is located in the Lower Mainstem Bethesda subwatershed of the Lower Rock Creek watershed. The subwatershed is designated an Urban Watershed Restoration Area where the CSPS recommends supporting cost-effective stormwater quality controls on redevelopment sites, such as the subject site. A regional stormwater management pond is under construction on the National Institutes of Health property to mitigate stream degradation caused by increased development in this subwatershed.

The Stormwater Management Concept Plan has been approved by the Department of Permitting Services.

D. Purpose of the PD-Zone: A floating zone requires an evaluation for compliance with the purposes of the zone. Section 59-C-7 of the Montgomery County Zoning Ordinance contains the requirements for development of property in the Planned Development (PD) Zone.

Section 59-C-7.11. Purpose

- a. To Implement the General Plan and Area Master Plan.

The Approved and Adopted 2006 Woodmont Triangle Amendment Bethesda Sector Plan recommends the PD-44 Zone for the Property. The proposed building height (maximum 114 feet) for the new residential building conforms to the approved Sector Plan recommendations of the Woodmont Triangle Amendment, which lifted the height restrictions included in the Bethesda CBD Sector Plan and

replaced them with a restriction on height of 50 feet for a distance extending 60 feet back from the Old Georgetown Road right-of-way. The applicant has noted in the Development Plan that within the 60-foot setback from the existing Old Georgetown Road right-of-way, the new residential construction will not exceed 50 feet in height. Although the PD-44 zone does not include a height restriction, staff believes that the proposed height is well within the limits of other nearby zoning classifications, such as the CBD-1 optional height limit of 143 feet.

However, the new church education building/gymnasium which measures 76 feet in height will not be in full compliance with the Sector Plan. A portion of this building will intrude into the 60-foot restricted area by 8 feet. Along Old Georgetown Road, the proposed building is 36 feet in height within the 52-foot setback. Just outside the 52-foot mark, the building rises to a maximum of 76 feet. According to the applicant, the new building will be designed so as to coincide with the location of the existing educational building, and to relate appropriately to the existing chapel, which will remain. Therefore, staff believes that the slight variation from the Sector Plan 60 foot setback recommendation (52 feet versus 60 feet) is appropriate due to the location of existing buildings on the property. Furthermore, the proposed building will be approximately 6 stories lower than the confronting 11-story office building across Glenbrook Road.

b. That the project be so designed and constructed as to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within an area and to encourage the creation of a distinctive visual character and identity for each development. It is intended that development in this zone produce a balanced and coordinated mixture of residential and convenience commercial uses, as well as other commercial and industrial uses shown on the area master plan, and related public and private facilities.

Staff finds that the proposal for the property meets the purpose of integrating the existing church facility with the proposed residential use, and the proposed community center will serve both the members of the church and community residents through the provision of offices, classrooms, day care facilities, a gymnasium, and small coffee shop. This mix of community serving facilities will encourage social and community interaction and activity. The proposed development will provide urban open spaces and walkway connections to community services and facilities. The property is in close proximity to shopping, parks, and public transportation and thus provides many opportunities for interaction among residents of the development and the surrounding community, creating a compatible "mixed-use" project.

c. To provide and encourage a broad range of housing types, comprising owner and rental occupancy units, and one-family, multiple-family and other structural types. Promote development designed and constructed to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within

an area and to encourage the creation of a distinctive visual character and identity for each development.

The inclusion of the proposed multi-family project at this location introduces a desirable housing type into the Woodmont Triangle District. The proposed residential development will provide a variety of bedroom units, at a variety of sizes. The units will reflect a range of pricing, including market rate and affordable MPDU units, which provides an alternative for those who wish to live and work near the Central Business District.

d. To preserve and take the greatest possible aesthetic advantage of trees and in order to do so, minimize the amount of grading necessary for construction of a development.

The property contains few trees and virtually no green area. When redeveloped it will have slightly over 50% open space and green area, along with a vastly improved street sidewalk landscape along Old Georgetown Road. The residential building and parking facilities are constructed in areas previously occupied by buildings, driveways, and parking areas, thereby reducing the amount of grading.

e. To encourage and provide for open space ...conveniently located with respect to points of residential and commercial concentration so as to function for the general benefit of the community and public at large for places of relaxation, recreation and social activity and furthermore, open space should be so situated as part of the plan and design of each development as to achieve physical and aesthetic integration of the uses and activities within each development.

The proposal will include an urban space adjacent to the church and the residential building. This space will be visually and physically connected to the public sidewalk along Old Georgetown Road. A landscaped courtyard is proposed between the church and the community center to serve the users of the day care and other programs offered at the community center. The community center will provide a convenient location for recreational and social services to the community.

f. To encourage and provide for development of comprehensive, pedestrian circulation networks, separate from roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities to minimize reliance on the automobile.

The development plan includes a pedestrian walkway interconnecting the proposed residential building with Old Georgetown Road. Pedestrian street access to the church will be provided directly from Old Georgetown Road. Open space is provided on both sides of the church, providing a location for passive recreational use. The location of the development is within approximately 2,500

of the Metro station. Residents will also have access to Metro bus and Ride-on bus service, thereby reducing reliance on automobiles.

g. To encourage development on a large enough scale to achieve purposes of the zone.

The proposed development plan includes an assemblage of parcels to allow for a more comprehensive development of residential and non-residential uses at a scale that achieves the purpose of the zone. The proposal also provides amenities and facilities for the residents as well as the community at large.

h. To achieve a maximum of safety, convenience and amenity for residents of each development and the residents of neighboring areas, and, furthermore, to assure compatibility and coordination of each development with existing and proposed surrounding land uses.

The proposal is designed and planned to maximize safe connection between the residential building and the surrounding neighborhood. Sidewalks connect the residential building to Rugby Avenue and to Old Georgetown Road. Vehicular access to the garage parking is provided from Old Georgetown Road, with access also provided from Glenbrook Road and Rugby Avenue. The services provided within the community center will provide amenities to the surrounding community. The architectural treatment of stepping back the buildings and the proposed landscaping and screen walls help to provide defined residential separation of the adjacent single-family detached homes and ensure compatibility with surrounding uses.

i. Approval or disapproval shall be upon findings that the application is or is not proper for the comprehensive and systematic development of the county, is or is not capable of accomplishing the purpose of the zone and is or is not in substantial compliance with the general plan and master plan.

Staff believes that the proposal should be approved as appropriate for the development of the County and in keeping with the purpose of the zone and in substantial compliance with the general plan and master plan. By combining parcels and developing under the PD zone, the development plan is able to achieve the goals and policies of the Sector Plan. The proposal provides a transition between the commercial CBD area of Bethesda, along Old Georgetown Road, and the residential area to the north and west of Old Georgetown Road, comprised of both multi-family and single-family residences.

59-C-7.12 Where Applicable

Master Plan. No land can be classified in the planned development zone unless such land is within an area for which there is an existing, duly adopted master plan which shows such land for a density of 2 dwelling units per acre or higher.

The sector plan confirms the R-60 zone for the site and also recommends PD-44 zoning (44 units per acre) for the Rugby Avenue and Glenbrook Road area identified as Block 19, page 23, in the Woodmont Triangle Amendment Sector Plan.

Minimum area. No land can be classified in the planned development zone unless the district council finds that the proposed development meets at least one of the following criteria:

- (a) That it contains sufficient gross area to construct 50 or more dwelling units under the density category to be granted;
- (b) That it would be logical extension of an existing planned development;
- (c) That it would result in the preservation of an historic structure or site (as indicated on the current historic sites identification map or as recommended by the planning board as being of historic value and worthy of preservation);
- (d) That the accompanying development plan would result in the development of a community redevelopment area;
- (e) That the site is recommended for the PD zone in an approved and adopted master plan or sector plan and so uniquely situated that assembly of a minimum gross area to accommodate at least 50 dwelling units is unlikely or undesirable and the development of less than 50 dwelling units is in the public interest.

The proposal development contains sufficient area to allow for 107 dwelling units, including 15 percent MPDUs. The development plan proposes renovation of the existing chapel and expansion of existing facilities, including the community center, and a new multi-purpose room and gymnasium. This will help provide additional facilities to the community.

59-C-7.15 Compatibility.

- (a) All uses must achieve the purposes set forth in section 59-C-7.11 and be compatible with the other uses proposed for the planned development and with other uses existing or proposed adjacent to or in the vicinity of the area covered by the proposed planned development
- (b) In order to assist in accomplishing compatibility for sites that are not within, or in close proximity to a central business district or transit station development area, the following requirements apply where a planned development zone adjoins land for which the area master plan recommends a one-family zone:

- (1) No building other than a one-family detached residence can be constructed within 100 feet of such adjoining land; and
- (2) No building can be constructed to a height greater than its distance from such adjoining land.

A waiver of the requirement of paragraph (b)(1), may be permitted if:

- (1) The property is within or in close proximity to a central business district or transit station development area and reduced setbacks are recommended by the master or sector plan, and the Planning Board finds that the reduced setbacks are compatible with existing or proposed development in the adjoining or confronting one-family detached zones; or
- (2) The property is within or in close proximity to a historic district and the Planning Board reuse, or redevelopment of a designated historic district and the immediately adjoining property will not be adversely affected by the waiver.
- (3) The maximum building height under this waiver must not exceed 50 feet.

Compliance with these requirements does not, by itself, create a presumption of compatibility.

Residential Building

The proposal meets the purpose clause set out in Section 59-C-7.11. The proposed development is consistent with the goals and objectives of the approved Woodmont Triangle Amendment to the Bethesda Sector Plan. The subject property is immediately adjacent to a CBD and does not adjoin property for which the area master plan recommends a one-family detached zone. The existing single-family residences to the east are recommended for PD-44 zoning in the Woodmont Triangle Amendment. Therefore, the provisions of Sections 59-C-7.15(b) do not apply to this proposal. However, the Woodmont Triangle Sector Plan recommends a 50-foot height limitation for buildings within 60 feet of Old Georgetown Road within this block. The proposed plan, with the stepped back building design, is in compliance with the Woodmont Triangle Sector Plan height limitations.

Staff believes that the proposed development of the site ensures compatibility with adjacent development. The proposed residential building is a defined entryway to Bethesda from the west and is sited to provide a quality urban design transition between the residential neighbors to the northeast and the traffic and noise of Old Georgetown Road. This design transition to the residential neighborhood is accomplished through a series of urban landscape elements including planter strips, vegetated privacy fences, and stepped topography.

The landscape elements help provide defined residential separation of the adjacent homes while providing an improved quality of design to the proposed building which is also stepped back above the base. Between the proposed building and each home is a seven foot high privacy fence which will be landscaped on both sides to increase the depth of separation between structures and reduce noise. The home on the north side of Rugby Road will have both a planted privacy fence and a retaining wall to ensure that the sound and light from cars will be mitigated.

Along Glenbrook Road, the loading dock has been relocated into the garage and the entire side yard has been extended up to the building façade. This will both reduce acoustic disruptions and help extend the landscape edge of the residential neighborhood into the side yard of the proposed building.

