

MCPB Item No. 5

Date: 11.21.13

Bethesda Purple Line Station Minor Master Plan Amendment, Worksession 1



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Completed: 11.14.13

Description

Worksession No. 1: Bethesda Purple Line Station Minor Master Plan Amendment, Discussion of Public Testimony and Review of Planning Board Draft

Staff recommendation: Review and approve the draft Bethesda Purple Line Station Minor Master Plan Amendment Planning Board Draft for transmission to the County Executive and County Council.

Summary

This memorandum summarizes the public testimony and staff responses regarding the Public Hearing Draft Bethesda Purple Line Station Minor Master Plan Amendment, and presents the draft text of the Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment.

Public Testimony

Following the opening of the public record on October 2, 2013, the Planning Board received two items of correspondence. In addition, eight people provided testimony at the November 7, 2013, public hearing. The testimony, summarized in Attachment 1, generally supports the recommendations of the Plan, but acknowledges the complexity of realizing the Plan vision within the constraints of the existing conditions on the Apex Building site and the timeline imposed by the Maryland Transit Administration (MTA). The following issues were raised in particular.

Discussion

Issue 1: Zoning conditioned on the Purple Line

Testimony:

The recommendations of the plan should be conditional on full funding and construction of the Purple Line.

Staff response:

Staff does not support conditioning the recommended zoning in the Plan on the Purple Line. For redevelopment of the station site to take place, the owners must be able to secure regulatory approvals in advance of Purple Line construction so that redevelopment may commence jointly. Conditioning the zoning recommendations on the Purple Line would prevent this.

Issue 2: Assurance that redevelopment will include the improved station and trail

Testimony:

There is no assurance in the plan that redevelopment of the site under the proposed CR zone would be required to accommodate the Purple Line and Red Line stations and the Capital Crescent Trail (CCT). The County should be required to commit the necessary resources to build the second tunnel before any approvals are given for the redevelopment of the site with increased density. The CCT tunnel should be a mandatory element of the plan and not be linked to redevelopment of the Apex site.

Staff response:

The State currently possesses the necessary easement rights to the Georgetown Branch right-of-way to construct a transit station on the Apex Building site. The Plan recommends the transit station and the CCT tunnel as the top priority public benefits (p. 4) required under the CR zone and clearly defines the Plan vision for the redevelopment of the site to include the improved station and CCT tunnel. Approval of any development proposal for the site would be contingent upon satisfying both of these Plan elements. Further, the County is already committed to constructing the CCT and will be instrumental in realizing the new CCT tunnel through the Apex site.

Since the Council eliminated the possibility of a trail above the tracks in the existing tunnel in 2012, there are no remaining options for a tunnel that do not require redevelopment of the Apex Building. The new CCT tunnel – in the proposed alignment under the Apex site to Elm Street on the east side of Wisconsin Avenue – is linked to the redevelopment of the Apex site because that building's underground parking garage currently occupies the space proposed for the tunnel. As described above, the Plan recommendations identify the new CCT tunnel as a top-priority public benefit and include it in the Plan vision.

Issue 3: Purple Line Station impact on redevelopment

Testimony:

The station program elements, as defined in the plan, will significantly limit the ability to effectively utilize the additional recommended density. Without modification to the plan to better balance transit and commercial interests, and additional incentives outside the plan, there may not be sufficient benefit to pursue redevelopment.

Staff response:

Staff appreciates the complexity of integrating a transit station and associated equipment, a circulation core for a second transit station, a new trail tunnel, and a new building on an urban site. Such an effort requires significant coordination and will impact the building design, particularly of the ground floor. The primary goal of the plan is to implement an improved station design to deliver a higher quality user experience for the high expected ridership than the current default design. Staff expects the joint redevelopment envisioned by the plan to buoy commercial interests in and around the Plan area by increasing property values and bringing more foot traffic through the area. To incentivize this redevelopment, the Plan recommends the maximum density available in the zone.

Issue 4: Safeguards for Woodmont Plaza

Testimony:

The Plan should have adequate safeguards to protect Woodmont Plaza.

Staff response:

Staff concurs. To ensure that future redevelopment includes high-quality open space to complement the improved station design, staff recommends adding the following language to the Plan (p. 4):

A key component of redeveloping the station site will be public open space, particularly at the station entrances, at the corner of Wisconsin Avenue and Elm Street, and in Woodmont Plaza, at the intersection of Bethesda and Woodmont Avenues. These spaces serve not only as critical access points to the transit station, but also as gateways to Downtown Bethesda. These spaces should be welcoming and activated by retail and entertainment uses and building entrances.

Issue 5: Movie Theatre

Testimony:

The existing movie theatre in the Apex Building plays an important role in the economic, entertainment, and recreation and gathering needs of the Bethesda, particularly with younger people. Redevelopment should consider this and include a movie theater.

Staff response:

Staff concurs and looks forward to addressing the larger issues of the nighttime economy and the needs of young people as part of the Bethesda Downtown Plan already underway. While the Plan does not specifically recommend land uses in the plan area, the recommended zoning would allow a movie theatre to be located within the plan area as part of redevelopment.

Issue 6: Elm Street Access to the Capital Crescent Trail

Testimony:

An 8% grade is unacceptably dangerous for the Elm Street CCT ramp, located on the east side of Wisconsin Avenue. Support for relocating the parking lot on the south side of Elm Street, between Wisconsin Avenue and 47th Street, which will enable a gentler slope on the CCT ramp recommended in the Plan by closing the driveway and extending the length of the ramp between the tunnel and the street.

Staff response:

Staff concurs. The following language on page 8 of the Plan is intended to address this:

The Tunnel Route should meet Americans with Disabilities Act (ADA) requirements and not exceed a 5 percent slope. However, the current tunnel concept is constrained by a driveway serving 4610 Elm Street, resulting in an 8 percent tunnel grade. This slope exceeds ADA requirements and requires an elevator at the southeast corner of Wisconsin Avenue and Elm Street. While the combination of the 8 percent slope and the elevator are fully ADA compliant, it would be far better if the slopes were reduced to 5 percent. This could be accomplished by either closing or relocating the 4610 Elm Street driveway, which the County should explore with the property owner.

Staff concurs that a reasonable grade can be achieved if the driveway to the parking lot at 4610 Elm Street could be closed. The County should work with the property owner to explore ways to replace the parking spaces in this lot with an equal or greater number of spaces in a nearby parking lot, garage, or on-street parking. Staff recommends revising the language above to state the recommendation more clearly:

The Plan recommends that the Tunnel Route meet Americans with Disabilities Act (ADA) requirements and not exceed a 5 percent slope. The current tunnel concept is constrained by a driveway serving 4610 Elm Street, resulting in an 8 percent tunnel grade. This slope exceeds ADA requirements and requires an elevator at the southeast corner of Wisconsin Avenue and Elm Street to be fully ADA compliant. The Plan recommends either closing or relocating the 4610 Elm Street driveway, which the County should explore with the property owner.

Staff does not believe the Plan should reconsider tunnel Option 2 (a longer tunnel included in the Appendix) if the parking lot cannot be relocated. Option 2 is estimated to cost twice the shorter tunnel, but does not provide twice the benefits. A portion of the difference in cost between the options could be used to relocated the 10 space parking lot and achieve a better experience for users.

Issue 7: Elm Street Park

Testimony:

Elm Street Park should not be included within the Purple Line Station Plan. Elm Street Park should be expanded southward into existing surface parking lots to create a "Greater Elm Street Park."

Staff response:

Elm Street Park was included in the Plan Area to better assess the impacts to the park from the proposed CCT tunnel alternatives. Once the Purple Line is constructed, the CCT will pass through Elm Street Park between roughly Pearl Street and 47th Street, connecting to the surface route and potentially the new tunnel route. The Minor Master Plan Amendment does not make additional recommendations for the Park. The recommendation for extending Elm Street Park southward will be considered under the Bethesda Downtown Plan currently underway.

Issue 8: Trail impacts to Elm Street Park

Testimony:

The CCT tunnel recommendation should minimize impacts to Elm Street Park.

Staff response:

Staff concurs. The tunnel option recommended in the plan was in part an alternative to mitigate impacts to Elm Street Park. The original tunnel concept proposed by the Maryland Transit Administration (MTA) included a long, straight tunnel with a more gentle grade, but emerged at street level in a portal that bisected the park. The staff found this design to overly impact the park and asked MTA to develop additional tunnel options. In response MTA prepared Tunnel Option 1 and Tunnel Option 2, shown in the appendix. The tunnel option recommended in the plan – a variant of Tunnel Option 1 – makes use of a pathway already approved by the Planning Board as part of the redesign of Elm Street Park that was a condition of approval for the 7300 Pearl Street project. That pathway was planned to be 8 feet wide, but expandable to 10 feet wide. The plan recommends expanding it to 11 feet with 2-foot shoulders "subject to grading analysis" that would determine whether the additional impacts to the park are warranted.

Attachments

- 1. Summary of written and verbal testimony received for the public record.
- 2. Written testimony received for Public Record
- 3. Transcript of Public Hearing
- 4. Draft Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment, red-line version
- 5. Draft Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment, "clean" version

e-mailed testimony

Date	Testimony
Provided	Staff Response
10.30.2013	The Plan should consider the recreational and gathering needs of teenagers and other young people, particularly with regard to the existing movie theatre in the Apex Building.
	Staff concurs and looks forward to addressing the issue as part of the Bethesda Downtown Plan already underway.
10.31.2013	The recommendations of the master plan should be conditional on full funding and construction of the Purple Line.
	Staff does not support conditioning the zoning recommended in the Plan on the Purple Line. In order for redevelopment of the station site to take place, the owners must be able to secure regulatory approvals in advance of construction of the Purple Line so that redevelopment may commence with the construction of the Purple Line. Conditioning the zoning recommendations on the Purple Line would prevent this.
	There is no assurance in the plan that redevelopment of the site under the proposed CR zone would be required to accommodate the Purple Line and Red Line stations.
	The State currently possesses the necessary easement rights to the Georgetown Branch right-of-way to construct a transit station on the Apex Building site. The Plan recommends the transit station and the CCT tunnel as the top priority public benefits (p. 4) required under the CR zone and clearly defines the Plan vision for the redevelopment of the site to include the improved station and CCT tunnel. Approval of any development proposal for the site would be contingent upon satisfying both of these Plan elements.
	The Plan should have adequate safeguards to protect Woodmont Plaza.
	Staff concurs. To ensure that future redevelopment includes high-quality open space to complement the improved station design, staff recommends adding the following language to the Plan (p. 4):
	A key component of the redevelopment of the station site will be public open space, particularly at the corner of Wisconsin Avenue and Elm Street, at the station entrances, and in Woodmont Plaza, at the intersection of Bethesda and Woodmont Avenues. These spaces serve not only as critical access points to the transit station, but also as gateways to Downtown Bethesda. These spaces should be welcoming and activated by retail and entertainment uses and building entrances.
	Provided 10.30.2013

	1	The Coult of Council To 11 (CCT)
		The Capital Crescent Trail (CCT) tunnel should be a mandatory element of the plan and not be linked to redevelopment of the Apex site.
		Since the Council eliminated the possibility of a trail above the tracks in the existing tunnel in 2012, there are no remaining options for a tunnel that do not require redevelopment of the Apex Building. The new CCT tunnel – in the proposed alignment under the Apex site to Elm Street on the east side of Wisconsin Avenue – is linked to the redevelopment of the Apex site because that building's underground parking garage currently occupies the space proposed for the tunnel. As described above, the Plan recommendations identify the new CCT tunnel as a top-priority public benefit and include it in the Plan vision.
		The CCT tunnel recommendation should achieve a maximum 5 percent slope and minimize impacts to Elm Street Park.
		Staff concurs. The tunnel option recommended in the plan was in part an alternative to mitigate impacts to Elm Street Park. The original tunnel concept proposed by the Maryland Transit Administration (MTA) included a long, straight tunnel with a more gentle grade, but emerged at street level in a portal that bisected the park. The staff found this design to overly impact the park and asked MTA to develop additional tunnel options. In response MTA prepared Tunnel Option 1 and Tunnel Option 2 shown in the appendix. The tunnel option recommended in the plan – a variant of Tunnel Option 1 – makes use of a pathway already approved by the Planning Board as part of the redesign of Elm Street Park that was a condition of approval for the 7300 Pearl Street project. That pathway was planned to be 8 feet wide, but expandable to 10 feet wide. The plan recommends expanding it to 11 feet with 2-foot shoulders "subject to grading analysis" that would determine whether the additional impacts to the park are warranted.
Christine Real de Azua & John M.	11.13.2013	Elm Street Park should not be included within the Purple Line Station Plan. Elm Street Park should be expanded southward into existing surface parking lots to create a "Greater Elm Street Park."
Fitzgerald		Elm Street Park was included in the Plan Area to better assess the impacts to the park from the proposed CCT tunnel alternatives. Once the Purple Line is constructed, the CCT will pass through Elm Street Park between roughly Pearl Street and 47 th Street, connecting to the surface route and potentially the new tunnel route. The Minor Master Plan Amendment does not make additional recommendations for the Park. The recommendation for extending Elm Street Park southward will be considered under the Bethesda Downtown Plan currently underway.
Stephen Buck	11.13.2013	Supports the improved station design and advocates public expenditure as a means to realize it.
		Staff advocates the approach recommended in the Plan.

