





**Bethesda Downtown Sector Plan, Work Session #7**

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- Scott Whipple, Supervisor, Historic Preservation, 301.563.3402
- Lisa Tate, Senior Planner, Research Department, 301.650.5623

**Completed:** 01.27.16

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**Description**

**Bethesda Downtown Sector Plan: Work Session #7**

**Summary**

Work session #7 will be a continuation from work session #6 with a detailed discussion of the zoning and building height recommendations as outlined in the Public Hearing Draft, along with the zoning and building height changes requested by property owners. The discussion will focus on the South Bethesda District.

## **DISCUSSION**

### **Land Use and Zoning Approach**

The work session on July 20, 2015 provided a brief recap of the zoning strategy (as outlined in Work Session #1) as it relates to the recommended density and height increases across the Sector Plan area. Transportation analysis and school capacity was a factor in determining how much density may be increased without over-burdening the infrastructure in the Downtown. A comparative analysis was prepared with other similar urban downtown areas (White Flint, Silver Spring, Wheaton and Friendship Heights) in terms of acreage of planning area; Sector Plan vision build-out and vision build-out square feet per acre. Strategy objectives included:

- Accommodate projected growth over the next 20 years.
- Incentivize redevelopment in the expanded centers of activity and emerging centers (priority areas in the Plan) by increasing density and maximum allowable heights in the expanded centers of activity around proposed civic gathering spaces, such as the areas immediately around the Farm Women's Market, the Bethesda Metro Station, and Veteran's Park (the major civic gathering spaces).
- Balance opportunities for redevelopment and compatibility with adjacent neighborhoods.

### **Vision and Goals**

Over the past 20 years, the focus of Downtown Bethesda changed from a single center of activity focused around the Metrorail station to a series of activity centers with multiple downtowns. Each of the nine districts as identified by the community is distinct with its own unique character. One of the primary goals of updating the 1994 Sector Plan is to recognize this shift and build on the successes and lessons learned from the previous plan and to ensure that the distinct character of these districts remains. The Concept Framework Plan was developed through a collaborative effort among the community, County agencies and staff. The Concept Framework Plan identifies the basic components of the present-day urban fabric in Downtown Bethesda with respect to the following:

- Existing commercial activity centers.
- Emerging commercial activity centers over the next 20 years.
- Residential neighborhoods.
- Primary pedestrian corridors connecting activity centers and residential neighborhoods.
- Parks and open space network that complements the pedestrian corridors and anchors the community.

The Concept Framework Plan provides the basic elements and organization of Downtown Bethesda. All other Sector Plan details are built upon this structure to form a cohesive urban fabric that will evolve over the next 20 years.

### **District Character**

#### **South Bethesda District**

South Bethesda is an established residential neighborhood situated north of Norwood Local Park, a major area amenity. The district has a garden character with tree-lined streetscapes, and offers several opportunities to create better connections for pedestrians and bikes within the district and to surrounding destinations.

The Plan envisions the South Bethesda District to retain much of its residential character with a mix of low to mid-rise residential development, to have improved access and connectivity for pedestrians to enhance neighborhood livability and to provide opportunities for small neighborhood-oriented open spaces.

### **Property Owner Zoning Requests and Staff Recommendations**

As outlined above, this work session will discuss in detail the zoning and building heights as outlined in the Public Hearing Draft, along with the zoning and building height changes requested by property owners.

Property owner zoning requests from written testimony during the Public Hearing process have been documented in the attached spreadsheet and organized by District. In addition, the spreadsheet includes the current zone for the property, the Public Hearing Sector Plan recommended zoning and staff's recommendations based on the property owner's requests. Staff's recommendations weighed the impacts of the requests from property owners to the planning methodology used to achieve the concept framework plan and public benefit initiatives. A map corresponding to the properties and owner's requests will be provided during the hearing.

### **CONCLUSION**

Following the February 4, 2016 work session, staff will summarize the zoning and building heights recommended by the Planning Board. A spreadsheet with the Planning Board's decisions will be posted prior to the next work session (work session #8).