The proposed 7-foot high landscaped privacy fences are located on the property lines between each house and the proposed building. At the house on Glenbrook Road, the fence is approximately 10 feet off the side of the proposed new building, with an average distance between the house and building of 20 feet. On the east side of Rugby Avenue, the fence is 8 feet from the building with an average distance between the house and the building of 22 feet. The house on the west side of Rugby Road is set back approximately 70 feet on average, with an 8 foot buffer from the drive aisle and over 30 feet from the parking area. A retaining wall and privacy fence are combined to mitigate both light and noise.

Church Education/Gymnasium

As previously stated, the proposed building will not fully meet the height and setback restriction recommended in the Sector Plan. However, staff believes that the variation from the Sector Plan 60-foot setback recommendation (52 feet versus 60 feet) is appropriate due to the location of existing buildings on the property. Additionally, staff notes that the location of the proposed building, at the corner of Glenbrook and Old Georgetown Roads, places it directly across the street (Glenbrook) from an eleven story office building, and confronting (across Old Georgetown Road and Glenbrook) three-story office buildings in the CT zone, neither of which have any substantial setbacks from the street.

Finally, staff believes that the community benefits provided by the education/gymnasium building outweigh the need for strict compliance with the Sector Plan recommendation. The proposed building includes a multi-purpose room and gymnasium that will provide recreational space, community gathering space, and area for rehearsals and performances, that are lacking in this area of the County. Strict adherence to the 60 foot setback would not allow sufficient space for the gymnasium, due to required clearances, etc. Therefore, staff recommends that the substantial compliance of the education/gymnasium building to the Sector Plan recommendation, rather than full compliance, is

appropriate given the significant community benefits this building is intended to provide.

59-C-7.16. *Green Area*

Green area must be provided in amounts not less than the following schedule:

<u>Density Category</u>	<u>Green Area (Percent of Gross Area)</u>
High	
PD-28	50
PD-35	50
PD-44	50

The proposal includes green area on the site, including the roof-top, and meets the 50 percent minimum green area required for the PD-44 zone. The applicant proposes approximately 35 percent of the green area at ground level and approximately 15 percent of the green area on the roof-top of the residential building, representing a total green area of a minimum of 50 percent of the gross lot area. The applicant notes that the common green space area will be accessible to people who live in and/or use the building.

59-C-7.17. *Dedication of land for public use.*

Such land as may be required for public streets, parks, schools and other public uses must be dedicated in accordance with the County subdivision regulations, General Plan, Master Plan and identified on the development plan.

Approximately, 6,659 square feet of land for Old Georgetown Road and Glenbrook Road will be dedicated to public use by this local map amendment application.

59-C-7.18. *Parking Facilities*

Off-street parking must be provided in accordance with the requirements of article 59-E.

A minimum required total of 215 parking spaces are provided in the structured parking garage at the ground level and two-below-grade levels. Parking spaces in accordance with Section 59-E are required as follows:

Residential:

17 1-bedroom MPDU @1 sp/u	= 17 spaces
21 1-bedroom @ 1.25	= 27 spaces
59 2-bedroom @ 1.5	= 89 spaces
10 3-bedroom @ 2	= <u>20 spaces</u>
	= 153 spaces required

Non-Residential Uses:

Church/Community Center
248 seats @ 1 sp/4 seats = 62 spaces required

Total spaces required: = 215 spaces

59-C-7.19. Procedure for application and approval

- (a) Application and development plan must be in accordance with division 59-D-1.
- (b) Site plan must be submitted and approved in accordance with 59-D-3.

The application includes a development plan and a site plan that will be reviewed in accordance with Section 59-D and 59-D-3.

59-D-1.6 – Approval by District Council

59-D-1.61 – Findings

Before approving an application for classification in any of these zones, the District Council must consider whether the application, including the development plan, fulfills the purposes and requirements set forth in article 59-C for the zone. In doing so, the district council must make the following specific findings in addition to any other findings which may be necessary and appropriate to the evaluation of the proposed reclassification:

- (a) **That the zone applied for is in substantial compliance with the use and density indicated by the Master Plan or Sector Plan, and that it does not conflict with the general plan, the county capital improvements program or other applicable county plans and policies;**

As indicated previously, the PD-44 zone is in compliance with the use and density recommendation of the Sector Plan for this area. The Master Plan recommends the development of this Housing Resource Area in accordance with the PD-44 zone in order to provide additional housing opportunities.

- (b) **That the proposed development would comply with the purposes, standards and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.**

The proposed development complies with the purposes, standards and regulations of the PD-44 zone as set forth in article 59-C. The development plan maintains an appropriate scale, both in terms of activity and layout, to achieve

compatibility with the surrounding mix of multi-family, institutional, commercial, and single-family uses. The proposal will enhance both pedestrian and vehicular safety because the access driveways, pedestrian ways and entrance features have been designed in a safe and efficient manner.

(c) That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient;

The internal vehicular and pedestrian circulation for the project have been designed to provide clear drive aisles, sidewalks, drop-off and pick-up areas, and separate loading areas. The table in the attached Transportation Planning Memo shows how the ingress and egress points of the various uses will be utilized at different times of the day.

(d) That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Any applicable requirements for forest conservation under Chapter 22A and for water resource protection under Chapter 19 also must be satisfied. The district council may require more detailed findings on these matters by the planning board at the time of site plan approval as provided in division 59-D-3;

There are no existing stormwater management facilities on-site. The Department of Permitting Services (DPS) has approved a stormwater management concept plan for the redevelopment of the site. The project will provide new enclosed storm drains to carry run-off to proposed stormwater facilities that will include two underground water quality facilities located near the entrances off of Old Georgetown Road and Glenbrook Road. Staff finds that the proposal for the site meets the applicable forest conservation and water resource protection requirements.

(e) That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common of quasi-public purposes are adequate and sufficient.

At this time, the form of ownership (whether rental or sale) for the residential project has not been determined. The applicant must provide appropriate assurances of maintenance of common areas as required by law prior to any conveyance of building units.

E. Development Standards

The design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subdivision and Site Plan Review. The Development Standards for the PD-44 zone are tabled below:

<i>Development Standard</i>	<i>Permitted/Required</i>	<i>Proposed</i>
Minimum Tract Area	No specification	1.87 acres
* Maximum Density /total yield	44 units per acre	107 units
Minimum bldg. Setbacks (FT) --Front (Old Georgetown Rd) --Front (Glenbrook Road) --Side --Rear	0 ft. Minimum 0 ft. Minimum 0 ft. Minimum 0 ft. Minimum	36.5 feet 26.5 feet 25 feet 8 feet
Green Area	50%	52% (approx.)
Building Height	No maximum	114 feet
Parking	215 spaces required	**261 spaces proposed

*The maximum density is based on 2.006 acres which includes the proposed abandonment of a portion of Rugby Avenue and a public alley, comprising a total of 0.138 acres of land. These abandonments are expected to be approved by DPW&T and be complete at the time of rezoning. (2.006 x 44 du/ac = 88 dwelling units (Base density + 19 (22% bonus density) = 107 units (90 market rate & 17, or 15%, MPDUs)

**Total includes 5 residential and 3 non-residential handicapped accessible spaces in garage and 1 residential and 1 non-residential handicapped accessible surface spaces.

F. Community Concerns – Staff received over 50 letters written in support of the proposed rezoning and associated development plan (see attached letters). The

majority of the letters were by members of the Christ Evangelical Lutheran Church/Community Center (CELC) congregation. On April 16, 2007, the applicant held a community meeting with CELC (attached are the notes from that meeting). Staff has received five letters in opposition to the proposed development from community members and adjacent neighbors. The general concerns expressed include opposition to the height of the project due to lack of compatibility, the impact on neighborhood safety due to increase in traffic, depriving the owners of nearby residences of the use and enjoyment of their properties due to the loss of light and potential loss of air and circulation and violating the spirit and intent of the 1993 General Plan. (See Attached Letters) The applicant's responses to the concerns expressed by the community members and neighbors are attached.

- G. Conclusion** - The application conforms with the Sector Plan recommendations for zoning, use and density, and is compatible with the surrounding areas. Staff believes that the requested PD-44 zone meets the intent of the 2006 Approved and Adopted Woodmont Triangle Amendment to the Bethesda Sector Plan. Staff recommends approval of the Development Plan and Design Elements that accompany this application that limit the development of the site to a maximum of 107 residential units.

LIST OF ATTACHMENTS

1. Location Map
2. Surrounding Neighborhood Map
3. Zoning Map
4. Development Plan
5. Site Plan (highlighting the green space)
6. Ground Floor Plan
7. Building Elevations
8. Building Cross-sections
9. Architectural Rendering
10. Transportation Planning Memo
11. Community-Based Planning Memo
12. Environmental Planning Memo
13. DPS Stormwater Mgmt. Concept Approval Letter
14. DPS Height Measurement Letter
15. Form Letter Received in Support of Application
16. CELC Community Meeting Notes
17. Letters in Opposition
18. Applicant's Letter in Response to Opposition

CHRIST EVANGELICAL LUTHERAN CHURCH/COMM. CTR. (G864)



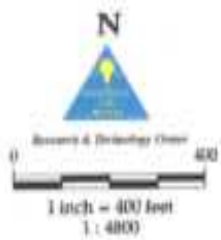
Map compiled on March 01, 2007 at 9:30 AM | Site located on sheet no - 210NWD0

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from MNCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:18400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998