Martha	11.14.2013	Redevelopment of the Apex Building, particularly the loss of the movie
Plotkin		theater, will negatively affect community-serving businesses. Additional density around the metro had further negative impacts on mobility, inviting spaces, and the places that are used most by the community.
		Staff shares the concern about the movie theatre, but believes the numerous long-term public benefits of the improved station design should take precedence. Staff will address these issues more broadly in the Bethesda Downtown Plan, currently underway.

oral testimony, 11.7.2013

Commenter	Testimony		
	Staff Response		
David Witmer, American Society of Healthsystem	The timeframe and schedule dictated by MTA for the ASHP to make a decision regarding redevelopment of the Apex building poses numerous challenges, particularly the substantial interruption to their core operations.		
Pharmacists (ASHP) ASHP is the owner of the Apex Building.	Staff recognizes these challenges, and engaged in a number of initial conversations with ASHP during preparation of the Plan recommendations. As stated in the Plan, staff believes the public benefits to the state, county, and the residents and businesses of Downtown Bethesda will be significant.		
	The station program elements, as defined in the plan, will significantly limit the ability to effectively utilize the additional recommended density. While remaining willing to explore the feasibility of the recommended redevelopment, without modification to the plan to better balance transit and commercial interests, and additional incentives outside the plan, we are concerned there may not be sufficient benefit to our pursuing such a disruptive undertaking.		
	Staff appreciates the complexity of integrating a transit station and associated equipment, a circulation core for a second transit station, a new trail tunnel, and a new building on an urban site. Such an effort requires significant coordination and will impact the building design, particularly of the ground floor. The primary goal of the plan is to implement an improved station design to deliver a higher quality user experience for the high expected ridership than the current default design. Staff expects the joint redevelopment envisioned by the plan to buoy commercial interests in and around the Plan area by increasing property values and bringing more foot traffic through the area. To incentivize this redevelopment, the Plan recommends the maximum density available in the zone.		
Bill Kominers,	Deferred time to David Witmer		
Lerch, Early, and Brewer	n/a		

Ben Ross	Supports the concept of redeveloping the Apex Building for a better Purple Line Station.
	Staff concurs.
	Supports relocating the parking lot on the south side of Elm Street, between Wisconsin
	Avenue and 47 th Street, to allow a gentler slope on the CCT ramp recommended in the Plan.
	Staff concurs that a reasonable grade can be achieved if the driveway to the parking lot
	at 4610 Elm Street could be closed. The County should work with the property owner
	to explore ways to replace the parking spaces in this lot with an equal or greater
	number of spaces in a nearby parking lot, garage, or on-street parking.
Robert Dyer	Supports the new CCT tunnel to promote the trail as a transportation facility.
	Staff concurs.
	Eminent domain should be considered as part of the negotiation process.
	Given the complexity of the condemnation process, particularly with regard to the MTA's timetable, staff recommends realizing the Plan vision through a coordinated redevelopment project. (p. 4)
	Given its importance to the economy and cultural livelihood of Downtown Bethesda, redevelopment of the site should include a movie theatre to replace the existing one.
	While the Plan does not specifically recommend land uses in the plan area, the recommended zoning would allow a movie theatre to be located within the plan area as part of redevelopment.
Wayne Phyillaier, Coalition for	The CCT needs to be built to a high standard and in a manner that is consistent with most heavily used off road trail in state.
the Capital	Staff concurs.
Crescent Trail	Direct grade-separated crossing of Wisconsin Avenue is of great importance. Supports construction of new tunnel.
	Staff concurs.

An 8% grade is unacceptably dangerous for the CCT ramp on the east side of Wisconsin Avenue. Staff concurs. The following language on page 8 of the Plan is intended to address this: The Tunnel Route should meet Americans with Disabilities Act (ADA) requirements and not exceed a 5 percent slope. However, the current tunnel concept is constrained by a driveway serving 4610 Elm Street, resulting in an 8 percent tunnel grade. This slope exceeds ADA requirements and requires an elevator at the southeast corner of Wisconsin Avenue and Elm Street. While the combination of the 8 percent slope and the elevator are fully ADA compliant, it would be far better if the slopes were reduced to 5 percent. This could be accomplished by either closing or relocating the 4610 Elm Street driveway, which the County should explore with the property owner. Supports any tunnel option that will achieve a maximum 5% slope. Staff recommends the shorter tunnel options for the reasons delineated in the Plan. Staff does not believe the Plan should reconsider tunnel Option 2 (a longer tunnel included in the Appendix) if the parking lot cannot be relocated. Option 2 is estimated to cost twice the shorter tunnel, but does not provide twice the benefits. Option 2 would be better overall for cyclists, especially children and less advanced cyclists for whom it may be difficult or unsafe to negotiate an 8% grade. However, Option 2 is somewhat worse than the shorter option for pedestrians, due to the longer tunnel that may deter some pedestrians using it, especially at night and other low-demand periods. A portion of the difference in cost between the options could be used to relocated the 10 space parking lot and achieve a better user experience. Supports the staff recommendation for the design of the CCT surface route and the improved station. Staff concurs. Pat Burda, The County should be required to commit the necessary resources to build the second Town of Chevy tunnel before any approvals are given for the redevelopment of the site with increased Chase density. (additional comments not The County is already committed to constructing the CCT and will be instrumental in included in realizing the new CCT tunnel through the Apex site. written testimony

summarized above)

Ronit Dancis, Action	Supports the revised station design recommended by the Plan.
Committee for	Staff Concurs.
Transit	Supports relocated the parking lot at 4610 Elm Street to allow a more gentle slope on the Elm Street access ramp for the CCT east of Wisconsin Avenue.
	Staff concurs. The following language on page 8 of the Plan is intended to address this:
	The Tunnel Route should meet Americans with Disabilities Act (ADA)
	requirements and not exceed a 5 percent slope. However, the current
	tunnel concept is constrained by a driveway serving 4610 Elm Street,
	resulting in an 8 percent tunnel grade. This slope exceeds ADA requirements and requires an elevator at the southeast corner of
	Wisconsin Avenue and Flm Street. While the combination of the 8
	percent slope and the elevator are fully ADA compliant, it would be far
	better if the slopes were reduced to 5 percent. This could be
	accomplished by either closing or relocating the 4610 Elm Street
	driveway, which the County should explore with the property owner.
Robert Smythe	Supports the CCT tunnel, but recommends lowering the slope for the Elm Street access ramp below 8%.
	Staff concurs. See above.

Written testimony received for Public Record

MCP-CTRACK

From:

Todd Hoffman < thoffman@townofchevychase.org >

Sent:

Thursday, October 31, 2013 11:04 AM

To:

MCP-Chair

Subject: Attachments:

TOCC Testimony, Nov 7, 2013, Item #10

Minor Master Plan Comments -- final.pdf



OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARKAND PLANNING COMMISSION

Attached is the Town of Chevy Chase's testimony regarding the Draft Bethesda Purple Line Station Minor Master Plan Amendment (Nov 7, 2013, Item #10). Please acknowledge receipt. Thank you.

Todd Hoffman
Town Manager
Town of Chevy Chase, Maryland
4301 Willow Lane
Chevy Chase, MD 20815
301-654-7144 (P)
301-718-9631 (F)
thoffman@townofchevychase.org

Comments on Bethesda Purple Line Station Minor Master Plan Amendment: Staff Draft

Submitted by:
Patricia Burda, Mayor
Town of Chevy Chase, Maryland
November 6, 2013

We appreciate the opportunity to provide comments on the proposed Bethesda Purple Line Station Minor Master Plan Amendment. This proposal will substantially impact many of our Town's residents by dramatically altering a key block in downtown Bethesda directly adjacent to our Town. It also will directly impact Elm Street Park and the Capital Crescent Trail, two outdoor public amenities that Town residents both use and enjoy on a regular basis.

The proposal focuses on two key elements: 1) the redevelopment of the Apex site with a new building that better integrates the proposed Purple Line and Red Line stations, and 2) a new tunnel under Wisconsin Avenue to handle bike and pedestrian traffic on the Capital Crescent Trail (CCT). While recognizing that both of these elements have some attractive characteristics, the proposed minor master plan amendment highlights several of the fundamental flaws in the Maryland Transit Administration's (MTA) existing plans for the Purple Line and tries to remedy these problems at a very late date and at a very high cost. In particular, the proposed redevelopment of the Apex site highlights the high costs of fixing the "square peg in a round hole" problem of the current suboptimal plan for the western terminus of the proposed Purple Line. The proposed second tunnel under Wisconsin Avenue acknowledges the failed promise of putting the CCT through the existing tunnel and the inadequate and unsafe surface route option that remains under the current Purple Line plan.

I. Redeveloping the Apex Site

Faced with skyrocketing costs, the MTA has put forward an inadequate plan that requires shoe-horning both the Purple Line and Red Line stations into the highly constrained Apex building. Through the proposed minor master plan amendment, the County seeks to remedy this problem by allowing additional height and density at the Apex site as an incentive for the developer to construct a new building that better accommodates both stations.

1. The proposed master plan amendment should be made conditional on full funding and planned construction for the Purple Line.

This approach was taken in the recent Chevy Chase Lake master plan and is even more appropriate in this case. The one and only reason for this minor master plan amendment is to accommodate the complexities of a multi-modal transit station on

this site. If the Purple Line is not built or is substantially delayed, the entire rationale for the proposed minor amendment to the master plan disappears. With the County about to begin the process of developing a new master plan for the Bethesda CBD, this would be the appropriate time and place to decide on future plans for this critical block. Thus, the minor master plan amendment should be made contingent on funding and planned construction of the Purple Line, and if that fails to materialize, then future plans for the block should be addressed in the context of the new master plan for the entire Bethesda CBD.

2. Under the Commercial Residential (CR) zone optional method proposed in the plan, there is no assurance that any new development on the Apex site will be required to accommodate the Purple Line and Red Line stations.

By shifting the zoning from the traditional CBD zone to a CR zone, the developer would be putting forward a proposal that would be governed by the requirements contained in the recently adopted CR zone amendment. Under these requirements, the developer earns additional density by providing public benefits *it* selects from among seven categories contained in the zoning ordinance. If these benefits total 100 points, additional density is earned. The Planning Board has limited ability to require specific public benefits and the role of community input is also substantially diminished. Thus, we are concerned that under the current CR requirements, there is no guarantee that all or even some of the design features identified in the minor master plan amendment will be provided by the developer who may elect to achieve the density bonus through other features. The County needs to take additional steps to ensure that if the minor master plan amendment is adopted and redevelopment of the Apex building occurs, that the new development includes the full list of desired features contained in the proposed amendment.

3. The Minor Master Plan Amendment should have more adequate safeguards to protect the little remaining open space left in downtown Bethesda.

Only a few years ago, the Planning Board responded to a public outcry and required the developer of what was then called Woodmont East to create a plaza with a substantial amount of open space in front of the Landmark Theaters – the only remaining open space in the downtown Bethesda area. The proposed minor master plan amendment would likely result in the redesign of this site and the elimination of this open space. It envisions that the new Apex building developer will transfer development density to adjacent areas including the Woodmont East site with the likely outcome that the amount of open space on this site will be reduced from what was required in earlier project approvals. The minor master plan amendment should specify that adequate open space in front of the Landmark theaters should remain a priority.

II. Second Tunnel for Bikers and Pedestrians

The MTA had committed to including an elevated passageway for the CCT for bikers and pedestrians as part of its Purple Line plan. Ignoring repeated warnings by the Town prior to the DEIS review period that such a proposal was fraught with problems, this passageway remained in the plan until the County Council voted it down after MTA acknowledged the excessive expense that would be required to reinforce the supports for the Apex building in order to accommodate the trail over the trains through the tunnel. At that time, MTA also acknowledged that the existing tunnel under Wisconsin Avenue was not sufficiently deep to provide the trail over the trains, even if the Apex building reinforcements were financially feasible. Without the CCT trail going through the existing tunnel, all that remained for bikers and pedestrians was the surface route crossing busy Wisconsin Avenue. After public outcry, the MTA recently proposed a limited-width, pedestrian-only walkway through the existing tunnel to complement the surface route crossing Wisconsin Avenue for bikers and other trail users.

1. The second tunnel should be a mandatory, core element of the Purple Line plan and not linked in any way to redevelopment of the Apex site.