### **Attachments**

- Staff Recommendations for Property Owner Zoning Change Requests Spreadsheet
- January 7, 2016 work session #6– Planning Board recommended zoning and building heights for the Arlington North, Arlington South, Battery Lane Districts and revised building heights map
- Recent Correspondence

	A	C	D	E	F	G	H	I
1	DISTRICT	MAP LOCATOR	PROPERTY OWNER/DEVELOPER/ATTORNEY	PROPERTY LOCATION/ADDRESS	CURRENT ZONING	SECTOR PLAN ZONING RECOMMENDATIONS	PROPERTY OWNER REQUESTED ZONING	STAFF RECOMMENDATION
169	South Bethesda	A	Aldon Management Company	4800,4804,4808 Wellington Dr. Bethesda, MD 20815	R-10	CR 1.5, C-0.5, R-1.5, H-70	CR 4.0, H-130	NC
170								
171		B	Aldon Management Company	4701-4705, 4709 Bradley Blvd. Bethesda, MD 20815	R-10	CR 1.5, C-0.5, R-1.5, H-70	CR 4.0, H-130	NC
172								
173		C	Aldon Management Company	6900-6904, 6908 Strathmore St. Bethesda, MD 20815	R-10	CR 1.5, C-0.5, R-1.5, H-70	CR 4.0, H-130	NC
174								
175		D	Aldon Management Company	4740 Bradley Blvd. Bethesda, MD 20815	R-10	CR 1.5, C-0.25, R-1.5, H-70	CR 4.0, H-130	NC
176								
177		E	HOC Barclay Co	4730 Bradley Blvd. Bethesda, MD 20815	R-10	CR 1.5, C-0.25, R-1.5, H-70	CR 4.0, H-130	NC
178								
179		F	Aldon Management Company	4716 Bradley Blvd. Bethesda, MD 20815	R-10	CR 3.0, C-0.25, R-3.0, H-70	CR 4.0, H-100	NC
180								
181	G	Aldon Management Company	4757 Chevy Chase Dr. Bethesda, MD 20815	R-10	CR 1.5, C-0.25, R-1.5, H-70	CR 4.0, H-130	NC	
182								
183	H	John Cokinos	4750 Chevy Chase Dr. Bethesda, MD 20815	R-10	CR 1.5, C-0.5, R-1.5, H-70	CR 4.0, H-130	NC	
184								
185	I	Bethesda Fire Department	4740 Chevy Chase Dr. Bethesda MD, 20815	EOF 3.0 H-35	CR 3.5, C-1.0, R-3.5, H-70	H-85	NC	
186								
187	J	Strathmore Apartments (Kossow MGNT) ATTY: Robert Harris	6600 Wisconsin Ave. Bethesda, MD 20815	R-10	CR 1.5, C-1.5, R-1.5, H-70	CR 2.5, H-80	NC	
188								
189	K	Offutt Dynasty Trust Properties	7025-7036 Strathmore St. Bethesda, MD 20815	R-10	CR 1.5, C-0.25, R-1.5, H-70	CR 4.0, H-150	NC	
			Offutt Dynasty Trust Properties	6903 Strathmore Street, 6930 and 6932 Wisconsin Ave	R-10, CR 3.0, C-2.0, R-2.75, H-75T	Strathmore Street = CR 1.5, C-0.25, R-1.5, H-70. Wisconsin Ave: CR 3.5, C-2.5, R-3.25, H-90	CR-5.0, H-120	NC

Edgemoor Citizens Association  
P.O. Box 30459  
Bethesda, MD 20824

January 25, 2016

Casey Anderson  
Chairman, Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910

Dear Chairman Anderson,

The Edgemoor Citizens Association is a civic organization representing the Bethesda neighborhood encompassing Edgemoor, Bradley Village, and parts of Bradley Hills. We would like to express our concerns about the Planning Board's proceedings related to the Bethesda Downtown Plan.