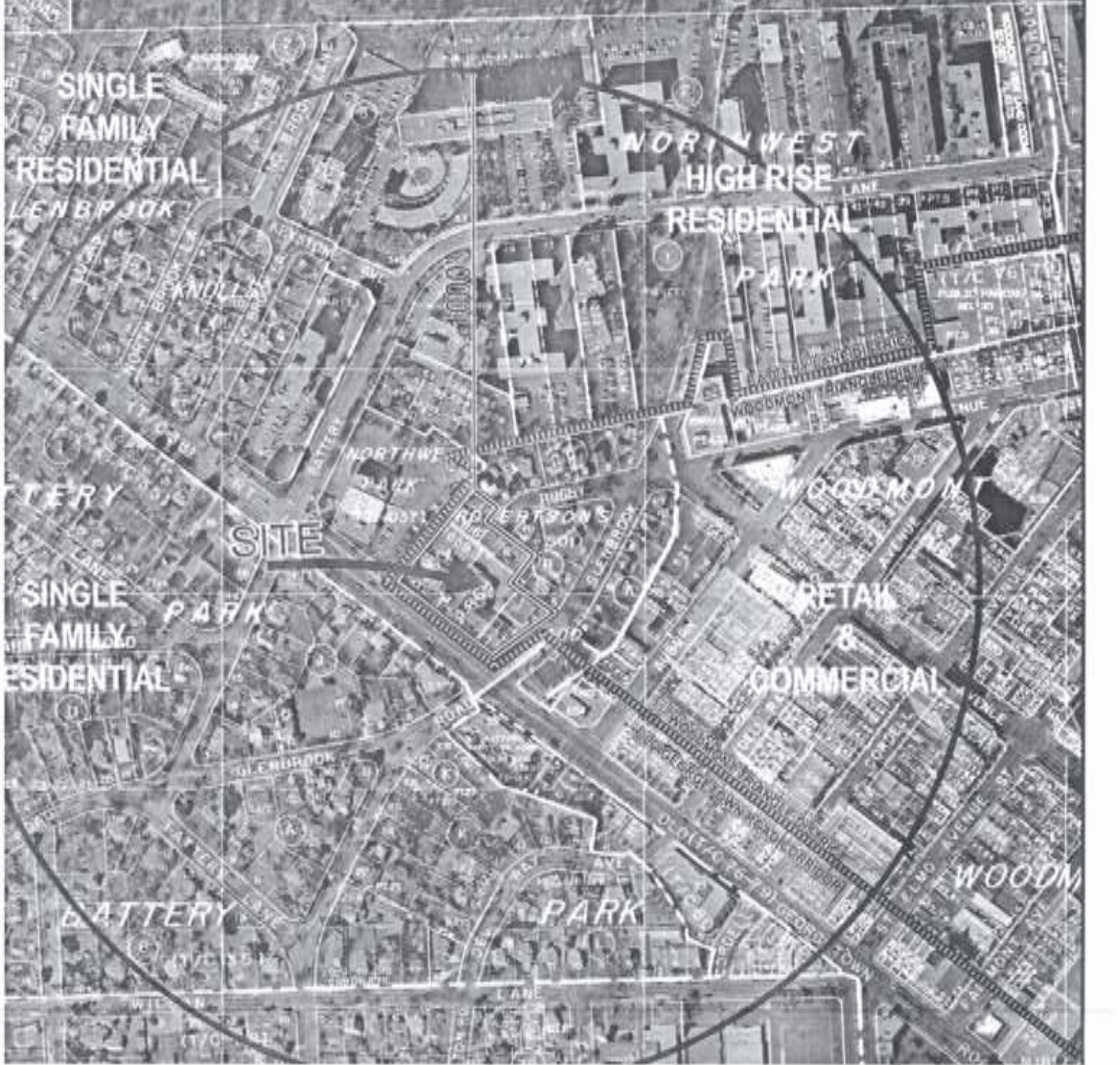
Legend

-  WOODMONT TRIANGLE DISTRICT
 -  SITE BOUNDARY
 -  1,000' VICINITY
-  N
-  1 inch equals 100 feet