By relying on bicyclists to cross Wisconsin Avenue using the surface route, the existing plan creates a safety nightmare. The crossing at Willow Lane is already one of the most dangerous intersections in the County. The route also turns onto 47^{th} Street creating further hazards from turning cars and pedestrians going to and from Elm Street Park. Finally, the route goes down heavily-traveled Bethesda Avenue and crosses Woodmont Avenue – perhaps the most bike-unfriendly stretch imaginable. Add in hundreds (thousands on weekends) of bikers and other trail users, and the situation becomes untenable and dangerous. Despite the high costs of the proposed second tunnel (estimated to be \$15-30 million), this should be a critical required element if the Purple Line becomes a reality. It should be included in the MTA and County plans regardless of whether the Apex building is redeveloped. The County should be required to commit the necessary resources to build the second tunnel before any approvals are given for redeveloping the Apex site with increased density.

2. Neither of the two proposed tunnel design options seems optimal.

The first option suffers from an unacceptable 8 percent grade as it exits onto Elm Street. The second option avoids this problem, but appears to take additional land from Elm Street Park because it has separate spurs for the tunnel portal and the surface route. We would prefer an option that maintains grade changes to 5 percent, but which also minimizes the amount of land taken from Elm Street Park.

We hope these comments are useful as the Planning Board considers the proposed Bethesda Minor Master Plan Amendment, and we look forward to continuing to work with the Board and staff in addressing these issues.

Garcia, Joyce

From:

Stephen Buck <mentordad@gmail.com>

Sent:

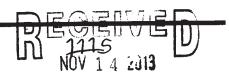
Wednesday, November 13, 2013 3:14 PM

To:

MCP-Chair

Subject:

APEX Theater Building



OF FOUR OF THE MARYLAND NATIONAL CAPITAL
PARKAND PLANNING COMMISSION

Dear Chairperson -

This is a no-brainer. Tear down the building and build whatever is necessary for the Purple line station. If this costs the county more, pay for it.

And have a hard look at why the council did not inform the owners much farther in advance.

This is a decision that will affect public life for 50-100 years.

Don't be penny wise and pound foolish, especially in a country as affluent at Montgomery.

If this means higher taxes, a bond issue, whatever, I and I would expect the wealthy taxpayers of Bethesda and surrounding areas can definitely pay for it.

Stephen W. Buck 6124 Durbin Road Bethesda, Md. 20817

Lane, Brittany

From:

Christine Real de Azua <christinerealdeazua@gmail.com>

CHURMAN

THE WAR PERSON ASSISTIONAL CAPITAL

PARKANETPLANEING COMMISSION

Sent: Wednesday, November 13, 2013 4:59 PM

To: MCP-Chair

Cc: councilmember.andrews@montgomerycountymd.gov;

councilmember.berliner@montgomerycountymd.gov;
councilmember.elrich@montgomerycountymd.gov;
councilmember.envin@montgomerycountymd.gov;

councilmember.ervin@montgomerycountymd.gov; councilmember.floreen@montgomerycountymd.gov; councilmember.leventhal@montgomerycountymd.gov; Councilmember.navarro@montgomerycountymd.gov; councilmember.rice@montgomerycountymd.gov;

councilmember.riemer@montgomerycountymd.gov

Subject: Minor Master Plan Amendment for Proposed Purple Line Station: Create a Greater Elm Street

Park for Downtown Bethesda.

Attachments: CR-JF Comments on Purple Line Minor Master Plan Amendment.docx

To: Francoise Carrier

Chairwoman, Montgomery County Planning Board

CC: County Council:

Montgomery County Council President Nancy Navarro

Montgomery County Council Member Phil Andrews

Montgomery County Council Member Roger Berliner

Montgomery County Council Member March Elrich

Montgomery County Council Member Valerie Ervin

Montgomery County Council Member Nancy Floreen

Montgomery County Council Member George Leventhal

Montgomery County Council Member Craig Rice

Montgomery County Council Member Hans Riemer

From: Christine Real de Azua and John M. Fitzgerald, Residents of Montgomery County, and Project Leader and Counsel, respectively, to the "Urban Forests: Valuing and Protecting Their Many Services" project.

Subject: Minor Master Plan Amendment for Proposed Purple Line Station: Create a Greater Elm Street Park for Downtown Bethesda.

Date: November 13, 2013

We submit comments as residents of Montgomery County, and also as members of the Society for Conservation Biology whose work informs these comments. We are commenting here as individuals and not on behalf of SCB.

Ms. Real de Azua is a consultant who is leading a new project on "Urban Forests: Valuing and Protecting Their Many Services" of the Society for Conservation Biology that is directly relevant to the Amendment under your consideration. Mr. Fitzgerald is the former Policy Director of the Society for Conservation Biology and counsel to the project. Our comments here are our own but are founded on the principles set out in the Society's Forest Declaration and other policy statements and publications.

We urge the Planning Board and County to:

- (1) Reject the proposed inclusion of Elm Street Park within a new designation as the "Bethesda Purple Line Station", which seems to be an attempt to convert the Park into an annex of the proposed terminus or station;
- (2) Create a "Greater Elm Street Park" that reaffirms the protected nature and purpose of Elm Street Park and expands that park space two blocks to the south in anticipation of the need that a rezoned downtown Bethesda will have for a larger public green space.
- (3) Recognize that any attempt to alter the designation of Elm Street Park or any other park that will be degraded in any way that has more than a de minimus effect upon the affected parks could constitute an attempt to defraud the Federal government of funds not otherwise available due to the ban on funding transportation projects that harm parks of any jurisdiction.

What is labeled as a "minor" amendment could lead to a major change in the level of protection for the park and for the recreation, ecosystem, and other valuable public services it provides. To allow the County or State to treat the Park no longer as a park, but merely as a portion of a transit station that happens to have green space, would go against the principle that public transit should not come at the expense of public park space, a principle that is exemplified in Section 4(f) of the Federal Highway Act which prohibits the Federal Department of Transportation from funding transportation projects that have more than a de minimus impact on any park.

This change would make way for the possible expansion of the terminus complex, through buildings, passes, and other features. Even without building construction on Elm Street Park space, the trains arriving in the proposed Bethesda Purple Line terminus station would sound warning bells or horns and announcements each of the 70 plus times a day that they arrive and leave, and impose other significant changes and risks (train track noise beyond the warning bells/horns, substantially increased electric transmission, etc.) on Elm Street Park and its users that are beyond de minimus. We therefore question the rationale behind this "minor" amendment and urge you to reject it at once.

We urge, as an alternative, that the County expand Elm Street Park into a green space that is large enough to meet bursting demand for recreational services and to mitigate the additional stress that Bethesda's urbanization places on both nature and people. A Greater Elm Street Park that extends beyond the existing park to encompass the several open parking lots - which can be restored to green space - and adjoins the historic Women's Farm Market -- could begin to provide such mitigation. It would prove a wise investment for both the present and the future. What would New York City be if its planners, including

Frederick Law Olmstead, the visionary who helped inspire Rock Creek Park, had not created Central Park? The scale in New York may be different, but the planning process and the need for natural areas remains the same here in Bethesda.

The existing Elm Street Park was created in 1973 as a green buffer to offset the dense, high-rise development occurring along Wisconsin Avenue at the time. The Park has since become a popular green space for those who work and live and bring their children to daycare centers in downtown Bethesda – complete with high yelp ratings. It also may continue to be the site of various offsets that made possible the height of existing buildings in the nearby area. To further burden the park would put those existing offset programs at risk by undercutting the contributions they would make, thus possibly throwing already approved plans into a legal limbo and discouraging investment in the area.

One can, on the other hand, easily envision - and even measure some of the value of - the benefits that the Greater Elm Street Park would provide over time. Recreational, health, and quality of life benefits would flow from the gardens and shaded green playgrounds where children from the daycare centers in local office buildings can play; where people on a lunch break, or from senior facilities, can relax or stroll away from traffic exhaust. Depending on how it is designed, the park would also provide valuable ecosystem and green infrastructure services, including but not limited to air quality through absorption of carbon dioxide and pollutants, and production of oxygen; water quality and stormwater management services through natural absorption and filtration of rain and stormwater; and support for local biodiversity. Some of these ecosystem services can now be quantified based on environmental and other scientific research and valuation tools, such as the "i-Tree" suite of tools (http://www.itreetools.org/) developed by the U.S. Forest Service.

Like the green spaces of the U.S. Senate which harbor trees that are in some cases many decades old, and are located above ample parking for hundreds of staff and Senators, this Great Elm Street Park could even accommodate parking underneath its green space, and thereby foster truly smart growth rather than short-sighted and unnecessary sacrifice of park land.

Therefore, we suggest strongly that you reject the proposal before you and instead produce for the Council's approval a plan amendment that would confirm and establish a "Greater Elm Street Park".

.

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To: Francoise Carrier Chairwoman, Montgomery County Planning Board

CC: County Council:

Montgomery County Council President Nancy Navarro
Montgomery County Council Member Phil Andrews
Montgomery County Council Member Roger Berliner
Montgomery County Council Member March Elrich
Montgomery County Council Member Valerie Ervin
Montgomery County Council Member Nancy Floreen
Montgomery County Council Member George Leventhal
Montgomery County Council Member Craig Rice
Montgomery County Council Member Hans Riemer

From: Christine Real de Azua and John M. Fitzgerald, Residents of Montgomery County, and Project Leader and Counsel, respectively, to the "Urban Forests: Valuing and Protecting Their Many Services" project.

Subject: Minor Master Plan Amendment for Proposed Purple Line Station: Create a Greater Elm Street Park for Downtown Bethesda.

Date: November 13, 2013

We submit comments as residents of Montgomery County, and also as members of the Society for Conservation Biology whose work informs these comments. We are commenting here as individuals and not on behalf of SCB.

Ms. Real de Azua is a consultant who is leading a new project on "Urban Forests: Valuing and Protecting Their Many Services" of the Society for Conservation Biology that is directly relevant to the Amendment under your consideration. Mr. Fitzgerald is the former Policy Director of the Society for Conservation Biology and counsel to the project. Our comments here are our own but are founded on the principles set out in the Society's Forest Declaration and other policy statements and publications.

We urge the Planning Board and County to:

- (1) Reject the proposed inclusion of Elm Street Park within a new designation as the "Bethesda Purple Line Station", which seems to be an attempt to convert the Park into an annex of the proposed terminus or station;
- (2) Create a "Greater Elm Street Park" that reaffirms the protected nature and purpose of Elm Street Park and expands that park space two blocks to the south in anticipation of the need that a rezoned downtown Bethesda will have for a larger public green space.

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What is labeled as a "minor" amendment could lead to a major change in the level of protection for the park and for the recreation, ecosystem, and other valuable public services it provides. To allow the County or State to treat the Park no longer as a park, but merely as a portion of a transit station that happens to have green space, would go against the principle that public transit should not come at the expense of public park space, a principle that is exemplified in Section 4(f) of the Federal Highway Act which prohibits the Federal Department of Transportation from funding transportation projects that have more than a *de minimus* impact on any park.

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¹ Section 4(f) of the Highway Act of 1966 forbids Federal funding of such projects negatively affecting parks; Sections 1001, 1505 and 371 prohibit attempts to defraud or frustrate the proper implementation of federal standards and programs and any conspiracy to do so. The discrete nature of this "minor" change in response solely to the proposed Purple Line makes it clear that this is not a change necessitated by other forces, but in fact one made specifically to accommodate the proposed Purple rail Line and Station. The map admits that the park is a park by labeling it so on the map yet also circumscribes it with a new designation as part of the railway station.

The existing Elm Street Park was created in 1973² as a green buffer to offset the dense, high-rise development occurring along Wisconsin Avenue at the time. The Park has since become a popular green space for those who work and live and bring their children to daycare centers in downtown Bethesda – complete with high yelp ratings. It also may continue to be the site of various offsets that made possible the height of existing buildings in the nearby area. To further burden the park would put those existing offset programs at risk by undercutting the contributions they would make, thus possibly throwing already approved plans into a legal limbo and discouraging investment in the area.

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Therefore, we suggest strongly that you reject the proposal before you and instead produce for the Council's approval a plan amendment that would confirm and establish a "Greater Elm Street Park".

² The Maryland National Capital Park and Planning Commission acquired Elm Street Park in 1973: http://www.montgomeryparks.org/parks facilities directory/elmstreetup.shtm

MCP-CTRACK

From:

Hisel-McCoy, Elza

Sent:

Friday, November 01, 2013 2:21 PM

To:

Hill, Joanne

Subject:

FW: Apex Bldg



OFFICE OF THE CHAIRMAN
THE MARY LAND NATIONAL CAPITAL
PARKAND PLANNING COMMISSION

Please include in the CTRAC for the Bethesda Purple Line Minor Master Plan Amendment Public Hearing on November 7.

Thanks.