Briefly, our concerns are that:

1. The dramatic increases in density that continue to be incorporated into the Plan as it evolves fail to adequately consider that the roads and transportation infrastructure are already too congested, and the proposed addition of the Purple Line will not be sufficient to handle auto and pedestrian traffic;
2. Schools serving the Bethesda downtown area are already at or over capacity, and the Plan will not provide a realistic estimate of how many children will be added to local schools or how those schools will handle the increase;
3. The new height and density allowed by Plan will further encroach on neighboring single family residential areas, and the plan no longer preserves the "tent pole" that brings building heights gradually down toward the residential area; and
4. The Board's actions in response to property owner requests for even more additional height and density are further exacerbating all these problem.

Throughout development of the Plan, we have tried to stay optimistic and have generally been pleased with the work of the Planning Department and its staff. The community outreach and public input activities were helpful, and the staff's willingness to try to balance the many competing interests, commendable. Despite its limitations, the Public Hearing Draft of the Plan, completed last May, seems to be a reasonable attempt to craft a fair vision for the future of Bethesda that acknowledges the inevitability of significant new growth, but tries to manage that growth responsibly.

Of course, we don't agree with everything in the Public Hearing Draft. During development in 2014 and 2015, it became increasingly obvious that there was a steady and consistent movement toward including more development and increased density, without fully considering the effects of allowing the expanding business core of Bethesda to encroach into the residential areas

surrounding it. We would have preferred a somewhat more modest vision for a future Bethesda—one that does not envision an ultimate build out of over 8,000 new residential units (a 46% increase above current levels) along with an approximately 20% increase in density throughout the Bethesda central business district (with even more in the expanded centers of activity). In particular, the Public Hearing Draft permits significant encroachment of the western residential neighborhoods, particularly ours, by allowing, for the first time, building heights of 70 feet and increased density on the west side of Arlington Road, which has always served to buffer the residential neighborhoods from the commercial areas to the east, and by permitting significant increases in building heights/density directly on the east side of Arlington road.

Nevertheless, our current concern is with what has happened since the Public Hearing Draft was completed, as the Board has continued this steady movement toward adding even more density and even more height to the Plan. The Board's actions on the many property owner requests for zoning and building height changes are further undermining any remaining balance between providing opportunities for redevelopment and ensuring compatibility with adjacent residential neighborhoods. The Board seems to have lost sight of the need to ensure that future development in Bethesda does not overwhelm the school capacity, overburden the transportation infrastructure, and further erode the quality of life in the residential areas.

The continued disregard for significant potential impact on schools is especially disconcerting. To start with, the analysis of school capacity in the Public Hearing Draft is one of its weakest segments. It accepts at face value the unrealistic and unsupported predictions of Montgomery County Public Schools that a build out of over 8000 additional residential units would produce only 695 new K-12 students, while at the same time showing clearly that the current school infrastructure is inadequate for even that small increase. It provides no concrete plans to address the increase. Given MCPS's long history of consistently underestimating future school population, there is every reason to believe that this estimate is way too low, and the overcrowding will grow. Continuing to add more and more residential units to the Plan will only make that problem worse. And that's without even beginning to take into account all the additional residential units that will be added elsewhere to the BCC Cluster, including 3,200 new residential units in the Westbard development. Allowing all of this increased residential density without adequately planning for its effect on schools is short-sighted and irresponsible.

In the six Work Sessions held so far, the Board has reviewed and acted on 80 property owner requests for increased density or building height (or both). By our count, the Board staff recommended granting the request (in whole or in part) in 2 of every 3 case (47). That fact alone is alarming. But, even worse, the Board has granted additional density/height in 9 of every 10 cases (72), and exceeded the already-too-generous staff recommendations in 3 of every 4 cases (59). When the Board grants 90% of the requests for exceptions to its guidelines and also acts contrary to its own professional staffs' recommendations 74% of the time, there is something fundamentally wrong with the process.

At this point, the increase in cumulative density level far exceeds the 20% increase contemplated in the Public Hearing Draft. After the 5<sup>th</sup> Work Session, the total additional increase was almost

1.4 million square feet. That doesn't even count the substantial additional density granted in the 6<sup>th</sup> Work Session, and whatever the Board will grant in the subsequent session(s).