NEIGHBORHOOD MAP

ATTACHMENT 2

NATIONAL INSTITUTES
OF
HEALTH



ZONING MAP

ATTACHMENT 3



R-60

R-60

R-60

R-60

R-60

R-90

R-60

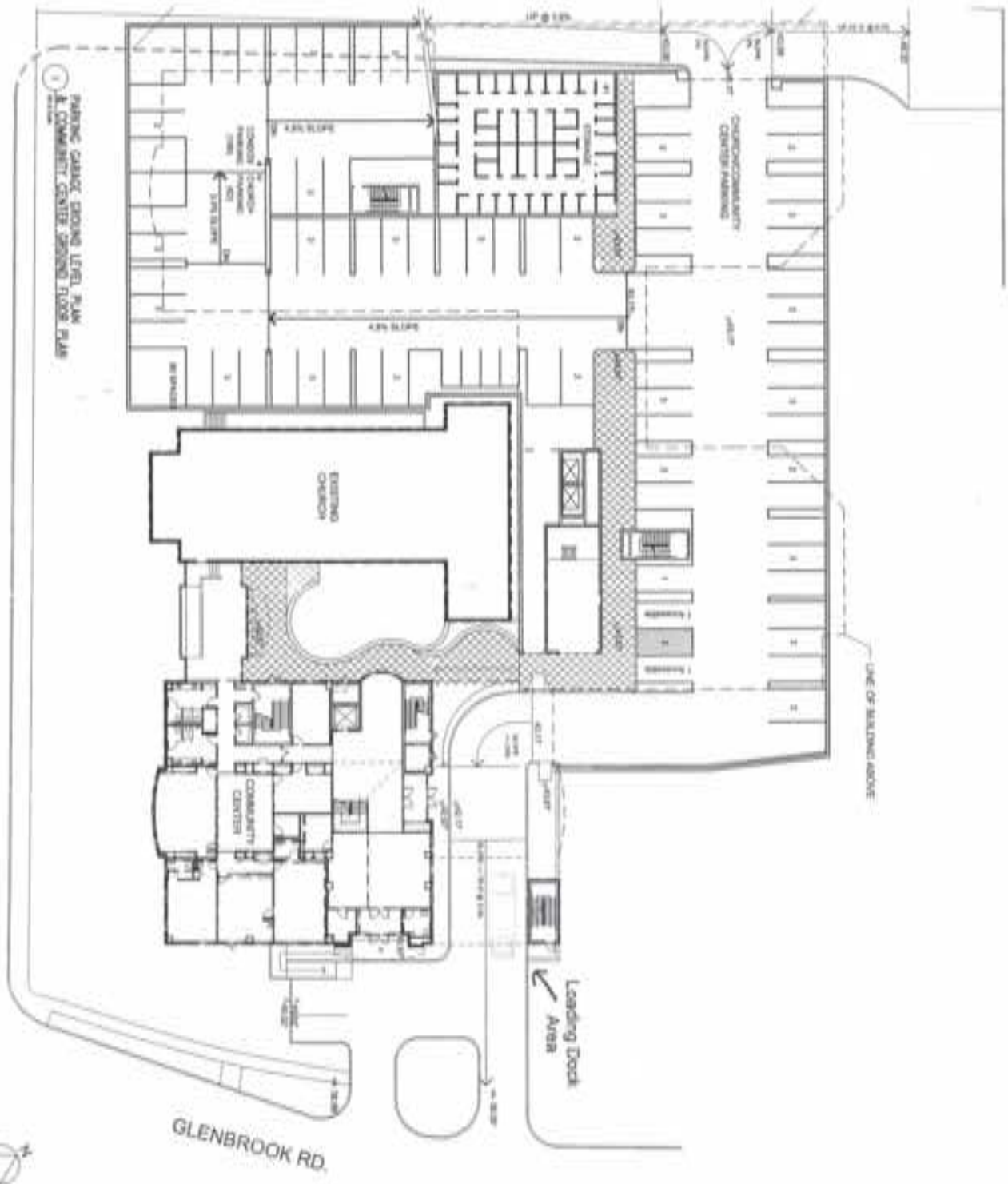
R-60

R-90

R-60

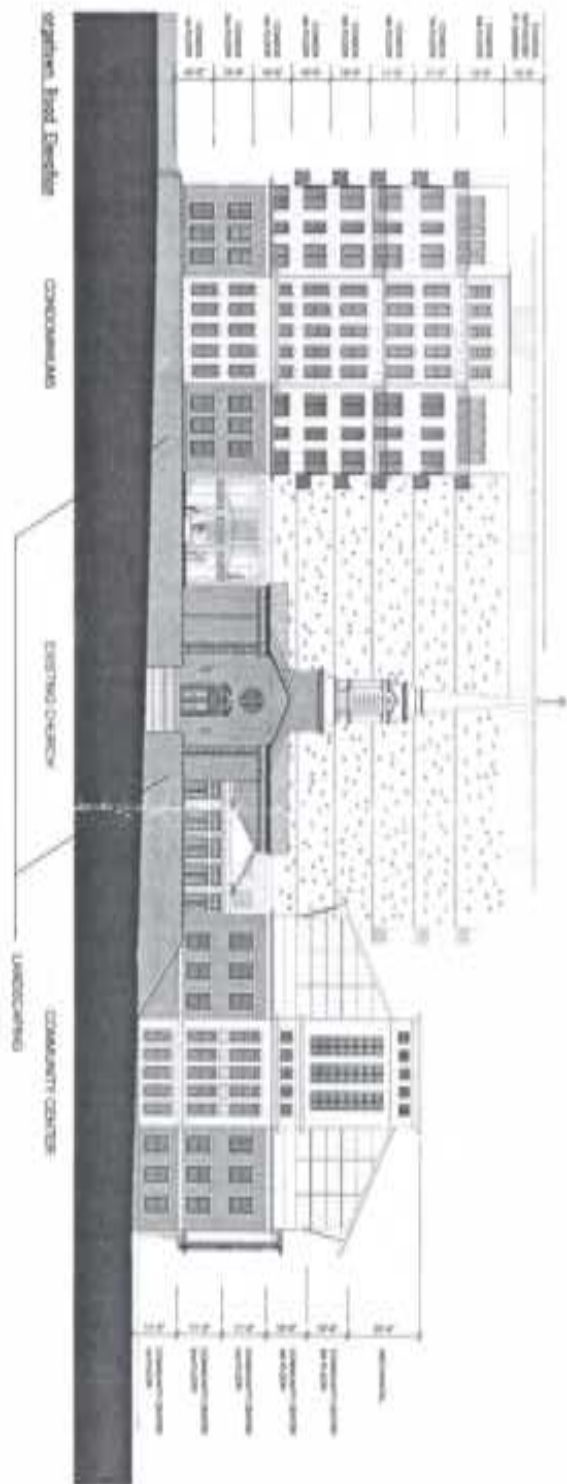
R-60

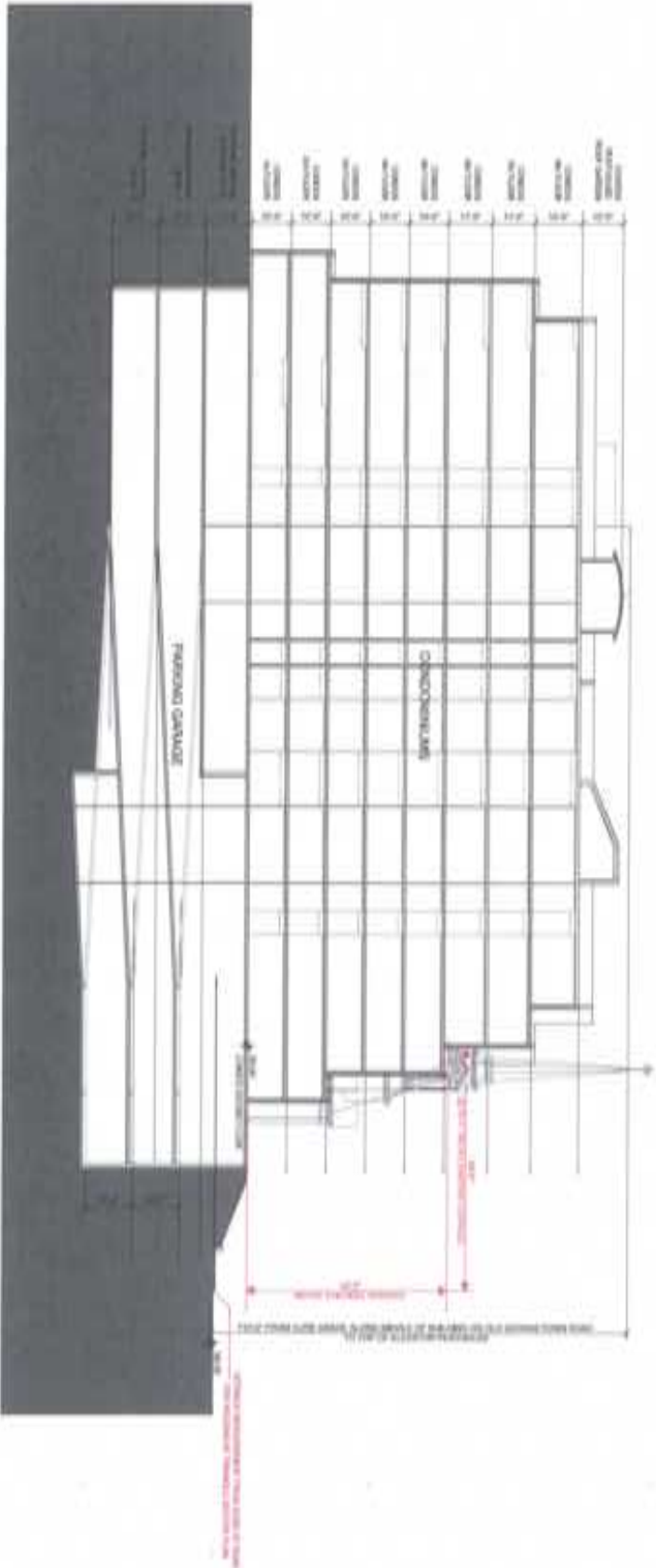
FLOOR PLAN



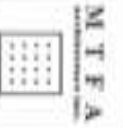
BUILDING ELEVATIONS

ATTACHMENT 7





① Elev. Above Sign Section



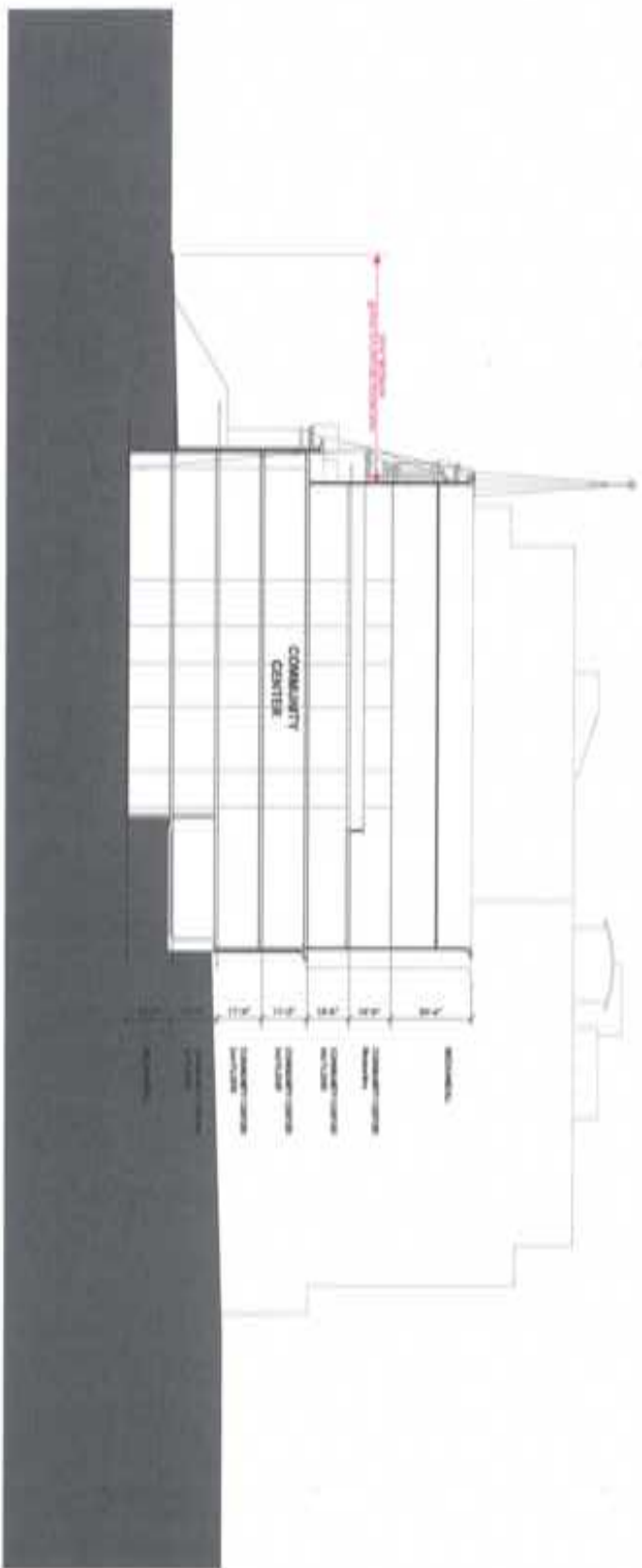
MTFA
Metropolitan Transportation Authority

COMMUNITY DEVELOPMENT
AND
ECONOMIC DEVELOPMENT
DIVISION

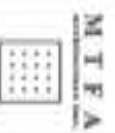
DATE: 10/10/10
SCALE: 1/8" = 1'-0"

PROJECT: 100'0" x 100'0" SIGN
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 10/10/10

A3.2a



① Bedford Road 30' Section



MTFA
METRO TRANSIT FINANCE AUTHORITY

Administrative Office
1000 North 17th Street
Metairie, Louisiana 70002
Phone: (504) 885-8000

CHIEF FINANCIAL OFFICER
COMMUNITY CENTER
AND
SCHOOL NUMBER
CONSTRUCTION
August 1, 2009, 09

DATE: 08/01/09
DRAWN BY: [Signature]

PROJECT: COMMUNITY CENTER
SHEET: A3.2b



MTFA
 METROPOLITAN TRAFFIC
 FEEDBACK AND TRANSPORTATION
 AUTHORITY

PERSPECTIVE OVERLAY (proposed)
 CHRIST EVANGELICAL LUTHERAN DISCOVERY/COMMUNITY CENTER
 AND BOZZUTO HOUSES CONDOMINIUMS



Date: 11-27-18
 Revised: 06-19-19

Sheet No. _____
 of _____
 Date: 03/11/19

A4.4




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


July 6, 2007

Revised: August 20, 2007

MEMORANDUM

TO: Carlton Gilbert, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Ed Axler, Planner/Coordinator 
Transportation Planning

SUBJECT: Christ Evangelical Lutheran Church/Community Center and Bozzuto Homes
Local Map Amendment No. G-864
Bethesda Central Business District Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject local amendment map application. The applicants are proposing to redevelop the existing site with a house of worship, community center, and a child daycare center.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to the approval of the subject local amendment map application:

1. The site redevelopment is limited to the existing house of worship, a replacement community center, an expanded child daycare center for up to 125 children, and a new high-rise apartment building for up to 107 units.
2. At the time of preliminary plan review, the applicants must meet the following conditions:
 - a. Enter into a Traffic Mitigation Agreement (TMAG) with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the Bethesda Transportation Management Organization (TMO). The TMAG must be signed and executed by all parties prior to certified site plan.
 - b. ~~Dedicate an additional 17 feet of right of way from the centerline of Old Georgetown Road and 10 more feet of right of way from the centerline of Glenbrook Road.~~

- e.b. Abandon the rights-of-way at the road's dead end section of Rugby Avenue and the public alley on the west side of Glenbrook Road.
- e.c. Provide 16 bicycle parking spaces that include three inverted-U bike racks in a weather-protected area near the main public entrance for visitors to the condominium and 10 bike lockers for residents in the parking garage within 50 feet of the elevators. The Transportation Planning staff will determine the ultimate location of the bicycle facilities prior to approval of certified site plan.

DISCUSSION

Site Location, Parking, and Vehicular Access Points

The subject site is located on the east side of Old Georgetown Road (MD 187) between Glenbrook Road and the Bethesda/Chevy Chase Rescue Squad. The table below indicates the number and location of parking spaces and the vehicular access points by the time of day for each land use.

Land Use on the Site	No. of Parking Spaces - Level	Enter Point	Exit Point	Predominant use of access Day &/or Time of Day
Existing House of Worship	196-92 spaces on 1 st Level	Glenbrook Road	Glenbrook Road	Sundays
Replaced Community Center		Glenbrook Road	Glenbrook Road	Weekdays, Middays & Weekends
Expanded Child Daycare Center – Staff Trips		Glenbrook Road	Glenbrook Road	Weekdays AM & PM Peaks
Expanded Child Daycare Center – Parents Trips	N/A	Old Georgetown Road	Glenbrook Road	Weekdays AM & PM Peaks
High-Rise Condo Apartments - Residents' Trips	62-196 spaces on 2nd & 3rd Levels	Primary=Old Georgetown Road	Primary=Old Georgetown Road	Weekdays AM & PM Peaks
		Secondary= Rugby Avenue	Secondary= Rugby Avenue	
High-Rise Condo Apartment - Visitors' Trips	At-Grade at the Rugby Avenue Terminus	Rugby Avenue	Glenbrook Road	Any Time
Deliveries for all Land Uses on the Site	Loading Dock	Glenbrook Road	Glenbrook Road	Any Time

Available Transit Service

Bethesda Metrorail Station is located 2,800 feet to the south of the subject site. Although no transit service is available along Glenbrook Road and Rugby Avenue, Ride-On routes 30, 47, and 70 operate along Old Georgetown Road.

Pedestrian Facilities

Sidewalks exist along Old Georgetown Road, Glenbrook Road, and Rugby Avenue. The existing intersections have been marked with crosswalks and equipped with pedestrian signals at the studied intersections. The traffic signal timings provide for a pedestrian to cross the entire length of roadways based on a 3.0 feet per second walking speed.

Master-Planned Roadways and Bikeway

In accordance with the *Bethesda CBD Sector Plan*, Glenbrook Road and Rugby Avenue are designated as business district streets with recommended 80-foot right-of-way. Old Georgetown Road is designated as a major highway, M-4, with a recommended 110-foot right-of-way. In accordance with the *County Functional Master Plan of Bikeways*, a shared signed roadway, SR-7, is designated along Glenbrook Road.

Sector-Planned Transportation Demand Management

The site is located in the Bethesda Transportation Management District. The applicant must enter into a Traffic Mitigation Agreement with the Planning Board and DPWT to participate in the Bethesda Transportation Management Organization (TMO) to assist in achieving the 37% non-auto-driver mode share goal for employees in the CBD as described in Recommendation No. 2a.