Elza

Elza Hisel-McCoy, Assoc. AIA, LEED-AP
Planner Coordinator
Area One
Montgomery County Planning Department
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910
301.495.2115, elza.hisel-mccoy@montgomeryplanning.org

----Original Message-----

From: rivkin [mailto:rivkin@umbc.edu]

Sent: Wednesday, October 30, 2013 10:56 PM

To: Hisel-McCoy, Elza Subject: Apex Bldg

Dear Elza

I don't know if you realize what taking down the Apex bldg would mean to young teenagers in Bethesda--that Regal theater and the plaza are prime gathering places for them, accessible, with places for parents to drop off and pick up. Bethesda does not really have that much in the way of teen spots. Espec. that MacDonalds is gone. We should be careful to consider young peoples' needs to congregate and enjoy life--the Apex building provides that now.

Mary Rivkin Assoc Professor of Education UMBC

Lane, Brittany

From: Sent:

Subject:

To:

Martha Plotkin <marthaplotkin@gmail.com>

Thursday, November 14, 2013 2:02 PM

MCP-Chair

Planning meeting re: Apex building and Purple Line

NOV 1 4 2013

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

To the Planning Board:

As a resident of Chevy Chase West, I have been talking with neighbors who share my concerns about the development being considered for the Purple Line that affects the Apex Building. First, the Regal Theater has become a central gathering place for our children and friends. With the traffic worsening with each new development, it is a safe and often-used destination. Its loss would be another blow to an increasing number of businesses that have been affected by the development (Zen Tara Tea and others). Even if plans to rebuild were made, we know that construction often takes years.

Second, the density of the area around Bethesda metro has made it nearly impenetrable and certainly less inviting. For those of us who bought our homes more than a decade ago, it is sad to see that the development is robbing the area of ease of mobility, inviting spaces, and the places that are used most by our community.

I hope you will give serious thought to how removal and construction of the Apex building area will negatively affect us.

Sincerely,

Martha Plotkin Norwood Drive, Chevy Chase, MD resident marthaplotkin@gmail.com



P.O. Box 30703, Bethesda, MD 20824-0703

Bethesda Purple Line Station Minor Master Plan Amendment Comments for the Planning Board Public Hearing November 7, 2013

The Coalition for the Capital Crescent Trail (CCCT) is an all-volunteer 501c3 organization committed to completing the Capital Crescent Trail (CCT) and making it more attractive and safe to use. We have been active since 1986, have over 2000 supporters, and are widely regarded as the leading regional organization to speak on behalf of CCT users.

CCCT takes no position to support or oppose shared use of the trail with transit in the Georgetown Branch Corridor between Bethesda and Silver Spring - but if the public does choose to build the Purple Line, then we insist that the trail be rebuilt as a high quality, full width trail in the Georgetown Branch Corridor and be completed into downtown Silver Spring in the CSXT corridor. The trail must be rebuilt in a manner consistent with its being the most heavily used trail in Montgomery County and being a critical part of the regional off-road trail network.

It is of great importance that the CCT continue to have a direct grade-separated crossing of Wisconsin Avenue. We had received repeated assurances from MTA Purple Line planners for years that the trail would remain in the Air-rights Tunnel, to be suspended on an overhead structure above the transit tracks. But late in concept development in Spring 2012 MTA found, and the County Council agreed, that the cost and risk of keeping the trail in the Air Rights Tunnel was too high. It was decided that the trail would have only a surface route through Bethesda along Bethesda streets and would cross busy Wisconsin Avenue atgrade. This would greatly reduce the safety and attractiveness of the CCT at its most important, highest use location.

This Bethesda Minor Master Plan Amendment offers to the Planning Board and County Council a unique opportunity to restore to the plan a safe and direct crossing of Wisconsin Avenue that the trail needs. This amendment would enable a new trail tunnel to be built under Wisconsin Avenue along Elm Street, between 47th Street and a rebuilt Apex Building. This new trail tunnel can be better than the earlier proposed alignment in the Air-Rights Tunnel – it can be straighter, shorter, open to a larger space with secure bike parking and full service bike station, and have easier access to the Purple Line platform and to the elevators to the Red Line platform.

This new proposed tunnel must have a safe grade at the east portal ramp. The staff report says that IF the small parking lot at mid-block on Elm Street can be closed, then the portal ramp can extend along the whole block and can be kept at 5%. But if the parking lot access must be maintained, then the portal ramp must be much shorter and will require a steep grade of 8%. CCCT considers a grade of 8% at this location to be unacceptably dangerous. This heavy use area will have a high potential for pedestrian-cyclist conflicts, and adding such a steep grade to the mix could be disastrous. If the parking lot cannot be closed to allow a longer ramp with a 5% grade, then CCCT would prefer that a longer tunnel alignment like the "Option 2" be taken. We recognize an "Option 2" alignment will mean a longer tunnel with a curve and with an intrusion into Elm Street Park, but we believe that is better than to have a ramp with a dangerous grade.

The alternative CCT surface route will continue to be very important, and a new trail tunnel should not be viewed as a replacement to the surface route. The surface route will be the only CCT route for the years during construction of the Bethesda Purple Line station. It will continue to be an important alternative route for the many trail users who will want to reach local destinations on Bethesda streets or for cyclists who want to avoid the pedestrian congestion in the tunnel during busy periods. CCCT agrees with the design recommended in the staff report for a cycle track and a separate pedestrian sidewalk along Willow Lane and Bethesda Avenue. This area will have very heavy pedestrian traffic with pedestrians distracted by the local retail, and separating pedestrian and cycling uses here will improve the safety and convenience for both user groups.

If the Master Plan Amendment can motivate the owners to take down and rebuild the Apex Building, then a new trail tunnel and bike station can greatly increase the safety, attractiveness and use of the Capital Crescent Trail in the heart of Bethesda. Transit users can have an improved Purple Line station platform and better street access to elevators to the Metro Red Line platform. Elm Street will not be adversely impacted for the elevators. Woodmont Plaza can be spared the intrusion of a tall Purple Line ventilation tower and much of the intrusion of Purple Line tail tracks. CCCT urges the Planning Board to advance this Master Plan Amendment as quickly as possible.

Respectfully, Wayne Phyillaier, for the CCCT

MCP-CTRACK



OFFICE OF THE CHARMAN
THE MARYLAND-NATIONAL CAPITAL
PARKAND PLANNING COMMISSION

From: Sent: Ronit Dancis <ronitadancis@yahoo.com> Thursday, November 07, 2013 2:54 PM

To:

MCP-Chair

Subject: Attachments:

ACT testimony for Bethesda Minor Master Plan Amendment ACT Testimony in Favor of Bethesda Minor Master Plan.rtf

November 7, 2013

Action Committee for Transit Testimony in Favor of Bethesda Minor Master Plan Amendment

Thank you for the opportunity to speak today.

I am here to express the Action Committee for Transit's strong approval of the Minor Master Plan Amendment for the Bethesda Station.

As we all know, Bethesda will be a key Purple Line station, one of the four stations where the Purple Line intersects with the Metro. Bethesda itself is already one of the Metro Stations where equal numbers of people enter as exit during the rush hours. It is projected that more than 10,000 people will be using the Purple Line station in Bethesda each day. The station needs to be as large as possible. It needs to move as many people as fast as possible. Because of the Wisconsin Avenue bridge and the building density that already exists in Bethesda, building a small station now and then trying to enlarge and improve it in the future would be prohibitively expensive in addition to being impractical - and a potential safety issue/hazard.

The new design does the best job of meeting these goals given the conditions available in a dense urban area. Rebuilding the APEX building will allow the station to be much larger and work much better. If the building is not demolished and rebuilt, there will not be enough space for a wide track. Passengers will have to cross the train tracks to get off and on the trains. Train service may be delayed each and every time as passengers cross the tracks.

If the new design is approved, there will be enough space for a bike tunnel under Wisconsin Avenue, providing bike riders with an uninterrupted trail.

There is one area where I hope the board will make improvements in this new design. The current bike tunnel plans are constrained by the need to keep street access open to a 10 car parking lot on Elm St. The result is a tunnel with a grade that is considerably steeper than desirable. (Planning board staff presented another tunnel option at the Bethesda Open House: it had an even steeper grade, and only met ADA requirements by including an elevator at Elm & Wisconsin.) Parents in particular would prefer a much gentler grade as they bike with their kids on the trail. I strongly urge the board to modify the design so the county can purchase the parking lot; the 10 people who use the parking lot can be provided with reserved spaces across Elm Street in the parking lot in 7315 Wisconsin Avenue.

http://www.actfortransit.org/

ACT PO BOX 7074 SILVER SPRING MD 20907-7074

On Thursday, November 7, 2013 9:05 AM, Ronit Dancis < ronitadancis@yahoo.com > wrote:

November 7, 2013

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http://www.actfortransit.org/

ACT
PO BOX 7074
SILVER SPRING MD 20907-7074

Transcript of Public Hearing

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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MONTGOMERY COUNTY PLANNING BOARD

DRAFT BETHESDA PURPLE LINE STATION MINOR
MASTER PLAN AMENDMENT PUBLIC HEARING

THURSDAY, NOVEMBER 7, 2013

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The Montgomery County Planning Board met in the Montgomery County Planning

Department Auditorium, 8787 Georgia Avenue,

Silver Spring, Maryland, at 6:00 p.m.,

Francoise Carrier, Planning Board Chair,

presiding.

PRESENT:

FRANCOISE CARRIER, Planning Board Chair
MARYE WELLS-HARLEY, Planning Board Vice
Chair

CASEY ANDERSON, Planning Board Commissioner

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

2 6:06 p.m.

CHAIR CARRIER: Good evening. This is our public hearing on the Bethesda Purple

Line Station Minor Master Plan Amendment.

And Mr. Hisel-McCoy is going to start it off.

MR. HISEL-McCOY: Thank you. For the record, Elza Hisel-McCoy from Area 1 Division.

As you said, this is a public hearing on the Public Hearing Draft Bethesda

Purple Line Station Minor Master Plan

Amendment, which was advertised in the Gazette on October 2nd, 2013.

The sector plan is an amendment to the 1994 approved and adopted Bethesda CBD Sector Plan, as amended; as well as the General Plan On Wedges & Corridors for the physical development of the Maryland/Washington Regional District in Montgomery and Prince George's Counties, as

as it happens. Oh, Mr. Dyer isn't here
either. Okay. Well, we'll start with you
three.

Mr. Witmer?

MR. KOMINERS: Madam Chair, Bill Kominers, Lerch, Early & Brewer, for the record. Mr. Witmer and I are here together. We will share our presentation and combine that for you.

CHAIR CARRIER: Okay.

MR. KOMINERS: He will begin.

MR. WITMER: Good evening. I am

David Witmer and I serve as the Vice President

-- Senior Vice President and Chief Operating

Officer for the American Society of Health

System Pharmacists.

CHAIR CARRIER: I think I need to ask you to bring your microphone a little closer, because the folks at home will not be able to hear you. I know it's not convenient. I apologize.

MR. WITMER: That's quite all

45 years and hosts thousands of guests and visitors annually, contributing to the success of the Bethesda Central Business District.

We've monitored the plans for the Purple Line since purchasing the Apex Building in 1992. You can imagine our surprise when we discovered earlier this year that a proposal had been filed to amend the Master Plan for our property, with the expectation that by the end of the year we would have to make a decision as to whether to agree to vacate our building and demolish it within two years.

Even more surprising to us was the fact that MTA had set a rather aggressive, unusually aggressive, deadline for us to commit to those two major decisions.

The minor master amendment proposes that the Apex Building be demolished, and the property be redeveloped to accommodate the Purple Line Station, and Red Line Metro South Entrance and Capital Crescent Trail within the redeveloped property.

This is no small decision and clearly requires adequate time and consultation to complete the due diligence that is necessary.

Under any scenario, the sale of the Apex site, purchase and lease of new property, and redevelopment of the property, represents a complex and time-consuming transaction that carries with it significant risk. Such an undertaking will result in substantial interruption to our core operations. Indeed, we've already begun expending considerable time and resources to assess this opportunity.

Therefore, for us to consider such a transaction, there must be a clear and compelling benefit to ASHP.

We've not had sufficient time to complete our analysis at this time, but we believe that the plan, as currently proposed, imposes significant burdens on the property owner that would limit interest in commercial

1 redevelopment.

We believe the current plan requirements, such as the incorporation of two tunnels, integration of ventilation, the new addition of a shell-ready Purple Line Station, and limitations to the ground level, will significantly limit the ability to effectively utilize the additional density resulting from the modest increase in FAR.

Without modification to the plan to better balance transit and commercial interests, and additional incentives outside the plan, we are concerned there may not be sufficient benefit to our pursuing such a disruptive undertaking.

In conclusion, in order for us to entertain such a significant disruption to our mission and undertake the associated risk of such a transaction, there must be benefits to us, both now and in the future.

While we've not completed our analysis, we believe that it's clear that the

current plan, as proposed, significantly
limits commercial development in the future,
therefore provides little economic incentive
to contemplate a sale.