While the sheer volume of the additional density/height being granted in these Work Sessions is problematic, the method by which the Board appears to be making its rulings is equally disturbing. The Board seldom appears interested in challenging commercial property owners to show why the extra density is warranted (beyond accepting vague claims that the new density is needed to make their expansion projects viable), and the discussions with property owners usually sound more like negotiations for middle ground than they do critical evaluations of the legitimacy and advisability of the requests. The Board sometimes gives them everything requested. Other times, they barter and "split the difference" between the request and the Plan. But, property owners almost never go away empty handed.

We recognize that the Board has suggested that its decisions in these work sessions are supposed to be "tentative," and may be subject to future revision. There have been discussion about some kind of future reconciliation of the excess density so far granted. But, this approach is seriously flawed. Granting additional density and then threatening to take some of it back later makes no sense. By doing so, while continuing to routinely acquiesce to commercial property owner wishes, the Board has painted itself into a corner. Rather than following a process by which property owners must show a reasonable basis for granting additional density above the Plan goals, the Board has now put itself in a position where the Board itself will be forced to justify taking away additional density it has already agreed to. This turns the process on its head and makes a mockery of the Board's oversight role.

If and when this future day of reconciliation arrives, how will the Board find the courage needed to take back most or all the additional density it has already agreed to in order to restore balance to the Plan? Or will the Board simply cut back a tiny bit on all this newly granted density (e.g., with an across the board 20% reduction, as has been discussed), still leaving the ultimate tally far beyond what our schools, roads, and neighborhoods can handle?

Before adding a single additional square foot of additional density to the level in the Public Hearing Draft, we urge the Board members to:

- Try to drive around downtown Bethesda and experience the slow creep of traffic that already exists with the current density, as well as the frustration of the never-ending construction detours. Then think about what it would feel like to add hundreds more cars, pedestrians, and bicycles;
- Visit Bethesda Chevy Chase High School and try to walk the hallways as students are going to class and experience the crush of the cramped and overcrowded conditions. Then imagine adding hundreds of new students;
- Visit the Bethesda Metro station at rush hour, and experience the mass of bodies squeezing in and out of the trains, as well as the disgusting conditions of the pedestrian access through the bus terminal level. Then imagine adding thousands of additional bodies from over 8000 new residential units within walking distance of the station; and

Casey Anderson, Planning Board Chairman  
January 25, 2016  
Page 4

- Take a walk around downtown Bethesda and experience the frustration of overcrowded sidewalks and dangerous cross-walks. Then imagine adding thousands of new residents, more businesses, more cars, and more construction to the mix.

There are no easy and painless ways to deal with the predicament the Board has created for itself, and we don't pretend to have a simple solution. But, we strongly urge the Board to find a way to fix this broken process, and to move forward in a way that balances the interests and needs of all of the parties who are affected by this Plan. We ask the Board to reconsider all its decisions to approve any additional density beyond the amount in the Public Hearing Draft. That level of density should be viewed as an absolute maximum, rather than a starting point for negotiation with property owners.

We would be glad to discuss this with you or your staff.

Respectfully,

A handwritten signature in black ink that reads "Judy Gilbert Levey". The signature is written in a cursive, flowing style.

Judy Gilbert Levey  
President



RECEIVED  
0113  
JAN 27 2016

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

To: Natali Fani-Gonzalez

We are writing this as written testimony since we were unable attend the meeting where people had the opportunity to testify about the Master Plan for downtown Bethesda. We own a house on Leland Street that my mother has been living in for almost ten years. So far, we are very disappointed in what appears to be a lack of leadership or willingness to make difficult decisions about rezoning our neighborhood. Along with a majority of our neighbors, we are strongly in favor of rezoning Sacks to a higher density and find it difficult to understand the reluctance to do so. We hope that as the planning process continues, this will change.

As you know, Sacks is the only residential zoned area within the Bethesda Central Business District. It is surrounded on three sides by high-rises, with a six lane road on the fourth side. It is within a short walk to the Bethesda Metro Station and an even shorter walk to the proposed Purple Line station. It is situated in such a way that it screams to be rezoned for high density, mixed-use development. It meets all criteria for such zoning. In MNCPPC's own words: "MNCPPC's decision will be based on a number of factors including community input, forecasted growth for the next twenty years, redevelopment potential and interest, transportation and land use analysis that is currently being studied, proximity to core and Purple Line, appropriateness of use so close to the core of downtown etc."