Local Area Transportation Review (LATR)

The proposed mixed-use development would generate the following peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and the weekday evening peak period (4:00 to 7:00 p.m.):

Type of Land Use	Number of Staff Persons or Units	Weekday Peak Hour	
		Morning	Evening
Existing House of Worship	(No Change)	N/A	N/A
Replaced Community Center	(Replacement Only)	N/A	N/A
Expanded Child Daycare Center	25 Total Staff	61	68
Proposed High-Rise Apartments	107 Units	32	32
Subtotal of Proposed Land Uses- Peak-Hour Trips		93	100
Existing Child Daycare Center	14 Existing Staff	-42	- 45
Net Increase in Peak-Hour Trips		+51	+55

A traffic study was required to satisfy the LATR, because the proposed mixed-use development generates 30 or more total peak-hour trips during the weekday morning and evening peak hours. The table below shows the Critical Lane Volumes (CLV) at the studied intersections:

Traffic Condition	Congestion Standard	Weekday Peak Hour	Traffic Condition		
			Existing	Background*	Total
Old Georgetown Road and Battery Lane	1,800 Bethesda CBD	Morning	1,139	1,139	1,139
		Evening	1,320	1,320	1,323
Old Georgetown Road and the Site Access	1,800 Bethesda CBD	Morning	---	---	992
		Evening	---	---	962
Old Georgetown Road and Glenbrook Road	1,600 Bethesda/ Chevy Chase	Morning	997	997	1,011 1,003
		Evening	1,026	1,026	1,049 1,044
Old Georgetown Road and Auburn Avenue	1,800 Bethesda CBD	Morning	949	949	957 961
		Evening	1,035	1,035	1,042 1,047
Glenbrook Road and the Site Access	1,800 Bethesda CBD	Morning	---	---	148 156
		Evening	---	---	123 128
Glenbrook Road and Rugby Avenue	1,600 Bethesda/ Chevy Chase	Morning	150	150	155 163
		Evening	150	150	160 165

* The CLVs in the existing traffic condition are the same as the CLVs in the background traffic condition.

The CLVs at all studied intersections are less than the appropriate congestion standard.

EA:tc

cc: Judy Daniel
 Steve Kaufman
 Chuck Kines
 Mike Lenhart



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 16, 2007

MEMORANDUM

TO: Carlton Gilbert, Development Review Division
FROM: Judy Daniel, Team Leader, Bethesda-Chevy Chase Team
SUBJECT: Local Map Amendment G-864
ZONE: R-60 to PD 44
MASTER PLAN: 2006 Woodmont Triangle Sector Plan

RECOMMENDATION

The Community-Based Planning staff recommends approval of this rezoning request based on the information submitted, and its relationship to the recommendations of the Woodmont Triangle Sector Plan.

BACKGROUND

This property is located on Old Georgetown Road at the corner of Glenbrook Road. It is on the western border of the Woodmont Triangle area, and contains the church and education building of the Christ Lutheran Church, and adjoining homes owned by the church on Glenbrook Road and Rugby Avenue. A rezoning from the R-60 Zone to the PD 44 Zone is requested.

The church is partnering with Bozzuto Homes to redevelop part of the site with market housing in a two-wing, 114 foot high structure, with 8 floors of dwelling units in a wing facing Old Georgetown Road, and 9 floors in a perpendicular wing along the rear of the property, adjoining Rugby Lane. Along the Old Georgetown Road wing, the structure will be setback after the 2nd floor, the 5th floor, and the 7th floor – reducing its visual bulk, and leaving a portion of the side façade and steeple of the church open to view along the sidewalk.

The rear wing also be stepped back, and will have 9 floors that include a roof garden on the 9th floor level. The primary pedestrian entrance to this property will be facing Rugby Road. The primary vehicle access will be from a driveway off Old Georgetown Road, leading to a garage entrance and the entry/drop off area in the rear of the property.

The church sanctuary is to remain, but the educational building will be replaced with a new five story (76 feet high) education/community service building that includes a 4th floor gymnasium. The primary parking entrance for the church elements will be off Glenmont Road.

The residences and the church functions will be served by a common two level underground parking garage, accessed from a driveway off of Old Georgetown Road to the garage entrance, and a garage entrance directly off of Glenbrook Road. All loading and deliveries will be to the Glenbrook Road access area.

In addition to the housing resources that will be created from this development; it will allow an expanded community service function by the church. The development will allow the church to expand its programs that include child day care, adult day care for the elderly, rehearsal and performance space for performing arts programs, space for community functions, support programs for families and individuals, and a family life center – in addition to its religious programs.

MASTER PLAN GUIDANCE

The 2006 Woodmont Triangle Sector Plan considered this site, and the residual homes along Rugby Avenue to its intersection with Norfolk Avenue. It recommends use of the PD 44 zone, provided that issues of compatibility with existing single-family homes could be addressed. The intent of this recommendation is to allow redevelopment of the church property, and possible longer-term redevelopment of the homes along Rugby Avenue. The Plan directs that any zoning application must consider compatibility with the existing single-family homes on Rugby Avenue (notwithstanding their PD 44 recommendation), and the homes on the opposite side of Old Georgetown Road. The Plan specifies that any rezoning should not result in multi-family development “surrounding or isolating a limited number of single-family homes.”

The Sector Plan recommends that heights along Old Georgetown Road north of St. Elmo Avenue be limited to 50 feet extending 60 feet back from Old Georgetown Road to maintain compatibility with existing development. The intent of the height and setback restriction is to maintain compatibility with the homes on the other side of Old Georgetown Road, the staff believes that the spirit of the Sector Plan would be to prefer compliance with this requirement since the church property does confront homes, particularly at the northern end of the property.

MASTER PLAN COMPLIANCE

The proposed rezoning to the PD 44 reflects the recommendation in the Sector Plan. The resulting development is compatible at this location. The residential structure is compatible at this location, and the residential development will allow the church to expand its community facilities and programs.

The residential building facing Old Georgetown Road is stepped back to create a tiered façade that does not negatively impact homes on the opposite side of that road. The building and height restriction (50 feet in height for 60 feet back from Old Georgetown Road) is met (the height is measured from the base of the building, not from the curb when a pre-existing “terrace” is present). The building will be built on the existing terrace.

The church education/gym building location will not fully meet the height and setback restriction. A portion of this building will intrude into the 60 foot restricted area by approximately 8 feet. The staff believes the proposed height is compatible with the adjacent development for several reasons:

- The existing building across Glenbrook is over 100 feet tall,
- The building opposite the existing office tower is a 4 story office structure in the C-T Zone,
- The area of excess height is limited, and
- The use of the building – church classrooms and activities, day care, and community services – serves important community functions.

The façade of the building along the rear of the property adjoining Rugby Lane is acceptable. The building design creates a buffer to the east, with over 70 feet from the building entrance to the existing single family dwelling on Rugby Lane. The home on the other side of Rugby Lane will be located over 20 feet from the structure, within the setback required for the zone.

A lesser buffer will be created between the building and the existing home that faces Glenbrook Road. That home was recently extensively remodeled and enlarged, but there will be almost 20 feet between the multi-family structure and the side of that home, and over 40 feet from its rear side meeting the required setback for the zone. In addition, the building parking entrance was reconfigured to ensure that the home would not be immediately adjoining the service/loading dock entrance. The loading dock is now removed from the property boundary.

The setbacks are sufficient and reflect the location of the single family homes in an area clearly intended for eventual redevelopment by the Sector Plan.

The shadow study conducted for the project indicates that at the times of greatest shadow impact, the existing homes are more impacted by the existing 12-story office structure at the corner of Old Georgetown Road and Glenbrook Road (a legal non-conforming use) than by the proposed new buildings.

The proposed use will not “isolate” the existing homes. The language in the Plan is directed to avoiding piecemeal redevelopment along Rugby Lane, leaving homes surrounded by taller multi-family structures. This development is on the edge of the area. The intent of the Plan is that eventual redevelopment at the higher recommended density on this section of Rugby Lane should be accomplished via assembly.

Finally, the new landscaping and the building setbacks will greatly improve pedestrian access and the pedestrian experience along this segment of Old Georgetown Road. And the scale of the building is not inconsistent with nearby existing structures on Old Georgetown and Battery Lane.

CONCLUSION

The proposed rezoning will add housing resources to the Woodmont Triangle area, and will allow the Christ Evangelical Lutheran Church to improve its facilities and expand the services it offers to the wider community. The PD 44 zone proposed is recommended in the Sector Plan. The Community Based Planning staff believes that the community assets that the church offers are offset the intensity of use proposed. Approval of the rezoning is recommended. Several issues are important for consideration at site plan review:

1. Details of the landscaping and streetscaping of the frontage along Old Georgetown Road and Glenbrook Road.
2. Providing a green roof on the residential structures
3. Details of the landscaping/fences for the buffer areas adjoining the single family homes on Glenbrook and Rugby.
4. Traffic patterns for the access road from Old Georgetown to Rugby.
5. Scheduled loading/delivery times for the Glenbrook entrances, to avoid conflict with other uses in the building and along Glenbrook.




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: May 11, 2007

TO: Carlton Gilbert, Development Review Division

VIA: Jorge A. Valladares, P.E., Countywide Planning Division, Environmental

FROM: Marion Clark, Countywide Planning Division, Environmental (M) 

SUBJECT: Zoning Application No. G-864
Christ Lutheran Church and Community Center

Recommendation: Approval of the Preliminary Forest Conservation Plan

This proposal poses no difficulties for complying with the Forest Conservation Law or Environmental Guidelines.

Forest Conservation – Chapter 22A

An approved Natural Resource Inventory/Forest Stand Delineation is included in the submission. The NRI/FSD indicates no forest or specimen trees on site, so the forest conservation requirement is for afforestation. No Tree Save Plan is required. Because the zone requested is a Planned Development zone, 15% of forest conservation requirements must be met on-site. But since the site is located adjacent to a Central Business District, the afforestation requirement can be met through tree cover or planting canopy trees. A Preliminary Forest Conservation Plan, also part of the submission, provides the entire afforestation requirement on-site with tree cover.

Environmental Guidelines

This site is located in a highly urban area that was developed before the Environmental Guidelines were adopted. It is not located within a Special Protection Area or Primary Management Area. This site has no specimen or significant trees, no steep slopes, and no erodible soils. There are no wetlands or streams.

Water Quality and Stormwater Management

The site is located in the Lower Mainstem Bethesda subwatershed of the Lower Rock Creek watershed. The subwatershed is designated an Urban Watershed Restoration Area where the CSPS recommends supporting cost-effective stormwater quality controls on redevelopment sites, such as the subject site.