Given adequate time for analysis and negotiations, we still think it may be possible to find a solution that sufficiently benefits both ASHP and the County, and we remain willing to explore that feasibility but require more time to conduct analysis and engage in the necessary negotiations.

Thank you very much.

CHAIR CARRIER: Thank you. It's not, of course, the answer that we wanted to hear, but I'm very glad that you took the time to come and speak to us. We may need to hear from you in work sessions as well.

MR. WITMER: Okay.

CHAIR CARRIER: Mr. Kominers?

MR. KOMINERS: Mr. Witmer has said everything that I would have said, so I will give you back the remainder of our time.

CHAIR CARRIER: Okay. Thank you,

gentlemen.

Mr. Ross?

MR. ROSS: I'm Ben Ross. I'm speaking as an individual. I live one block from the site that's in question, and I simply wanted to come here and speak in favor of the concept of replacing and redeveloping the Apex Building for a better Purple Line station. It would be a great benefit to Bethesda. It would be a great benefit to the whole County.

And my only other comment was that you should look at the other side of Wisconsin to see if you can get the ideal bike path entrance by removing the parking lot behind the building on the south side of Elm Street and replacing it with some kind of structure. There's plenty of parking across the street there, and a surface parking lot in that location is really incompatible with the urban nature of downtown Bethesda anyway.

So, I think that that is, I know,

one more complication, but I think it would be worth pursuing as part of this.

Thank you.

CHAIR CARRIER: Thank you, Mr.

Ross, and thank you all for speaking tonight.

I'm going to call up Mr. Dyer, who
I saw walk in. Yes. And Mr. Wayne -- how do
I say your last name -- Phyillaier. I should
know that, I know you've spoken to us before.
And Pat Burda.

And, Mr. Ross, if Ms. Dancis comes in, will you let me know? Okay, Mr. Dyer, you are next.

MR. DYER: Thank you Madam Chair and Commissioners. I'm Robert Dyer, a lifelong resident of Bethesda, and I'll preface my comments by saying I don't necessarily agree with the Minor Master Plan Amendment process, but we're engaged in it now, so I'm going to testify on this.

I think that the issue of the Apex Building that when it was originally

constructed it did comply with what the County had planned at the time, and really what's changed is the Purple Line plan. The concept has gotten much larger and we have a bike trail now.

And so we're really now looking at a different project. So, I don't necessarily think the building owners are responsible for this. They complied at the time, but looking at the situation now, I think that there is some justification for the redevelopment of the building.

I don't want to see the building come down, but I think when we are looking at the issue of having the trail be able to go under the building rather than out on Wisconsin Avenue, when we're considering all modes of transportation being equal, really, the Capital Crescent Trail is a transportation facility more than just a recreational trail. And so anything that facilitates -- it's a much more desirable commuting option if people

can pass through more quickly on bicycles.

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And so I am also concerned about the way the State went about this. They put the taxpayer really in a bad situation, and I was intrigued with Commissioner Anderson's suggestion about eminent domain. That would not be my first option, but it's something to consider as part of the negotiations.

But, finally, the major point about this, I would not support redeveloping this building unless we get a movie theater, because this is something the restaurants in downtown Bethesda really rely on the dinner and a movie business. And I thought the report was out of touch with reality when they said there would be no impact. There will be a huge impact, and I don't see how they, or the staff, can explain to us how this helps the nighttime economy or walkable communities to not have a movie theater, the only urban area in the County without one. So, we really must have the movie theater as part of the new 1 project in order for me to support this.

2 Thank you.

3 CHAIR CARRIER: Thank you.

Mr. Phyillaier.

MR. PHYILLAIER: Good evening. My name is Wayne Phyillaier and I'm speaking this evening for the Coalition for the Capital Crescent Trail. Our Coalition is all-volunteer organization formed in 1986, and it's been operating since then for the purpose of completing the Capital Crescent Trail, making it more attractive and safer to use.

We continue to take no position to either support or oppose the Purple Line, but if the community does choose to build the Purple Line, we insist that the Capital Crescent Trail be rebuilt to a high standard in the Georgetown Branch corridor, and then completed into Silver Spring.

It should be rebuilt in a manner that's consistent with it being the most heavily used off-road trail in the state, and

1 a very key part of a regional trail network.

It's very important to us that we continue to have a direct grade separated crossing of Wisconsin Avenue in the heart of Bethesda.

We had received repeated
assurances from MTA for many years that we
would be able to stay in the Bethesda Tunnel,
although in an overhead structure above the
transit tracks. And we were quite
disappointed and upset when about a year and
half ago a decision was taken to take us out
of the tunnel because that was considered too
expensive and too risky to the building.

Now you have before you a Master

Plan Amendment that could give you an

opportunity to set this back in the proper

position again by giving us that grade

separated crossing, a new tunnel.

In fact, the new tunnel design in this Master Plan alignment has the potential to better than the alignment would have been

in the overhead. It could be a tunnel for us that would be straighter, and shorter, and take us into a plaza area with a bike facility. It would be much superior to what we would have had in the overhead.

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However, our big concern with the plan is, with this tunnel alignment, is that the possibility of having a very dangerous grade on the east side. Mr. Ross alluded to that in his testimony. If you're not able to close that parking lot, and you can only take about a half block of that section between 47th Street and Wisconsin Avenue for the ramp into the portal of the tunnel, then the grade of that ramp would be 8 percent or higher. consider that to be wholly unacceptable. This would be a very high-use area, with a lot of pedestrians. You've got an elevator entrance possibly at the bottom of that ramp, a lot of congestion, a lot of conflicts, and throwing in an 8 percent grade into that mix which would be disastrous.

parking lot to give us a ramp that has a 5 percent grade or better, than we would urge you to reconsider the option two tunnel alignment that had been presented at the community plans. We recognize that's a longer tunnel. We recognize that it has a curve in it, that it intrudes into the park more, but we feel that overall it would be much safer for the trail users and more inviting.

it's our strong position that this tunnel should not be taken as an alternative or a replacement for the surface route. The surface route down Bethesda Avenue remains very important to us. It will be our only trail route for the many months when the Purple Line Station is under construction. It will continue to be important after the tunnel opens for the many trail users who would like to go to surface destinations on the streets of Bethesda, or the many cyclists who might

like to avoid going through the tunnel during the high congestion periods where there's going to be a lot of pedestrian activity in the tunnel and the Woodmont Plaza.

That's it. Basically, we think
this amendment gives you an opportunity to
give the trail users a great tunnel. It also
could give you a much better Woodmont Plaza
without having a ventilation tower or so much
intrusion from the tracks. It can help spare
the changes at Elm Street. We feel overall
this is worth pursuing, and we encourage you
to aggressively pursue this Master Plan
Amendment.

Thank you.

CHAIR CARRIER: Thank you.

Ms. Burda?

MS. BURDA: Hi. I'm Pat Burda.

I'm the Mayor for the Town of Chevy Chase, and unlike the Coalition for the Capital Crescent Trail, we have taken a position on the Purple Line, but that's not why I'm here tonight.

I appreciate the opportunity to provide comments on behalf of the Town on the proposed Bethesda Purple Line Station Minor Master Plan Amendment.

I'd also like to thank Elza Hisel-McCoy and David Ansbacher for taking the time to brief the town's Long-Range Planning

Committee on some of the details of the proposal that is under consideration. It helped to clarify many of our questions.

The proposal focuses on two key elements: the redevelopment of the Apex site with a new building that better integrates the proposed Purple Line and Red Line Stations, and a new tunnel under Wisconsin Avenue to handle bike and pedestrian traffic on the Capital Crescent Trail.

While recognizing that both of these elements have some attractive characteristics, we believe that because this project is being rushed through, and rushed along, all the details and implications have

1 not yet been fully considered.

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Some of our major concerns. The first one is the proposed Master Plan Amendment should be made conditional on full funding and planned construction for the Purple Line. This approach was taken in the recent case of the Chevy Chase Lake Master Plan, and it's even more appropriate in this The one and only reason for this Minor case. Master Plan Amendment is to accommodate the complexities of a multi-modal transit station at the site. If the Purple Line is not built, or is substantially delayed, the entire rationale for the proposed minor amendment to the Master Plan disappears.

Thus, the minor amendment should be made contingent on funding and planned construction of the Purple Line, and if that fails to materialize, then the block should be addressed in the context of a new Master Plan for the entire Bethesda CBD.

Second concern, under the

Commercial-Residential CR Zone optional method proposed on the plan, there is no assurance that any new development on the Apex site will actually be required to accommodate this new station.

Quite frankly, we are concerned that without compulsory language to assure the inclusion of the new station, the developer could decide to use the points from other benefits to get additional density and opt out of the station design. Then we would just have a big building and no integrated transit stop.

The County needs to take

additional steps to ensure that if the Minor

Master Plan Amendment is adopted and the

redevelopment of the Apex building occurs, the

amendment includes a binding list of desired

features.

Third concern, the Minor Master

Plan Amendment should have more accurate

safeguards -- adequate safeguards, to protect

the little remaining open space left in
downtown Bethesda.

The current amendment envisions that the new Apex building developer may transfer development density to adjacent sites. This could include the Woodmont East project site, and could result in the redesign of this site and the elimination of one of the few remaining open spaces in downtown Bethesda.

As I'm sure you all remember, only a few years ago the Planning Board responded to public outcry and required the developer to create an open-air pedestrian plaza in front of the Landmark Theatres. The Map Amendment should specify that adequate open space at this location should remain a priority.

Our fourth concern is that the second tunnel should be a mandatory, core element to the Purple Line plan, and not link in any way to redevelopment of the Apex site. You are contemplating spending \$30 million on this tunnel; we think that it's really a

1 needed, needed amenity.

By relying on bicyclists to cross
Wisconsin Avenue using the surface route, we
believe we are creating a safety nightmare.

And I've testified before you about the number
of pedestrian incidents that have occurred on
this stretch of Wisconsin Avenue.

We believe that it should be a critical required element if the Purple Line coming to reality, and it should be included in the MCA and County plans, regardless of whether the Apex building is redeveloped.

If the building redevelopment does move forward as contemplated, we feel the County should be required to commit the necessary resources to build the second tunnel before any approvals are given for the redevelopment of the site with increased density. There's great skepticism in the community that the tunnel will actually ever materialize under any scenario.

And, finally, we are concerned

that neither of the two proposed design options for the tunnel seem optimal. We think that you should probably take a look, as Mr. Phyillaier mentioned, you know, doing something to try to decrease the grade and also have less impacts on the park.

Right now, we just feel like the two designs are not ready for prime time, and we do have residents who have raised many concerns about the safety of a separate tunnel, and so we would really very much want to work with the County to try to assure the design incorporates adequate safety features.

So, thank you very much for the opportunity to testify, and I'm here to answer any questions you might have.

CHAIR CARRIER: I appreciate the specificity of your comments. That always makes it a lot easier for us to address them.

MS. BURDA: Great.

CHAIR CARRIER: I believe our last speaker has come in, Ronit Dancis, so please

1 come up and join the other speakers.

2 MS. DANCIS: My apologies for

3 being late. I was stuck in traffic.

4 CHAIR CARRIER: Not at all. We've

5 heard of traffic in this county.

6 COMMISSIONER ANDERSON: That won't

7 be a problem with the Purple Line.

8 MS. DANCIS: Exactly. I won't

9 have to sit on the J4.

10 COMMISSIONER ANDERSON: You could

11 ride your bike in.

MS. DANCIS: Exactly.

13 COMMISSIONER ANDERSON: Through

14 the tunnel.

MS. DANCIS: Absolutely. Thanks

16 for the opportunity to speak. I'm here to

17 express the Action Committee for Transit's

18 long approval to the Minor Master Plan

19 Amendment to Bethesda Station.

20 As we all know, Bethesda is going

21 to be a key Purple Line Station, one of the

22 four stations where the Purple Line intersects

with the Metro. Bethesda itself is already one of the Metro stations where equal numbers of people enter as exit during the rush hour. It is projected that more than 10,000 people will be using the Purple Line station in Bethesda each day.

as possible, and it needs to move as many people as fast as possible. Because the Wisconsin Avenue Bridge and the building density that already exists in Bethesda, building a small station now, and then trying to enlarge and improve it in the future, would be prohibitively expensive, in addition to being impractical, and it could also be a potential safety issue or hazard.

The new design does the best job of meeting these goals to make the station as big and as good as possible, given the conditions available in a dense urban area.

Rebuilding the Apex building will allow the station to be much larger and work much

1 better.

If the building is not demolished and rebuilt, there will not be enough space for a wide track. Passengers would then have to cross the train tracks to get on and off the train. The train station could be delayed each and every time the passengers cross the track.

If the new design is approved, there will be also enough space for a bike tunnel under Wisconsin Avenue, providing bike riders with the uninterrupted trail they've been asking for for a long time.