According to the Metropolitan Washington Council of Governments, the area's population will increase by 1.3 million and jobs by 1.2 million by 2040. According to COG, "the inner suburbs will continue to have the largest share of the region's population and employment in 2040." Please see the two more paragraphs from the COG report below.

"Montgomery County Councilmember Marc Elrich, who serves on the TPB, said local governments are preparing to accommodate the projected growth in their master plans. He added that these figures underscore **the importance of concentrating development in places with established infrastructure**, rather than spreading out the growth."

"COG Community Planning and Services Director Paul Desjardin noted recent data that shows the region is increasing development in more transit-accessible, mixed-use Activity Centers, including more than half of new residential growth and three-quarters of new job growth."

For all of these reasons, rezoning Sack is the only logical thing to do.

We have heard from some neighbors and a zoning attorney is that MNCPPC takes a cautious approach when it comes to rezoning single-family residential neighborhoods. We find this somewhat understandable because there is often a very small, very vocal group that opposes any change. However, we feel that a county planning board should be required to consider the greater good and make those difficult decisions when necessary. Is it right that a hundred households who would like to live in downtown

Bethesda are deprived of the opportunity because of a very few selfish people who lack vision? Should a new neighborhood be built far from downtown and public transportation to accommodate new residents adding to sprawl and traffic? Should the county and state be deprived of greater tax revenue generated by the additional property taxes from a larger number of dwellings and income taxes of more residents and businesses? Should all of these things be allowed to happen, defying all logic, because it is difficult to stand up to a few vocal people?

It would be disingenuous of us to pretend that we are not interested in the increase in the value of our home that could result from rezoning. Of course we are. My mother and I are at a stage in life when that increase in value would be very welcome. The fact is that the rezoning would be in everyone's best interest: it would promote economic growth (please see attached Economist article) and tax revenue. Current residents would benefit from increasing home values and future residents would have the opportunity to live in vibrant, exciting area. Even those who oppose the rezoning would undoubtedly be pleased when they sold their homes sometime in the future for a good price. In fact, it has emerged from neighborhood discussions that even those opposing rezoning most loudly admit that they have their price for which they would be willing to sell their homes to a developer. One of these neighbors has even said that if the neighborhood won't stay the same, he wants the highest possible density so he can sell his home for the most money.

For all of the reasons we hope very much that the final decision will be to focus on the common good and rezone Sacks, even if it means making difficult decisions. Even though some Sacks residents oppose any change, the neighborhood is already changing dramatically and it's unrealistic to pretend otherwise. The location is perfect for an "Activity Center" and should be developed accordingly. The benefit to the community would be enormous in terms of our property values, Smart Growth, increased tax revenue, more space for affordable housing, reduction in traffic and on and on.

Sincerely,  
Julie and Anna Lazar 4822 Leland St.