The Stormwater Management Concept Plan is approved by The Department of Permitting Services.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

July 2, 2007

Mr. Krupa Patel
Loiederman Soltesz Associates, Inc.
2 Research Place, Suite 100
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Christ Evangelical Lutheran Church
Preliminary Plan #: Not available
SM File #: 229747
Tract Size/Zone: 2 acres/PD44PD68
Total Concept Area: 1.94 acres
Lots/Block: 3,4,11,9
Parcel(s): 869,859,860,816
Watershed: Lower Rock Creek

Dear Mr. Patel:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via flow-through Stormfilters, green roofs, and grass channels. Onsite recharge is not viable due to the underground garage. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The grass swale must be constructed using permeable soils and must meet the requirements of the Maryland 2000 Stormwater Management Manual.
6. The green roofs must be designed in accordance with the latest technology and Montgomery County requirements.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm

cc: C. Conion
S. Federline
SM File # 229747

QN -less than 2cfs; Acres: 1.94
QL - onsite; Acres: 1.94
Recharge is not provided

08/15/2007 10:31 2407776262

DEPT OF PERMITTING

ATTACHMENT 14



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

August 14, 2007

Carlton Gilbert
M-NCPPC
Development Review Division
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Height Measurement for Redevelopment of Christ Evangelical Lutheran Church,
Bethesda; Local Map Amendment Application No. G-864

Dear Mr. Gilbert:

This letter will confirm my discussion with representatives of the Applicants in the above-referenced case on August 13, 2007 concerning the height measurement of the proposed multi-family building and community center. The property contains approximately 1.87 acres and is located in the northeast quadrant of the intersection of Old Georgetown Road and Glenbrook Road in Bethesda ("Property"). We understand that, to date, the Applicants have been measuring the height of the proposed buildings from curb grade along Old Georgetown Road, which is the point at which such measurement would usually be taken. However, due to the existing terraced elevation of the Property along Old Georgetown Road, which condition will not be significantly altered through the redevelopment of the Property, the Department of Permitting Services ("DPS"), pursuant to the definition of "Height of Building" found at Section 59-A-2.1 of the Montgomery County Code ("Code"), as well as the DPS Policy Manual, will measure the height of the proposed buildings from this terrace, rather than from curb grade. This point of measurement is considered by DPS to be in full compliance with the law for all structures planned for the Property. From this point of measurement, it appears that the proposed buildings will be under 50 feet in height within a 60 foot setback from Old Georgetown Road.

Please contact me if you have any additional questions.

Very truly yours,

MONTGOMERY COUNTY DEPARTMENT OF
PERMITTING SERVICES


David K. Niblock
Permitting Services Specialist

May 12, 2007

Françoise Carrier, Esq.
Director, Office of Zoning and Administrative Hearings
Montgomery County
100 Maryland Avenue
Room 200
Rockville, MD 20850

Re: Local Map Amendment Application No. G-864; Christ Evangelical Lutheran Church/Community Center and Bozzuto Homes Condominiums (the "Application")

Dear Ms. Carrier,

I am writing to express my strong support for the Christ Evangelical Lutheran Church/Community Center (CELC) and Bozzuto Homes Condominiums application at 8011 Old Georgetown Road in Bethesda.

CELC has initiated this redevelopment request in order to continue to offer their mission and community services to the Bethesda community. The church has offered a wide variety of services to the local and global community since 1934. The proposed redevelopment will build on that heritage and allow for those services to be enhanced and sustained for generations to come.

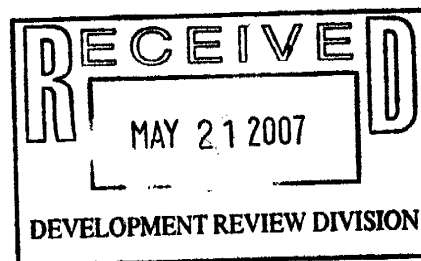
As a long time member of the church congregation and resident of Montgomery County, I strongly urge your positive decision on this request.

Sincerely,

Ruth G. Lewis

*4311 Kentbury Dr.
Bethesda*

CC:
Dr. Royce Hanson
Carlton Gilbert
Martin Klauber, Esq.



May 16, 2007

Françoise Carrier, Esq.
Director, Office of Zoning and Administrative Hearings
Montgomery County
100 Maryland Avenue
Room 200
Rockville, MD 20850

Re: Local Map Amendment Application No. G-864; Christ Evangelical Lutheran Church/
Community Center and Bozzuto Homes Condominiums (the "Application")

Dear Ms. Carrier,

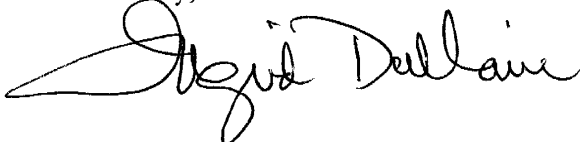
I am writing to express my strong support for the Christ Evangelical Lutheran Church/Community Center (CELC) and Bozzuto Homes Condominiums application at 8011 Old Georgetown Road in Bethesda.

CELC has initiated this redevelopment request in order to continue to offer their mission and community services to the Bethesda community. The church has offered a wide variety of services to the local and global community since 1934. The proposed redevelopment will build on that heritage and allow for those services to be enhanced and sustained for generations to come.

I currently serve on the Church Council of Christ Evangelical Lutheran Church. The Council is the group entrusted with the care of the congregation and its resources. We have studied our many options over the years as to how we can best expand our ministries in the Bethesda community. The redevelopment of our property is the best way for us to be able to continue to serve those in need of child care, those in need of a hot lunch from Bethesda Cares, those in need of a place for a support group, those in need of counseling from our Family Counseling Center, and those in need of a place to worship.

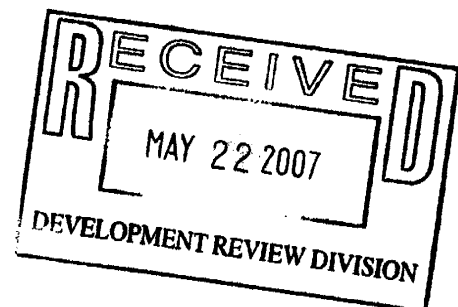
As a long time member of the church congregation and resident of Montgomery County, I strongly urge your positive decision on this request.

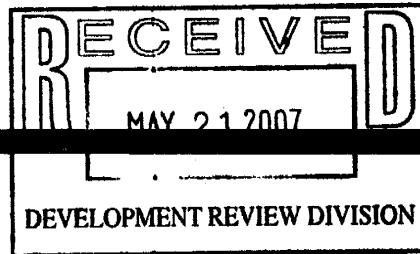
Sincerely,



CC:

Dr. Royce Hanson
Carlton Gilbert
Martin Klauber, Esq.





May 12, 2007

Françoise Carrier, Esq.
Director, Office of Zoning and Administrative Hearings
Montgomery County
100 Maryland Avenue
Room 200
Rockville, MD 20850

Re: Local Map Amendment Application No. G-864; Christ Evangelical Lutheran Church/
Community Center and Bozzuto Homes Condominiums (the "Application")

Dear Ms. Carrier,

I am writing to express my strong support for the Christ Evangelical Lutheran Church/Community Center (CELC) and Bozzuto Homes Condominiums application at 8011 Old Georgetown Road in Bethesda.

CELC has initiated this redevelopment request in order to continue to offer their mission and community services to the Bethesda community. The church has offered a wide variety of services to the local and global community since 1934. The proposed redevelopment will build on that heritage and allow for those services to be enhanced and sustained for generations to come.

As a long time member of the church congregation and resident of Montgomery County, I strongly urge your positive decision on this request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dr. Royce Hanson". The signature is written in a cursive style and is positioned above the typed address.

5550 Tuckerman Lane
Rockville

CC:

Dr. Royce Hanson
Carlton Gilbert
Martin Klauber, Esq.

4/16/07 CELC Community Meeting

David Chaconas – BCC Rescue Squad

Q: How many units? (A: 107)

Q: Any chance this would go rental? (A: No, believe condo market will rebound)

Jim Humphrey – Montgomery County Civic Federation

Q: How do you get proposed density with only 1.86 acres? (A: MPDU Density Bonus)

Q: Is BRAC included in background traffic? (A: No. Background determined by MNCPPC)

Q: Has a shadow study been completed? (A: A shadow study will be part of application)

Q: How many houses will be torn down for the project? (A: 3)

Greg Kiel (sp?)- Lives across Old Georgetown Road

Q: How wide will driveway be?

Q: Isn't there a traffic problem at new entrance? (A: Mike L. explained traffic report)

Q: What about lighting? (A: No uplighting, nothing offensive)

Q: Will sidewalk be brick? (A: Not required and more of a site plan issue, but most likely sidewalk will receive a special treatment)

Q: Will we underground utilities? (A: Yes)

Q: What about Gateway issue? – it will be lopsided on one side of road – need bookends for symmetry.

Comment: Wants perspective from south side of Old Georgetown. Show further back so you can see house in relation to new structures.

Malcolm Rivkin – Battery Park Citizens Association

Cited p. 23 of Master Plan – “review application to ensure compatibility of existing single-family homes north and south”

Q: What have you done regarding outreach to single-family homes? (A: Initial information session and this session.)

Q: What is height? (A: 8 stories, 114 feet).

Comment: Rendering doesn't do justice to stepping back of building. Likes design concept

George Glebel – BCC Rescue Squad

Q: Will people buy units with fire department next door? (A: Yes, but sale of units is not a risk for CELC, but for Bozzuto)

Steve Ziler – Battery Park

Q: Size and type of units? (A: 1,200 – 2,000 sf)

Q: Are we renovating church? (A: Yes)

DATE: August 19, 2007

TO: Carlton Gilbert, Planner Coordinator
M-NCPPC Development Review

FROM: Jim Humphrey, Chair
Planning and Land Use Committee, Montgomery County Civic Federation
5104 Elm St., Bethesda MD 20814
(301)652-6359/email - theelms518@earthlink.net

SUBJECT: Limited Map Amendment G-864, Christ Evangelical Lutheran Church site

I was astonished to read in the July 26, 2007 staff report which you wrote for Planning Board consideration of LMA G-864, in Section VF related to Community Concerns (pg. 16), that "To date, staff is not aware of community issues or opposition related to this application." While your statement may be accurate (that "staff is not aware of community issues or opposition"), it demonstrates a complete lack of knowledge of what occurred at the two meetings the developer held with the community (October 19, 2005 and April 16, 2007), both of which I attended.

Had you or any M-NCPPC staffer attended either of these two meetings, or had the developer or their attorneys accurately reported these meetings, you would be aware that residents living in the single-family detached home neighborhoods adjacent to this project did raise issues of concern to them and voiced significant opposition to the project as proposed. Nearly a dozen residents of the 18 or so homes along Glenbrook Road and Rugby Avenue to the east and north of the subject site attended the meeting with the developer held in October 2005. And residents living along Old Georgetown Road directly to the southwest of the subject site attended the April 2007 meeting. At these meeting, adjacent neighbors expressed their--

- opposition to the height of the proposed project due to lack of compatibility with their neighborhoods, and the compromising of their privacy that would result from occupants in a new 8-story residential building seeing down into their yards and homes,
- concern over loss of existing landscape (holly and pine trees) on the site,
- and concern about impact on neighborhood safety due to the significant increase in traffic the project will generate along their streets (which, except for Old Georgetown Road, are now quiet residential streets on the edge of the Bethesda Sector Plan area), occurring at all hours.

Please attach this letter when resubmitting your staff report for the upcoming Planning Board consideration of LMA G-864 so that the Board is made aware of community concerns and opposition to the application, as well as the developer's lack of disclosure of same. I can only hope that the required disclosure of developer meetings with the community, which is proposed in the Development Review Manual now under Council consideration, will prevent in future the kind of obscuring of community concerns that almost occurred in this case.