There is one area where I hope the Board will make improvements in this new design. The current bike tunnel plans are constrained by the need to keep street access open to a ten-car parking lot on Elm Street. Again, that's a ten-car parking lot. The result is a tunnel with a grade that's considerably steeper than desirable. The Planning Board staff presented a second tunnel

option at the Bethesda open house. It had an even steeper grade and only met ADA requirements by including an elevator at Elm and Wisconsin.

Parents, in particular, would prefer a much gentler grade as they bike with their kids on the trail. We strongly urge the Board to modify the design so the County can purchase the parking lot. The ten people who use the parking lot can be provided with reserved parking spaces directly across Elm Street in the parking lot on 7315 Wisconsin Avenue.

Thank you very much.

CHAIR CARRIER: Thank you.

Is there anybody else who is here tonight that did not sign up to speak, and would like to speak?

I see a hand. Okay. Fill out a yellow form real quick, and then come speak.

Ms. Jackson, could you provide a yellow form for this gentleman? She's already doing it.

Just put down your name for now, and then you can fill it out later.

Just press the big button. Press the big button and let go.

MR. SMYTHE: All right, thank you,
Madam Chairman. My name is Robert Smythe, SM-Y-T-H-E.

CHAIR CARRIER: Can I ask you to pull the microphone a little closer?

MR. SMYTHE: Most certainly.

CHAIR CARRIER: Thank you.

MR. SMYTHE: All right.

CHAIR CARRIER: Perfect.

MR. SMYTHE: You got that? Okay.

I'm a resident of Wellington Drive in the

Sacks subdivision, which is directly south of
the Lot 31, and we are a 60-family residential
neighborhood.

I'd like to add my concerns to those expressed by Wayne about the design for this tunnel. I don't know -- I went to the information meeting that they had. That was

the first I'd heard about it. And I said, an 8 percent slope? What is that going to be like when it's icy, when it's raining, when people with baby carriages are going up and down there, bicycles and pedestrians are trying to get through that space?

option. I don't know what they were thinking, but that has to be passable by people who are not having to exert themselves to push a bike, or a baby carriage, up an 8 percent slope in the freezing rain. This is not a situation that should be thought of as sunshine and 70 degree temperatures. We have to have something that's practical.

I agree that the idea of having a tunnel, separate from the Metro tunnel, is a good one, and I was in favor of the idea of having this second tunnel. But the steep slope design version is just crazy, and I think we need to look carefully at how safe that is going to be. It may be necessary to

extend it considerably more than even the current alternate design. But it's one thing that concerns those of us who live there.

I guess I find -- I have mixed feelings about the whole Purple Line, but if we are going to have a viable Capital Crescent Trail, it should be safe. I mean, it should not be a dangerous slope that people have to fight their way up or down.

So, that's the main concern I'd like to underline, and if it's appropriate I'll give you a written comment afterward, but that's my main point. I'm the vice president of the Sacks Neighborhood Association. But I'm just speaking for myself tonight, because I didn't prepare testimony.

CHAIR CARRIER: Thank you. You are welcome to submit something in writing.
When does the record close again, Mr. Hisel-McCoy?

MR. HISEL-McCOY: One week from tonight.

1 CHAIR CARRIER: So, you have a week 2 to submit something. And if the Citizens 3 Association, you know, if you are able to get something from the group by then, you are 4 5 welcome to do that, or do it as an individual. Either way, it's just 6 MR. SMYTHE: 7 -- it's a fundamental design flaw. 8 CHAIR CARRIER: Okay. Well, thank 9 you, everybody, for coming to give us your 10 thoughts on this. We will look forward to our 11 work sessions, and we are adjourned for the 12 night at 6:33 p.m. (Whereupon, the meeting in the 13 14 above-entitled matter was concluded at 6:33 15 p.m.) 16 17 18 19 20 21 22

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<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Purple Line Station

Before: MNCPPC

Date: 11-07-13

Place: Silver Spring, MD

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

near Nous &

Draft Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment, red-line version

Introduction

A Vision of Transit Future

With an improved Purple Line Station, the south entrance to the Bethesda Red Line Metro Station, and the Capital Crescent Trail literally under one roof, the Minor Master Plan Amendment Area has the potential to become the new "best address" of the Bethesda Central Business District (CBD). This Area, chiefly the block bound by Wisconsin Avenue, Elm Street, Woodmont Avenue, and Bethesda Avenue, is the eastern gateway to the popular and successful Bethesda Row – the primary center of activity in the CBD – and a key component of the Wisconsin Avenue commercial corridor. The addition of this multi-modal transit hub will enhance the level of activation, access, and amenity for residents, businesses, and visitors.

This Minor Master Plan Amendment envisions an urban multi-modal transit station that is integrated into the life of Bethesda. Thousands of transit riders will use the station to come to Bethesda to live, work, and play and to go elsewhere from Bethesda to access the many rich benefits of the region. Hundreds of cyclists will use the Capital Crescent Trail (CCT) to get to the many centers and neighborhoods between Silver Spring and Georgetown.

Every day this station will bring thousands of people to Wisconsin Avenue, Elm Street, Woodmont Avenue, and Bethesda Avenue. This foot and bicycle traffic will make the station location the pre-eminent address in the CBD. With the redevelopment envisioned by this Plan, it will be anchored by a signature building at this "100 percent corner," a source of renewed growth and activity for the surrounding business, lifestyle, and entertainment district.

The Plan vision for the corner of Wisconsin Avenue and Elm Street showcases a generous and welcoming plaza at the ground floor of a signature building, where commuters have easy direct access to the Purple Line station and, via high-speed elevators, to the Red Line Metro station below. The spacious Purple Line station would be welcoming and easy to navigate, with a large open platform and plenty of room for the projected ten thousand plus daily riders. Getting to the Red Line station would be efficient and streamlined. One level below the street, cyclists will be able to rapidly move through the CBD to get to work, play, or home, in an environment free of automobiles.

From Woodmont Avenue, pedestrians would walk past the many shops, cafes, and restaurants, into the landscaped Woodmont Plaza and directly into the Purple Line station. Cyclists would have a direct route through the plaza into a short tunnel that comes out just the other side of Wisconsin Avenue, with an easy ride through Elm Street Park and on towards Rock Creek Park and Silver Spring.

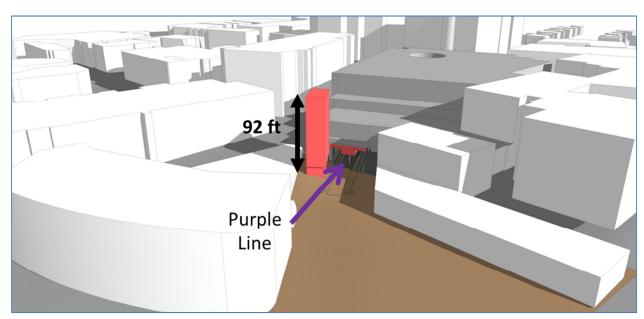
Businesses around the station would benefit from greatly increased pedestrian traffic, with more eyes on shop windows. Offices, hotels, and apartments around the station block will command premiums for their proximity to the multi-modal station, the CCT, and the Bethesda Row entertainment district.

This is a vision of a new multi-modal transit station that provides room for Bethesda to grow, creating new opportunities for businesses, residents, and visitors.

Station Default

The Maryland Transit Administration's (MTA) default designs for the Purple Line station will not be able to fully implement this exciting vision because they are constrained by the limits of the existing conditions – the configuration of the current tunnel and the Apex building support structures. The Purple Line tracks will be located within the existing tunnel – now used as a bicycle path – that runs east from Woodmont Plaza, under the Apex building, Wisconsin Avenue, and the Air Rights building. The physical limitations of this tunnel will negatively impact the quality of service provided by the station:

- the tunnel forces a narrower platform that constrains the number of people that can fit on it at one time;
- the platform is interrupted by numerous structural columns supporting the Apex building above, impeding circulation for riders;
- the tunnel is curved, necessitating a curved station platform that creates gaps between the train cars and the platform;
- the narrowness of the existing tunnel requires the station platform to be located closer to Woodmont Plaza, resulting in "over-run" tracks extending 100 feet into the plaza, near the existing movie theatre and eateries;
- a free-standing metal ventilation tower about the size of a 90' high townhouse– must be located in Woodmont Plaza.



Aerial View of Vent Tower Impact

With only a minimum amount of space in the existing tunnel for the Purple Line station, the new south entrance to the Red Line Metro station must be located underneath Elm Street, within the public right-of-way. This location negatively impacts the quality of service of the station:

- commuters will have limited direct access from the street to the Metro station, and may have to travel one level down for additional elevators;
- stair and elevator access from street level to the Metro elevators below will be located in a sidewalk bump-out on Elm Street, creating potential bottle-necks that significantly distrupt the pedestrian use of Elm Street;
- riders transferring between the Red Line and Purple Line will have to cross the train tracks at track level, creating potential conflicts between trains and riders.



Rendering of Elm Street Elevators

Finally, with no room in the existing tunnel for the CCT, cyclists will be forced to use a surface route along busy Bethesda Avenue and across the heavily trafficked Wisconsin Avenue.

This default design provides adequate service while minimizing costs, but would be challenged to accommodate the future growth that would be expected of a successful and attractive transit center in downtown Bethesda.

(Re)Developing a Better Alternative

In coordination with the Planning and Parks Departments and regional, state, and local transportation agencies, MTA has developed an alternative station design that better realizes the Plan vision. But the vision and its many public benefits will not be realized unless the station site, the location of the existing Apex building, is redeveloped in coordination with the construction of the Purple Line, expected to begin by the end of 2015.

The alternative design significantly improves the quality of the service provided by the station:

- the Purple Line platform would be larger and, without interrupting columns, would provide more room for riders and trains;
- the Purple Line station platform would be straight, eliminating gaps between the train and the platform;
- the Red Line Metro south entrance would be located within the new building with access to high-speed elevators directly from the street;
- CCT users would have a choice to cross Wisconsin Avenue either in a new tunnel or at street level;
- the 90' ventilation tower would be incorporated into a new building and the over-run tracks can be significantly shortened, leaving more of Woodmont Plaza available for public enjoyment;
- the station can accommodate space for full-service bike storage (i.e., a "bike station").

This alternative design moves well beyond an adequate solution to provide a high quality transit experience that will be attractive, highly functional, and able to serve Bethesda now and in the future.

Realizing the Vision

Land Use and Zoning

To encourage redevelopment of the Apex Building to allow for the realization of a superior multi-modal transit station and a new tunnel for the CCT, the Plan recommends significant additional density on the Apex building site. The Plan recommends rezoning the Apex site from CBD-2 (FAR 5.0, max. height 143') to CR 8.0, C 8.0, R 8.0, H 200. This added density and building height are consistent with those recommended in the existing Bethesda CBD Sector Plan for the area around the north entrance of the Red Line Metro Station, under the CBD-3 zone.

The CR zone provides both a standard and an optional method of development. The standard method limits overall density to a 0.5 FAR, while the optional method creates incentives to provide public benefits, thereby earning qualifying for additional density. Public benefits provided under the optional method are drawn from seven categories outlined in the Zoning Ordinance. This Plan identifies the "major public facilities" of the transit station and the CCT tunnel as the top priority public benefits for the Plan area. This does not preclude consideration of other benefits, as listed in the CR Zone, to achieve the maximum permitted FAR. All public benefits requested by the developer will be analyzed to make sure they are the most suitable for the Plan area, that they are consistent with the Plan's vision, and that they satisfy the changing needs of the area over time.

The configuration of the Apex site and its relationship to the transit station and existing development on the block may limit the amount of density that can be accommodated on the site. The increase in density recommended in the Plan is thus further intended to encourage joint redevelopment with adjoining properties on the block. Under a joint redevelopment scenario, allowable density from multiple sites within one redevelopment project can be

combined and redistributed among the sites, as long as the height limitations of the zones are not exceeded. Coordinated redevelopment that looks at the Plan Area as a whole will take maximum advantage of these unique circumstances, resulting in a better and more efficient design, with more inviting open space connections and a better mix of activating uses that is more economical to build. To facilitate this joint redevelopment, the Plan recommends rezoning the remaining properties on the block from CBD-2 to CR 5.0, C 5.0, R 5.0, H143. For these properties, the new zone does not provide any additional density or building height, but merely updates zoning to facilitate development review under a joint redevelopment scenario.

A key component of redeveloping the station site will be public open space, particularly at the station entrances, at the corner of Wisconsin Avenue and Elm Street, and in Woodmont Plaza, at the intersection of Bethesda and Woodmont Avenues. These spaces serve not only as critical access points to the transit station, but also as gateways to Downtown Bethesda. These spaces should be welcoming and activated by retail and entertainment uses and building entrances.

Beyond Land Use and Zoning: Visionary Partners

The Planning Department hired Bolan Smart Associates to review the public and private costs of realizing the alternative station designs within the 2015 timeframe set by MTA. Their analysis, which is included in the appendix, shows that, from the perspective of the owner of the Apex building, the increased economic value of additional density on the Apex site is largely offset by the significant cost associated with relocating the existing tenants, including the building owner and an established, though aging, movie theatre, and the additional private costs related to construction of the Purple Line station. Although additional zoning may incentivize redevelopment, additional measures, beyond those available to the Planning Board, are necessary to help guarantee redevelopment on MTA's timetable.