# The Economist

APRIL 10, 2010

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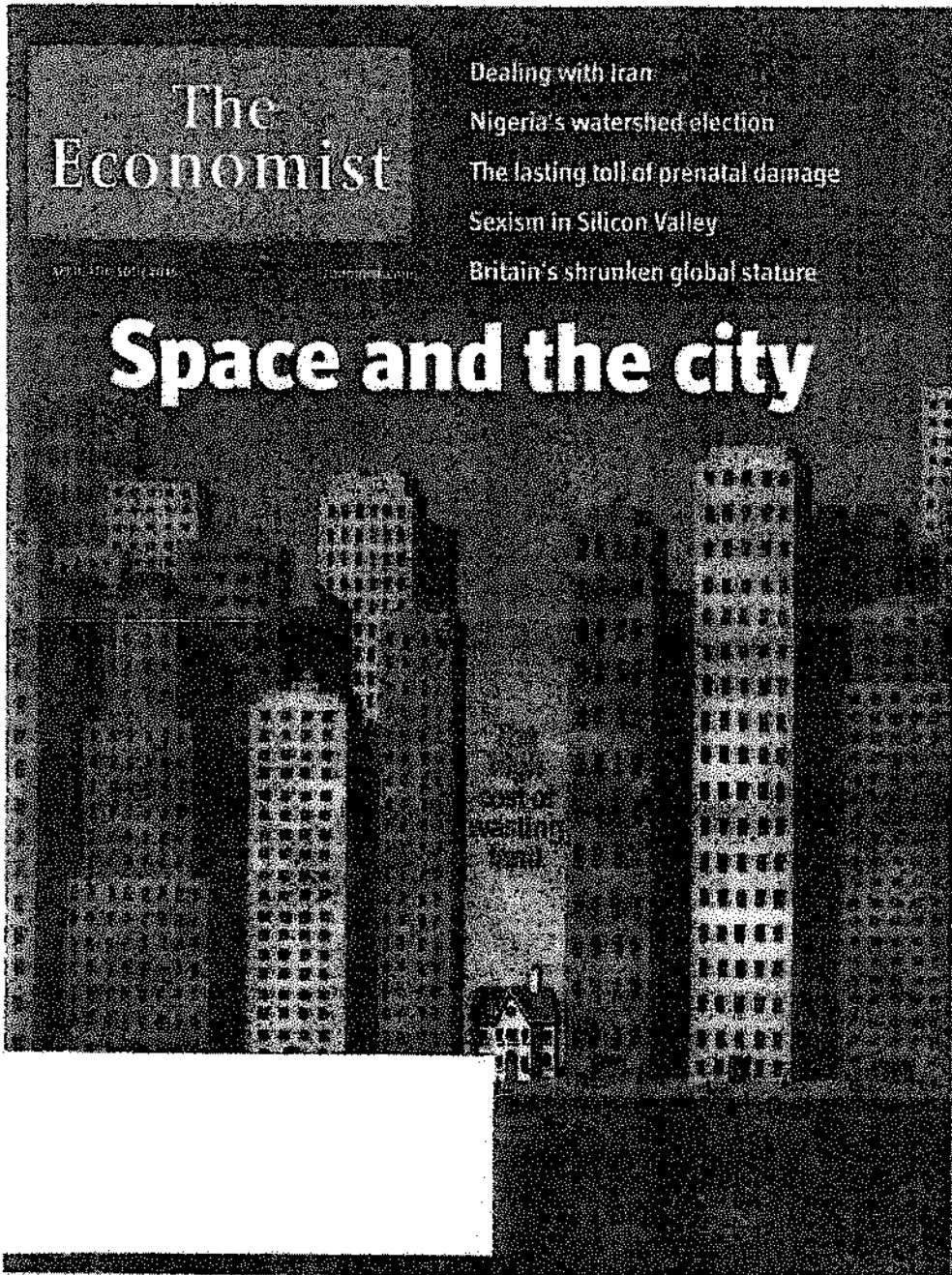
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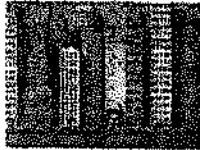
## Space and the city



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## Space and the city

Poor land use in the world's greatest cities carries a huge cost



**B**UY land, advised Mark Twain: they're not making it any more. In fact, land is not really scarce: the entire population of America could fit into Texas with more than an acre for each household to enjoy. What drives prices skyward is a collision between rampant demand and limited supply in the great metropolises like London, Mumbai and New York. In the past ten years real prices in Hong Kong have risen by 200%. Residential property in Mayfair, in central London, can go for as much as £55,000 (\$82,000) per square metre. A square mile of Manhattan residential property costs \$2.5 billion.

Even in these great cities the scarcity is artificial. Regulatory limits on the height and density of buildings constrain supply and inflate prices. A recent analysis by academics at the London School of Economics estimates that land-use regulations in the West End of London inflate the price of office space by about 800%; in Milan and Paris the rules push up prices by around 300%. Most of the enormous value captured by landowners exists because it is well-nigh impossible to build new offices to compete those profits away.