Sincerely,

/s/

Jim Humphrey
Chair, MCCF Planning and Land Use Committee

Gilbert, Carlton

From: Wolfe, Bernard [bwolfe@wolfefinancial.com]
Sent: Sunday, August 19, 2007 8:36 PM
To: Gilbert, Carlton
Subject: Glenbrook Rd

Mr. Gilbert:

My name is Bernard Wolfe. My wife Patsy-Ann and myself live at 8012 Glenbrook Rd. Bethesda, MD 20814. I send you this email to alert you to possible misrepresentation in regard to the possible development of the Christ Evangelical Luther Church community Center.

My concern is that apparently, you have NOT been informed of the strong opposition to the application as well as community opposition. Let me assure you there is a great deal of opposition and this presents a serious concern. Let me list some of our concerns

1. Currently there is a great deal of traffic. Our street at times does not seem safe with the current traffic flow. We cannot even imagine what would happen if this nine story development was allowed to proceed.

I believe this proposal will impact the safety of residents in our neighborhood.

I believe this to violates the spirit and intents of the **1993 general plan housing objective 5e** to "maintain the safety and quality of neighborhoods" which reads in Part E "protect residential neighborhoods by channeling through traffic away from residential streets".

2. The proposal is not compatible with the existing adjacent single family detached home neighborhood. I have been told that the developer intends to build 7 foot walls between the building and our homes. Nobody has spoken to me or my wife about such a wall. I do not believe these walls would be sufficient to address privacy issues for a 8-9 story building.

This also violates the spirit and intents of **1993 general plan housing objective 5c** "mix housing with other uses, in this case a church and a daycare center, with special care in ways that promote compatibility and concern for residents needs for safety, privacy, and attractive surroundings when introducing new use in established neighborhoods

3. It is my understanding that the 1993 general plan (the master plan for the entire county) states that when deciding to approve or disapprove a development plan that accompanies a rezoning request, they must make a finding that it "substantially complies with the use and density indicated by the master plan or sector plan and does not conflict with the general plan.

In our case both the height of the proposed project and the traffic impact on our neighborhood violates the spirit and language of sections of the general plan designed to maintain and enhance the quality and safety of neighborhoods.

Mr. Gilbert, I apologize for this lengthy email. I can imagine how busy you must be but I am a very concerned resident. I thank you for your time and am available if you wish to contact me directly. 301-351-5699.

Sincerely yours,

Bernie Wolfe

Notice: This e-mail message and any attachment to this e-mail message may contain information that is confidential, proprietary, privileged, legally privileged and/or exempt from disclosure under applicable law. If you are not the intended recipient, please accept this as notice that any disclosure, copying, distribution or use of the information contained in this transmission is strictly prohibited. National Financial Partners Corp. reserves the right, to the extent and under circumstances permitted by applicable law, to retain, monitor and intercept e-mail messages to and from its systems.

Any views or opinions expressed in this e-mail are those of the sender and do not necessarily express those of National Financial Partners Corp. Although this transmission and any attachment are believed to be free of any virus or other defect that might affect any

Gilbert, Carlton

From: ARLENE BRUHN [A.P.BRUHN@VERIZON.NET]
Sent: Monday, August 20, 2007 12:57 PM
To: Gilbert, Carlton

To:

Carlton Gilbert, M-NCPPC Development Review
8787 Georgia Avenue
Silver Spring, MD 20910

Mr. Gilbert,

It is my understanding that you are about to undertake a review of the Christ Lutheran Church project on Old Georgetown Road in order to consider the merits of rezoning the property into Planned Development 44.

I wish to raise the following concerns as a resident living near the proposed project.

The **shift in traffic patterns will negatively affect the safety of residents** living in nearby homes because of the of an increased volume of vehicular traffic on a daily basis rather than an increase generally spiking on Sunday mornings. The quality of the neighborhood will be adversely impacted because as the plan now stands traffic will be channeled onto Glenbrook Road, now a relatively quiet residential street. rather than away from it.

The construction of an 8-story building is not visually compatible with surrounding single family homes. The new building as currently designed will loom over the residences, dwarfing them by its height and casting long shadows, particularly in the afternoon hours, thus **depriving the owners of nearby residences of the use and enjoyment of their properties due to the loss of light and potential loss of abundant air circulation.** Any **privacy** the nearby residents may have enjoyed in their yards will be eliminated. The proposed privacy wall will do little to alleviate the problem and in fact may increase the residents sense of confinement as its **shadows** destroy their gardens and as its elevation blocks air flow into their gardens.

Such as mix of heights and of residential uses does not promote an attractive cityscape.

No amount of landscaping, wide sidewalks, mini parks with benches or new tree planting, even though helpful, will effectively offset and mitigate the unpleasant aesthetic impact of such a mix.

I urge you to more carefully consider the negative impact on nearby residents and to deny the Church's wish to rezone and develop as currently planned.

Arlene Bruhn
7820 Glenbrook Road
Bethesda, MD 20814

Gilbert, Carlton

From: pravitz@mmm.com
Sent: Sunday, August 19, 2007 8:47 PM
To: Gilbert, Carlton
Cc: Robyn_Strachan_-_Robyn_Strachan@nih.gov
Subject: Opposition to proposed development by Christ Evangelical Lutheran Church

August 19, 2007

Dear Mr. Gilbert:

My name is Paul Ravitz, and my wife is Robyn Strachan – my wife has lived at 8009 Glenbrook Road in Bethesda since 1992, and myself since 2001. We are writing this E-mail to express our strong opposition to the proposed development by the Christ Evangelical Lutheran Church at the corner of Old Georgetown Road and Glenbrook Road in Bethesda. In fact, we were quite surprised to learn that you were not aware of any neighborhood opposition related to this application, given our history and that of our neighbors of opposing this project, for example at the meeting sponsored by the church and the developer in October 2005 held at the church. We had previously worked with Marylyn Clemmons at MNCPPC, and had specifically requested that we be kept informed on the status of this project. We only recently learned of the rezoning hearing scheduled for Sept. 6.

We are greatly concerned that the proposed project will negatively impact the safety of our neighborhood, brought about by the planned vehicular accesses from Glenbrook Road and Rugby Avenue. We understand that all church-related traffic, in addition to existing day-care traffic, will be shifted from Rugby Avenue onto Glenbrook Road. Furthermore, we understand that Rugby Avenue is the planned access road to the proposed apartment building. Since Rugby is not a through street, this means much of this traffic will also end up on Glenbrook Road.

To help understand our concerns, you should know that parking on Glenbrook Road is allowed on only one side of the street, thus parking spaces are currently limited to approximately 10. Many homes along Glenbrook Road have shared driveways, thus on-street parking is a necessity for home owners and visitors. Furthermore, when cars are parked along Glenbrook Road, there is only room for one car to pass at a time, and visibility is poor. When a car is encountered traveling from the other direction, someone must wait and yield the right of way. During the morning and evening hours the current situation already results in a game of “chicken” as cars speed along this street. The increased volume of traffic to be generated by the current plans will create an enormous safety hazard. With the traffic currently limited to people who live on the street and those who use it as a cut-through from Woodmont Avenue to Old Georgetown Road, the situation is already dangerous and difficult. Greatly increasing the volume of traffic AND allowing access to the buildings from Glenbrook Road and Rugby Avenue will change our streets into a thoroughfare. Adding this kind of congestion to a situation that is already dangerous at peak hours is a recipe for disaster. Several neighbors have already had their cars sideswiped while parked on Glenbrook Road; people constantly use our driveways to turn around and head in the opposite direction and have ruined the slate, brickwork, and lawns along the sides of our driveways. We believe the current plan proposed by the church violates the spirit and intent of 1993 General Plan Housing Objective 5E to “maintain the safety and quality of neighborhoods,” which reads in part “E. Protect residential neighborhoods by channeling through traffic away from residential streets...”

We strongly believe that the proposed 8 to 9 story apartment building greatly exceeds the proposed zoning of PD-44 for this area, and is not compatible with the existing adjacent single-family detached home neighborhood. This proposed structure will loom above current homes, block sunlight, and totally change the character of the street. The lack of transition between a tall apartment building and single-family houses is severe, and such a tall structure simply does not belong directly adjacent to single-family homes. People on upper floors would be able to look directly into our living space, greatly impacting our sense of privacy. Again, we believe the current plan violates the spirit and intent of 1993 General Plan Housing Objective 5C – “Mix housing with other uses with special care in ways that promote compatibility and concern for residents needs for safety, privacy, and attractive surroundings when introducing new uses into older neighborhoods.”

We understand that in deciding whether or not to approve a development plan that accompanies a rezoning request, the planning board must make a finding that it “substantially complies with the use and density indicated by the master plan or sector plan, and does not conflict with the general plan.” We believe both the height of the proposed project and the traffic impact on our neighborhood violate the spirit and language of sections of the General Plan designed to maintain and enhance the quality and safety of neighborhoods.

We appreciate the opportunity to voice our opposition to this project, and are aware that many of our neighbors share these concerns.

Sincerely yours,

Paul Ravitz and Robyn Strachan
8009 Glenbrook Rd.
Bethesda, MD 20814

pravitz@mmm.com
Robyn_Strachan@nih.gov
(301) 986-7916

Gilbert, Carlton

From: B. Kiel [kielcrew@verizon.net]
Sent: Sunday, August 26, 2007 4:08 PM
To: Gilbert, Carlton
Subject: Christ Lutheran Church Rezoning

Mr. Gilbert,

As you begin the final process for the rezoning of this project, we would like to voice our opinion. We are very concerned that you would rely on the support of this project from letters written by members of the church. How many of those members live in the communities surrounding the church? Do you know? *We live directly across from the church on Old Georgetown Road and see this property from our front yard.

*

1. The traffic pattern that the project calls for will greatly increase the traffic on Old Georgetown Rd. and create a negative impact on the residential neighborhoods surrounding the project. *We have great difficulty getting in and out of our driveway with the traffic that exists today. Adding a new driveway with greater traffic capacity that will turn onto and off of Old Georgetown Rd. will put the traffic at a standstill. -The current turn lane cannot handle more traffic. This will impact the safety of residents crossing the road and will most definitely cause more congestion in a "residential" neighborhood*. This violates the Housing Objective 5E to maintain the safety and quality of neighborhoods.

2. The proposed 8 story project is not compatible with the existing single-family home neighborhood. Again, our home which is directly across the street will be blocked by the height of this project. *We will lose natural light into our home and the lighting from the building and condos will glare into our bedrooms at night. Let's not forget the sound that will vibrate off the building, which will increase the noise, and the shading the building height will reflect.* This violates the Housing Objective 5C, where special care should be taken when introducing new uses into older neighborhoods.