Planning staff has worked closely with the Montgomery County Department of Economic Development (DED) and others to explore additional tools to incentivize redevelopment. Beyond or in concert with joint redevelopment of the block, these include financing based on significant anticipated increases in property taxes, as well as participation of the public-private partnership ("P3") that MTA is exploring for the construction and operation of the Purple Line. This Plan supports those efforts.

Making the Connections: Transit and Bikeway Recommendations

Transit Station

The Plan makes station area recommendations under two scenarios, depending on whether the Apex Building is demolished before or after construction of the Purple Line.

The Apex building is demolished before Purple Line construction

If the Apex Building is demolished before the Purple Line is constructed, for MTA's concept design the Plan recommends the following:

- the property owner provide easements on the Purple Line platform level and Wisconsin Avenue level to accommodate the station;
- station platforms located under a future building on the Apex site;

- station and tracks on a straight alignment;
- stairs providing pedestrian and bicycle connections between Wisconsin Avenue and the Purple Line platform;
- high-speed elevators for a new south entrance to the Bethesda Red Line Metro station that provide a pedestrian and bicycle connection to Wisconsin Avenue and the Purple Line platform;
- a travel time study and a pedestrian level of service study for Red Line passengers to determine whether the elevators stop at Wisconsin Avenue and / or the Purple Line level;
- a walkway providing a pedestrian and bicycle connection to Woodmont Avenue via Woodmont Plaza;
- over-run tracks extending west from the station platform into the Woodmont Plaza for not more than 30 feet from the tunnel's western end;
- incorporating ventilation equipment into the new building;
- a minimum 10,000 sf. space reserved for a full-service bicycle storage facility located adjacent to the CCT tunnel route, the Purple Line platform, and the Red Line entrance. At a minimum, this facility should offer a range of bicycle parking options (e.g., short v. long term; minimum security v. higher security), shower and changing facilities, and bicycle repair.

The Apex building is demolished after Purple Line construction

If the Apex Building is demolished after the Purple Line is constructed, for MTA's concept design the Plan recommends the following:

- the property owner provide easements on the Purple Line platform level and Wisconsin Avenue level to accommodate the station;
- station platforms under the Apex Building;
- station and tracks on a curved alignment;
- stairs for pedestrian connection between Elm Street and the Purple Line platform;
- high-speed elevators for a new south entrance to the Bethesda Red Line Metro station that provide a pedestrian and bicycle connection between Elm Street, the Purple Line platform, and the Red Line mezzanine;
- a walkway providing a pedestrian and bicycle connection to Woodmont Avenue via Woodmont Plaza;
- a pedestrian connection in the existing tunnel east to the CCT via a 5-7'-wide sidewalk on the north side of the tracks;
- over-run tracks extending west from the station platform into Woodmont Plaza for not more than 100 feet from the tunnel's western end;
- ventilation equipment to be incorporated into a redeveloped Federal Realty site or in Woodmont Plaza;

 a minimum 10,000 sf. space reserved for a full-service bicycle storage facility located adjacent to the CCT tunnel route, the Purple Line platform, and the Red Line entrance. At a minimum, this facility should offer a range of bicycle parking options (e.g., short v. long term; minimum security v. higher security), shower and changing facilities, and bicycle repair.

Capital Crescent Trail

The CCT is a master-planned shared use path that runs through Bethesda and is proposed to connect to the Silver Spring Transit Center. Between Elm Street Park and Woodmont Avenue the trail branches into a tunnel route under Wisconsin Avenue and a surface route that crosses Wisconsin Avenue at grade. The two branches converge at the intersection of Woodmont Avenue and Bethesda Avenue, and the trail continues to Georgetown via an existing, hard-surface park trail. Early CCT plans showed the CCT sharing a tunnel with the Purple Line. In 2012, the County Council decided not to proceed with the tunnel as then envisioned, because of cost and liability issues associated with having the trail and the Purple Line in the same tunnel under the Apex Building. This meant that all trail users would have to use a surface route.

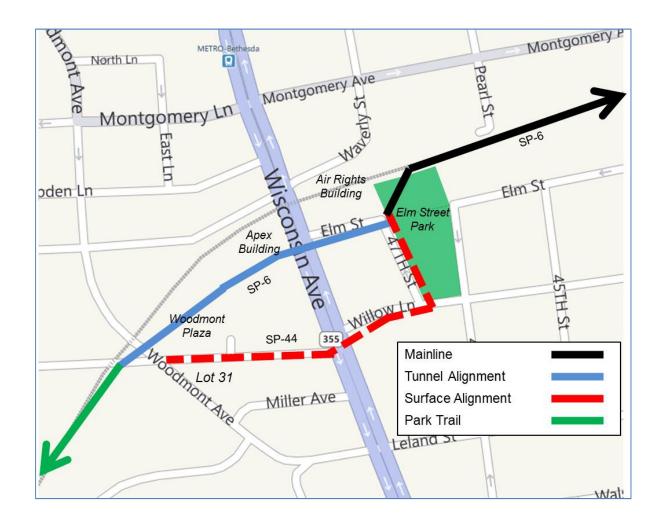
An alternative design of the Purple Line station that includes redevelopment of the Apex Building would result in a wider space under the building, with room for the CCT in its own tunnel as well as on local streets.

This Plan segments the CCT into the Mainline, Tunnel Route, and Surface Route. Each is described below.

Capital Crescent Trail Mainline

In the Plan area, the CCT mainline (SP-6) runs from the northern edge of Elm Street Park (just south of the Purple Line) southwest to the intersection of Elm Street and 47th Street, where it branches into the Tunnel Route and the Surface Route. The Plan recommends as key features of the CCT mainline within the Plan area:

- a smooth transition into Elm Street Park, avoiding sharp turns;
- a trail 11' wide with 2' shoulders through the northern portion of Elm Street Park, subject to grading analysis;
- an identifiable junction with the Tunnel Route and Surface Route in Elm Street Park at the corner of Elm Street and 47th Street;
- stormwater management and grading impacts associated with the CCT and/or Purple
 Line improvements within Elm Street Park to be included as part of the overall Purple
 Line stormwater management plan and designed so as not to reduce the useable area of
 the park available for existing and planned recreational facilities.



Capital Crescent Trail Tunnel Route

The CCT Tunnel Route (SP-6) would run from the intersection of Elm Street and 47th Street to Woodmont Avenue in a new tunnel beneath Wisconsin Avenue. The Plan recommends as key features of the Tunnel Route:

- a marked at-grade crossing of 47th Street that prioritizes trail users, with physical identifiers (such as a raised crosswalk) conveying a transition zone;
- a minimum 15'-wide trail on the south side of Elm Street between 47th Street and Wisconsin Avenue with ADA-compliant transitions from street level to tunnel level;
- a new tunnel (minimum 10' vertical clearance and 16' width) under Wisconsin Avenue south of the Purple Line station;
- a trail between Wisconsin Avenue and Woodmont Plaza (minimum 14' vertical clearance and 16' width) that limits conflicts with non-trail users and is visible from other areas of the station by non-trail users.

The Plan recommends that the Tunnel Route should meet Americans with Disabilities Act (ADA) requirements and not exceed a 5 percent slope. However, The current tunnel concept is constrained by a driveway serving 4610 Elm Street, resulting in an 8 percent tunnel grade. This slope exceeds ADA requirements and requires an elevator at the southeast corner of Wisconsin

Avenue and Elm Street. While the combination of the 8 percent slope and the elevator are to be fully ADA compliant, it would be far better if the slopes were reduced to 5 percent. This could be accomplished by. The Plan recommends either closing or relocating the 4610 Elm Street driveway, which the County should explore with the property owner.

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- a safer and more convenient protected crossing at the intersection of Wisconsin Avenue, Willow Lane, and Bethesda Avenue;
- a trail along the north side of Bethesda Avenue that includes an 11'-wide two-way cycle track for bicyclists and a minimum 10'-wide sidewalk for pedestrians;
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- sufficient queuing space for trails users and non-trail users at all intersections.

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The branding of the tunnel and surface routes for the CCT should be consistent with the mainline trail between Bethesda and Silver Spring, including lighting, signage, surface treatments, furniture, and pavement markings. As a segment of the trail where usage is expected to be the highest, continuous lighting on the trail is a priority. Lighting spillover into adjacent homes should be minimized by installing fixtures that prevent the light from rising above the level of the fixture and from extending beyond the desired area.

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The comments received from our outreach efforts indicate strong support for both the improved Purple Line station design, including the larger platform and the potential for long-term bike storage, and the new CCT tunnel. Safety and security were also of particular concern for the Purple Line Station, the CCT tunnel, and the CCT surface route, specifically:

- the length and curve of the tunnel;
- the slope of the tunnel as it comes back to street level;
- the tunnel will be safer than the surface route;
- the surface route should be designed for safety and marked clearly;
- lighting and security within the tunnel.

Other comments indicated the interest in an upgraded movie theatre, increased building height on this site and the CBD in general, pedestrian access to the Purple Line Station from the east, and consideration for future upgrade to heavy rail.

Analysis of the costs of redevelopment and of the CCT tunnel options was not complete by the time of the Open Houses and was therefore not presented. It is included in the appendices to this Plan.

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Draft Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment, "clean" version

Introduction

A Vision of Transit Future

With an improved Purple Line Station, the south entrance to the Bethesda Red Line Metro Station, and the Capital Crescent Trail literally under one roof, the Minor Master Plan Amendment Area has the potential to become the new "best address" of the Bethesda Central Business District (CBD). This Area, chiefly the block bound by Wisconsin Avenue, Elm Street, Woodmont Avenue, and Bethesda Avenue, is the eastern gateway to the popular and successful Bethesda Row – the primary center of activity in the CBD – and a key component of the Wisconsin Avenue commercial corridor. The addition of this multi-modal transit hub will enhance the level of activation, access, and amenity for residents, businesses, and visitors.

This Minor Master Plan Amendment envisions an urban multi-modal transit station that is integrated into the life of Bethesda. Thousands of transit riders will use the station to come to Bethesda to live, work, and play and to go elsewhere from Bethesda to access the many rich benefits of the region. Hundreds of cyclists will use the Capital Crescent Trail (CCT) to get to the many centers and neighborhoods between Silver Spring and Georgetown.

Every day this station will bring thousands of people to Wisconsin Avenue, Elm Street, Woodmont Avenue, and Bethesda Avenue. This foot and bicycle traffic will make the station location the pre-eminent address in the CBD. With the redevelopment envisioned by this Plan, it will be anchored by a signature building at this "100 percent corner," a source of renewed growth and activity for the surrounding business, lifestyle, and entertainment district.

The Plan vision for the corner of Wisconsin Avenue and Elm Street showcases a generous and welcoming plaza at the ground floor of a signature building, where commuters have easy direct access to the Purple Line station and, via high-speed elevators, to the Red Line Metro station below. The spacious Purple Line station would be welcoming and easy to navigate, with a large open platform and plenty of room for the projected ten thousand plus daily riders. Getting to the Red Line station would be efficient and streamlined. One level below the street, cyclists will be able to rapidly move through the CBD to get to work, play, or home, in an environment free of automobiles.

From Woodmont Avenue, pedestrians would walk past the many shops, cafes, and restaurants, into the landscaped Woodmont Plaza and directly into the Purple Line station. Cyclists would have a direct route through the plaza into a short tunnel that comes out just the other side of Wisconsin Avenue, with an easy ride through Elm Street Park and on towards Rock Creek Park and Silver Spring.

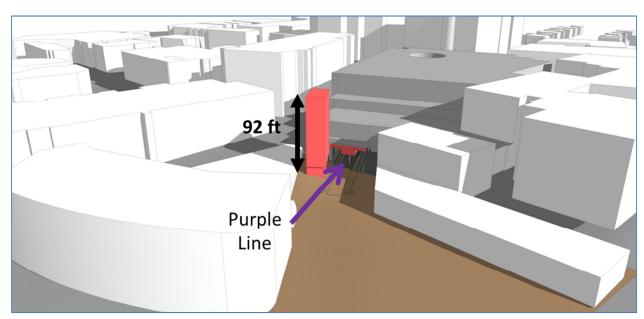
Businesses around the station would benefit from greatly increased pedestrian traffic, with more eyes on shop windows. Offices, hotels, and apartments around the station block will command premiums for their proximity to the multi-modal station, the CCT, and the Bethesda Row entertainment district.

This is a vision of a new multi-modal transit station that provides room for Bethesda to grow, creating new opportunities for businesses, residents, and visitors.

Station Default

The Maryland Transit Administration's (MTA) default designs for the Purple Line station will not be able to fully implement this exciting vision because they are constrained by the limits of the existing conditions – the configuration of the current tunnel and the Apex building support structures. The Purple Line tracks will be located within the existing tunnel – now used as a bicycle path – that runs east from Woodmont Plaza, under the Apex building, Wisconsin Avenue, and the Air Rights building. The physical limitations of this tunnel will negatively impact the quality of service provided by the station:

- the tunnel forces a narrower platform that constrains the number of people that can fit on it at one time;
- the platform is interrupted by numerous structural columns supporting the Apex building above, impeding circulation for riders;
- the tunnel is curved, necessitating a curved station platform that creates gaps between the train cars and the platform;
- the narrowness of the existing tunnel requires the station platform to be located closer to Woodmont Plaza, resulting in "over-run" tracks extending 100 feet into the plaza, near the existing movie theatre and eateries;
- a free-standing metal ventilation tower about the size of a 90' high townhouse– must be located in Woodmont Plaza.



Aerial View of Vent Tower Impact

With only a minimum amount of space in the existing tunnel for the Purple Line station, the new south entrance to the Red Line Metro station must be located underneath Elm Street, within the public right-of-way. This location negatively impacts the quality of service of the station:

- commuters will have limited direct access from the street to the Metro station, and may have to travel one level down for additional elevators;
- stair and elevator access from street level to the Metro elevators below will be located in a sidewalk bump-out on Elm Street, creating potential bottle-necks that significantly distrupt the pedestrian use of Elm Street;
- riders transferring between the Red Line and Purple Line will have to cross the train tracks at track level, creating potential conflicts between trains and riders.



Rendering of Elm Street Elevators

Finally, with no room in the existing tunnel for the CCT, cyclists will be forced to use a surface route along busy Bethesda Avenue and across the heavily trafficked Wisconsin Avenue.

This default design provides adequate service while minimizing costs, but would be challenged to accommodate the future growth that would be expected of a successful and attractive transit center in downtown Bethesda.

(Re)Developing a Better Alternative

In coordination with the Planning and Parks Departments and regional, state, and local transportation agencies, MTA has developed an alternative station design that better realizes the Plan vision. But the vision and its many public benefits will not be realized unless the station site, the location of the existing Apex building, is redeveloped in coordination with the construction of the Purple Line, expected to begin by the end of 2015.

The alternative design significantly improves the quality of the service provided by the station:

- the Purple Line platform would be larger and, without interrupting columns, would provide more room for riders and trains;
- the Purple Line station platform would be straight, eliminating gaps between the train and the platform;
- the Red Line Metro south entrance would be located within the new building with access to high-speed elevators directly from the street;
- CCT users would have a choice to cross Wisconsin Avenue either in a new tunnel or at street level;
- the 90' ventilation tower would be incorporated into a new building and the over-run tracks can be significantly shortened, leaving more of Woodmont Plaza available for public enjoyment;
- the station can accommodate space for full-service bike storage (i.e., a "bike station").

This alternative design moves well beyond an adequate solution to provide a high quality transit experience that will be attractive, highly functional, and able to serve Bethesda now and in the future.

Realizing the Vision

Land Use and Zoning

To encourage redevelopment of the Apex Building to allow for the realization of a superior multi-modal transit station and a new tunnel for the CCT, the Plan recommends significant additional density on the Apex building site. The Plan recommends rezoning the Apex site from CBD-2 (FAR 5.0, max. height 143') to CR 8.0, C 8.0, R 8.0, H 200. This added density and building height are consistent with those recommended in the existing Bethesda CBD Sector Plan for the area around the north entrance of the Red Line Metro Station, under the CBD-3 zone.

The CR zone provides both a standard and an optional method of development. The standard method limits overall density to a 0.5 FAR, while the optional method creates incentives to provide public benefits, thereby qualifying for additional density. Public benefits provided under the optional method are drawn from seven categories outlined in the Zoning Ordinance. This Plan identifies the "major public facilities" of the transit station and the CCT tunnel as the top priority public benefits for the Plan area. This does not preclude consideration of other benefits, as listed in the CR Zone, to achieve the maximum permitted FAR. All public benefits requested by the developer will be analyzed to make sure they are the most suitable for the Plan area, that they are consistent with the Plan's vision, and that they satisfy the changing needs of the area over time.

The configuration of the Apex site and its relationship to the transit station and existing development on the block may limit the amount of density that can be accommodated on the site. The increase in density recommended in the Plan is thus further intended to encourage joint redevelopment with adjoining properties on the block. Under a joint redevelopment scenario, allowable density from multiple sites within one redevelopment project can be

combined and redistributed among the sites, as long as the height limitations of the zones are not exceeded. Coordinated redevelopment that looks at the Plan Area as a whole will take maximum advantage of these unique circumstances, resulting in a better and more efficient design, with more inviting open space connections and a better mix of activating uses that is more economical to build. To facilitate this joint redevelopment, the Plan recommends rezoning the remaining properties on the block from CBD-2 to CR 5.0, C 5.0, R 5.0, H143. For these properties, the new zone does not provide any additional density or building height, but merely updates zoning to facilitate development review under a joint redevelopment scenario.

A key component of redeveloping the station site will be public open space, particularly at the station entrances, at the corner of Wisconsin Avenue and Elm Street, and in Woodmont Plaza, at the intersection of Bethesda and Woodmont Avenues. These spaces serve not only as critical access points to the transit station, but also as gateways to Downtown Bethesda. These spaces should be welcoming and activated by retail and entertainment uses and building entrances.

Beyond Land Use and Zoning: Visionary Partners

The Planning Department hired Bolan Smart Associates to review the public and private costs of realizing the alternative station designs within the 2015 timeframe set by MTA. Their analysis, which is included in the appendix, shows that, from the perspective of the owner of the Apex building, the increased economic value of additional density on the Apex site is largely offset by the significant cost associated with relocating the existing tenants, including the building owner and an established, though aging, movie theatre, and the additional private costs related to construction of the Purple Line station. Although additional zoning may incentivize redevelopment, additional measures, beyond those available to the Planning Board, are necessary to help guarantee redevelopment on MTA's timetable.

Planning staff has worked closely with the Montgomery County Department of Economic Development (DED) and others to explore additional tools to incentivize redevelopment. Beyond or in concert with joint redevelopment of the block, these include financing based on significant anticipated increases in property taxes, as well as participation of the public-private partnership ("P3") that MTA is exploring for the construction and operation of the Purple Line. This Plan supports those efforts.

Making the Connections: Transit and Bikeway Recommendations

Transit Station

The Plan makes station area recommendations under two scenarios, depending on whether the Apex Building is demolished before or after construction of the Purple Line.

The Apex building is demolished before Purple Line construction

If the Apex Building is demolished before the Purple Line is constructed, for MTA's concept design the Plan recommends the following:

- the property owner provide easements on the Purple Line platform level and Wisconsin Avenue level to accommodate the station;
- station platforms located under a future building on the Apex site;

- station and tracks on a straight alignment;
- stairs providing pedestrian and bicycle connections between Wisconsin Avenue and the Purple Line platform;
- high-speed elevators for a new south entrance to the Bethesda Red Line Metro station that provide a pedestrian and bicycle connection to Wisconsin Avenue and the Purple Line platform;
- a travel time study and a pedestrian level of service study for Red Line passengers to determine whether the elevators stop at Wisconsin Avenue and / or the Purple Line level;
- a walkway providing a pedestrian and bicycle connection to Woodmont Avenue via Woodmont Plaza;
- over-run tracks extending west from the station platform into the Woodmont Plaza for not more than 30 feet from the tunnel's western end;
- incorporating ventilation equipment into the new building;
- a minimum 10,000 sf. space reserved for a full-service bicycle storage facility located adjacent to the CCT tunnel route, the Purple Line platform, and the Red Line entrance. At a minimum, this facility should offer a range of bicycle parking options (e.g., short v. long term; minimum security v. higher security), shower and changing facilities, and bicycle repair.

The Apex building is demolished after Purple Line construction

If the Apex Building is demolished after the Purple Line is constructed, for MTA's concept design the Plan recommends the following:

- the property owner provide easements on the Purple Line platform level and Wisconsin Avenue level to accommodate the station;
- station platforms under the Apex Building;
- station and tracks on a curved alignment;
- stairs for pedestrian connection between Elm Street and the Purple Line platform;
- high-speed elevators for a new south entrance to the Bethesda Red Line Metro station that provide a pedestrian and bicycle connection between Elm Street, the Purple Line platform, and the Red Line mezzanine;
- a walkway providing a pedestrian and bicycle connection to Woodmont Avenue via Woodmont Plaza;
- a pedestrian connection in the existing tunnel east to the CCT via a 5-7'-wide sidewalk on the north side of the tracks;
- over-run tracks extending west from the station platform into Woodmont Plaza for not more than 100 feet from the tunnel's western end;
- ventilation equipment to be incorporated into a redeveloped Federal Realty site or in Woodmont Plaza;

 a minimum 10,000 sf. space reserved for a full-service bicycle storage facility located adjacent to the CCT tunnel route, the Purple Line platform, and the Red Line entrance. At a minimum, this facility should offer a range of bicycle parking options (e.g., short v. long term; minimum security v. higher security), shower and changing facilities, and bicycle repair.

Capital Crescent Trail

The CCT is a master-planned shared use path that runs through Bethesda and is proposed to connect to the Silver Spring Transit Center. Between Elm Street Park and Woodmont Avenue the trail branches into a tunnel route under Wisconsin Avenue and a surface route that crosses Wisconsin Avenue at grade. The two branches converge at the intersection of Woodmont Avenue and Bethesda Avenue, and the trail continues to Georgetown via an existing, hard-surface park trail. Early CCT plans showed the CCT sharing a tunnel with the Purple Line. In 2012, the County Council decided not to proceed with the tunnel as then envisioned, because of cost and liability issues associated with having the trail and the Purple Line in the same tunnel under the Apex Building. This meant that all trail users would have to use a surface route.

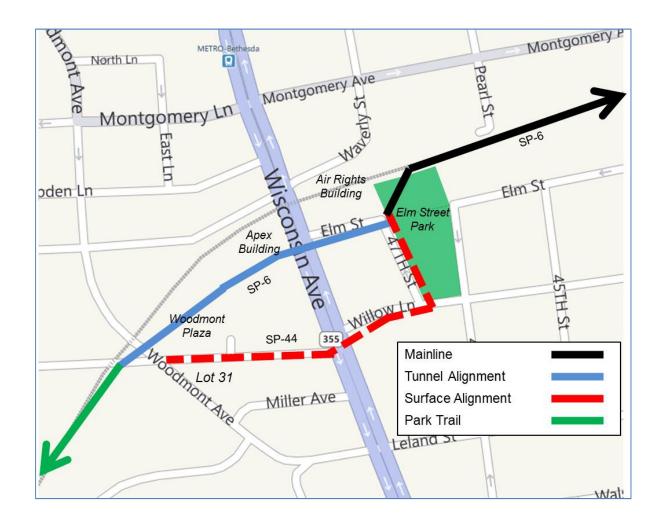
An alternative design of the Purple Line station that includes redevelopment of the Apex Building would result in a wider space under the building, with room for the CCT in its own tunnel as well as on local streets.

This Plan segments the CCT into the Mainline, Tunnel Route, and Surface Route. Each is described below.

Capital Crescent Trail Mainline

In the Plan area, the CCT mainline (SP-6) runs from the northern edge of Elm Street Park (just south of the Purple Line) southwest to the intersection of Elm Street and 47th Street, where it branches into the Tunnel Route and the Surface Route. The Plan recommends as key features of the CCT mainline within the Plan area:

- a smooth transition into Elm Street Park, avoiding sharp turns;
- a trail 11' wide with 2' shoulders through the northern portion of Elm Street Park, subject to grading analysis;
- an identifiable junction with the Tunnel Route and Surface Route in Elm Street Park at the corner of Elm Street and 47th Street;
- stormwater management and grading impacts associated with the CCT and/or Purple
 Line improvements within Elm Street Park to be included as part of the overall Purple
 Line stormwater management plan and designed so as not to reduce the useable area of
 the park available for existing and planned recreational facilities.



Capital Crescent Trail Tunnel Route

The CCT Tunnel Route (SP-6) would run from the intersection of Elm Street and 47th Street to Woodmont Avenue in a new tunnel beneath Wisconsin Avenue. The Plan recommends as key features of the Tunnel Route:

- a marked at-grade crossing of 47th Street that prioritizes trail users, with physical identifiers (such as a raised crosswalk) conveying a transition zone;
- a minimum 15'-wide trail on the south side of Elm Street between 47th Street and Wisconsin Avenue with ADA-compliant transitions from street level to tunnel level;
- a new tunnel (minimum 10' vertical clearance and 16' width) under Wisconsin Avenue south of the Purple Line station;
- a trail between Wisconsin Avenue and Woodmont Plaza (minimum 14' vertical clearance and 16' width) that limits conflicts with non-trail users and is visible from other areas of the station by non-trail users.

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