As we understand your and the committee's job is to make sure that rezoning projects substantially comply with the use and density indicated by the master plan and does not conflict with the General Plan. In this case, both the HEIGHT of the proposed project and the TRAFFIC PATTERNS will have a significant impact on the existing neighborhoods and does not comply with the Master Plan.*

We urge you to more carefully consider the negative impact on nearby residents and to deny the Church's/developers wish to rezone and develop as currently planned.

Greg and Bernadette Kiel
8008 Old Georgetown Rd.
Bethesda, Md

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

August 24, 2007

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

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

BY HAND DELIVERY

Re: Local Map Amendment Application No. G-864; Christ Evangelical Lutheran Church/
Community Center and Bozzuto Homes Condominiums

Dear Chairman Hanson and Members of the Board:

On behalf of our clients, BA Old Georgetown Road, LLC, and Christ Evangelical Lutheran Church of Bethesda-Chevy Chase ("CELC") (collectively, the "Applicants"), the purpose of this letter is to briefly respond to the four letters in opposition to the above-referenced application (the "Application") that were received by Carlton Gilbert on August 19th and 20th (the "Letters"). As more fully explained below, we believe that many of the concerns raised in the Letters were based on misinformation, and believe the remaining issues have been addressed by the Applicants in materials previously submitted to the Board.

First, we would like to address the allegations in the Letters that opposition to the project has been ongoing, and that the Applicants failed to disclose such to Staff and the Board, by noting the following:

1. The referenced October 2005 meeting was the Applicants' first introduction of its conceptual plans to the community, and was conducted in the context of the drafting stage of the 2006 Woodmont Triangle Amendment to the Sector Plan for the Bethesda CBD (the "Sector Plan"). While some concerns were raised by individuals in the community at this meeting, a number of these concerns were subsequently addressed, prior to the filing of the Application.

2. As more fully outlined in our May 2, 2007 letter to Carlton Gilbert, a second meeting was held on December 14, 2005 at the Battery Park Community Club, and follow-up meetings were held at the church with Battery Park leaders in December 2006 and again in May 2007 as was noted in a June 6th *Gazette* article. No specific opposition was articulated at either of these meetings. Additionally, the Applicants contacted other associations, such as the Edgemoor Homeowners Association, to inform them of the project and offer to meet with their group, but none of these offers were acted upon by the Associations, nor were concerns voiced by these groups.

Mr. Royce Hanson, Chairman
August 24, 2007
Page 2

3. On April 16, 2007, after the filing of the Application, which, as noted above, had been refined prior to filing to address community concerns, the Applicants hosted another community meeting at the church, the sign-up sheet and minutes for which were attached to our May 2, 2007 letter to Mr. Gilbert. As the minutes show, there were a number of questions raised and answered, but none of the attendees noted any direct opposition to the project.

4. On July 2, 2007, representatives of CELC met separately with Patsy Ann Wolfe (Bernard Wolfe was also invited to attend). At this meeting CELC explained the Application and answered numerous questions regarding concerns with height and whether or not their home needed awnings on the exterior windows facing the proposed residential building, but, again, did not leave the meeting with any understanding that Mrs. Wolfe was directly opposed to the project.

5. Over 50 or more letters in support of the Application have been submitted to the Board.

Based on the foregoing, we believe the comments in the Letters that there is a "great deal of opposition" to the Application, or that the Applicants failed to disclose the opposition, is incorrect.

Second, regarding the traffic concerns raised in the Letters, attached please find a Memorandum from Mike Lenhart, the traffic consultant for the project, responding to these concerns and clarifying some misinformation that these concerns were apparently based upon.

Finally, regarding the issue of compatibility, we note that the Applicants have met with Staff on the issue of compatibility on a number of occasions, and submitted revised plans, cross-sections and perspectives on June 21, 2007 responding to Staff suggestions regarding ways of enhancing compatibility. This included such enhancements as relocating the loading dock and the addition of privacy fences along the rear of the property. We note that these fences are not directly adjacent to any properties of the individuals writing Letters, as seems to be suggested in one of the Letters, nor will they likely be visible from their properties.

Additionally, the June 21, 2007 submission included a narrative describing the Shadow Study that had been included in the original Application materials, which addresses the stated concerns in some of the Letters regarding the proposed buildings' shadows. Moreover, we note that the Letters focus solely on the relationship of the proposed buildings with the single-family residences to the rear, which are also recommended for the PD-44 zone in the Sector Plan, and do not recognize that the location of the proposed buildings is along Old Georgetown Road, adjacent to the Bethesda CBD and an existing 11-story office building directly across

Mr. Royce Hanson, Chairman
August 24, 2007
Page 3

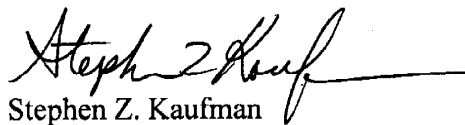
Glenbrook Road with its current shadow impact. Nor do the Letters in opposition note the proximity of the project to the existing 12-story residential condominiums along Battery Lane.

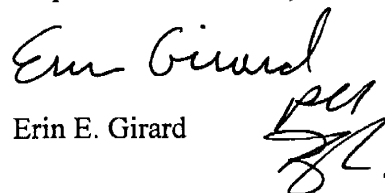
Lastly, as noted in our previous correspondence, the Applicants believe the Application achieves a maximum of compatibility with the surrounding area by (1) removing existing incompatible surface asphalt parking and aging buildings, (2) providing underground parking, improved quality materials, screening and landscaping adjacent to existing single-family urban homes as a buffer to Old Georgetown Road and the CBD, (3) providing a high-quality transition from the CBD to taller multi-family residential buildings without isolating or surrounding single-family homes, (4) providing quality detailing and design in the proposed buildings, with a two-story base that is of similar height to the adjacent homes, with a step-back to lighter materials above the base that are compatible with surrounding commercial and multi-family buildings, (5) increasing the existing level of open space and tree covering on the ground level and providing additional green space in the form of a vegetative roof for the residents and occupants of the building, and (6) creating a well balanced mix of uses on the site to serve the community in a transit-oriented smart growth development.

Thank you for your consideration of these comments. If you have questions or concerns, or would like any additional information, please feel free to contact us. Otherwise, we look forward to presenting the Application to you at your September 6, 2007 hearing.

Very truly yours,

LINOWES AND BLOCHER LLP


Stephen Z. Kaufman


Erin E. Girard

Enclosure

cc: Clark Wagner
Andrew Spencer
Barry Lemley
Carlton Gilbert

Lenhart Traffic Consulting, Inc.
Transportation Planning & Traffic Engineering

Memorandum:

Date: August 23, 2007

TO: Carlton Gilbert
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

FROM: Mike Lenhart

RE: Christ Evangelical Lutheran Church

Carlton:

This is a follow up to your August 22nd emails to Erin Girard containing correspondence from four (4) community residents stating their opposition to the Christ Evangelical Lutheran Church and Bozzuto Homes project along Old Georgetown Avenue (MD 187) at Glenbrook Road.

I have reviewed the letters of opposition and would like to clarify a few points that I believe to be incorrect.

1. The August 19th email from Mr. Paul Ravitz incorrectly indicated that all church and day care traffic will use Glenbrook Road and that Rugby Avenue will be the planned access for the residential traffic. Please refer to Page 2 of the Revised August 20th Staff Report from Ed Axler for the correct access patterns as outlined below.
 - a. The church and community center will utilize Glenbrook Road as the primary access.
 - b. The day care center will utilize Old Georgetown Road as the primary entrance and Glenbrook Road as the primary exit.
 - c. The residential units will utilize Old Georgetown Road as the primary access. The Rugby Avenue access is a secondary access that may also be utilized for visitors.
2. The August 19th email from Mr. Ravitz also indicated that Glenbrook Road is currently used as a cut through from Woodmont Avenue to Old Georgetown Road. Based on the following information, it is my opinion that Glenbrook Road is not a significant cut through route.

Lenhart Traffic Consulting, Inc.
331 Redwood Grove Court
Millersville, MD 21108

Phone (410) 987-3888
Fax (443) 782-2288
email: milenhart@lenharttraffic.com

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

- a. Auburn Avenue is a more direct route for cut-through traffic between Woodmont Avenue and Old Georgetown Road and there is an existing traffic signal at Old Georgetown Road which makes access easier for cut through motorists.
 - b. The existing traffic volumes along Glenbrook Road reveal that volumes on Glenbrook Road are relatively light and that there is not a measurable amount of cut through traffic.
 - c. Based on the traffic patterns and trip assignment for the new traffic generated by this proposal, the increase in traffic along Glenbrook Road is negligible (11 trips in the morning peak hour and 8 trips in the evening peak hour). These traffic assignments are dictated by the LATR Guidelines and were reviewed and approved by M-NCPPC and SHA.
3. The correspondence from Ms. Arlene Bruhn indicated that Glenbrook Road is currently a relatively quiet residential street, and is concerned about the increase of traffic generated on Glenbrook Road.
- a. As noted above in items #1 and #2, the main entrance and exit for the residential traffic and the entrance for the day care will be via Old Georgetown Road.
 - b. Also, the increase in trips on Glenbrook Road is negligible as noted in #2.c. above.
4. The correspondence from Mr. Bernard Wolfe indicated that there is currently a great deal of traffic, and that the 1993 general plan housing objective 5e requires that through traffic be channeled away from residential streets.
- a. As noted in #2 above and confirmed by Ms Bruhn in her email, Glenbrook Road is currently a relatively quiet residential street and the existing traffic volumes are relatively light. As shown in #2.c. above, the increase in traffic will be negligible.
 - b. Through traffic is currently channeled away from residential streets and will continue to be channeled away from residential streets as confirmed by the access pattern identified in #1 above (and provided in more detail in the Revised August 20th memo from Ed Axler).
5. The correspondence from Mr. Jim Humphrey stated a concern about the impact on neighborhood safety due to the significant increase in traffic on Glenbrook Road and Rugby Avenue.
- a. As noted in #2.c. above, the increase in traffic on Glenbrook Road is negligible with an increase of 11 trips in the morning peak hour and 8 trips in the evening peak hour.
 - b. The increase in traffic along Rugby Avenue is even less significant with a projected increase of 3 trips in the morning and evening peak hours.

I have also re-attached a copy of Revised August 20th Staff Report from Ed Axler for ease of reference.

Lenhart Traffic Consulting, Inc.
331 Redwood Grove Court
Millersville, MD 21108

Phone (410) 987-3888
Fax (443) 782-2288
email: mlehart@lenharttraffic.com

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Based on the information contained in the approved traffic impact study, the intersections and roadways in the area will operate well below the required congestion standards. Furthermore, the re-development of this site will have a negligible impact on the traffic volumes in the community. The traffic impact study has been reviewed and approved by M-NCPPC and by the Maryland State Highway Administration with both agencies providing positive findings.

In summary, the proposed re-development will satisfy the Local Area Transportation Review (LATR) requirements and is not expected to have an adverse impact on the local roadways.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike

Lenhart Traffic Consulting, Inc.
331 Redwood Grove Court
Millersville, MD 21106

Phone (410) 987-3888
Fax (443) 782-2288

email: mike@lenharttraffic.com