The costs of this misfiring property market are huge, mainly because of their effects on individuals. High housing prices force workers towards cheaper but less productive places. According to one study, employment in the Bay Area around San Francisco would be about five times larger than it is but for tight limits on construction. Top up these costs in lost earnings and unrealised human potential, and the figures become dizzying. Lifting all the barriers to urban growth in America could raise the country's GDP by between 6.5% and 13.5%, or by about \$1 million-a million. It is difficult to think of many other policies that would yield anything like that.

### Metro stops

Two long-run trends have led to this fractured market. One is the revival of the city as the central cog in the global economic machine (see pages 28-29). In the 20th century, tumbling transport costs weakened the gravitational pull of the city; in the 21st, the digital revolution has restored it. Knowledge-intensive industries such as technology and finance thrive on the clustering of workers who share ideas and expertise. The economies and populations of metropolises like London, New York and San Francisco have rebounded as a result.

What these cities have not regained is their historical ability to stretch in order to accommodate all those who want to come. There is a good reason for that: unconstrained urban growth in the late 19th century fostered crime and disease. Hence the second trend, the proliferation of green belts and rules on zoning. Over the course of the past century land-use rules have piled up so plentifully that getting planning permission is harder than hailing a cab on a wet afternoon. London has strict rules preventing new structures blocking certain views of St Paul's Cathedral. Google's plans to build housing on its Mountain View campus in Silicon Valley are being resist-

ed on the ground that residents might keep pets, which could harm the local owl population. Nimblyish residents of low-density districts can exploit planning rules on everything from light levels to parking spaces to block plans for construction.

A good thing, too, say many. The roads and rails criss-crossing big cities already creak under the pressure of growing populations. Dampening property prices hurts one of the few routes to wealth-accumulation still available to the middle classes. A cautious approach to development is the surest way to preserve public spaces and a city's heritage: give economists their way, and they would quickly pave over Central Park.

However well these arguments go down in local planning meetings, they will on closer scrutiny. Home ownership is not especially egalitarian. Many households are priced out of more vibrant places. It is no coincidence that the home-ownership rate in the metropolitan area of down-trodden Detroit, at 71%, is well above the 55% in booming San Francisco. You do not need to build a forest of skyscrapers for a lot more people to make their home in big cities. San Francisco could squeeze in twice as many and remain half as dense as Manhattan.

### Property wrongs

Zoning codes were conceived as a way to balance the social good of a growing, productive city and the private costs that growth sometimes imposes. But land-use rules have evolved into something more pernicious: a mechanism through which landowners are handed both unwarranted windfalls and the means to prevent others from exercising control over their property. Even small steps to restore a healthier balance between private and public good would yield handsome returns. Policymakers should focus on two things.

First, they should ensure that city-planning decisions are made from the top down. When decisions are taken at local level, land-use rules tend to be stricter. Individual districts receive fewer of the benefits of a larger metropolitan population (jobs and taxes) than their costs (blocked views and congested streets). Moving housing-supply decisions to city level should mean that due weight is put on the benefits of growth. Any restrictions on building won by one district should be offset by increases elsewhere, so the city as a whole keeps to its development budget.

Second, governments should impose higher taxes on the value of land. In most rich countries, land-value taxes account for a small share of total revenues. Land taxes are efficient. They are difficult to dodge; you cannot stuff land into a bank-vault in Luxembourg. Whereas a high tax on property can discourage investment, a high tax on land creates an incentive to develop unused sites. Land-value taxes can also help cater for newcomers. New infrastructure raises the value of nearby land, automatically feeding through into revenues—which helps to pay for the improvements.

Neither better zoning nor land taxes are easy to impose. There are logistical hurdles, such as assessing the value of land with the property stripped out. The politics is harder still. But politically tricky problems are ten-a-penny. Few offer the people who solve them a trillion-dollar reward. ■

RECEIVED

JAN 27 2016

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

0112

**From:** Sally Kelly <salkelly@earthlink.net>  
**Sent:** Wednesday, January 27, 2016 9:10 AM  
**To:** MCP-Chair  
**Subject:** Bethesda Development

Dear Planning Board Members,

We are residents of the Town of Chevy Chase which will be highly—and negatively—impacted by development along Wisconsin Avenue south of downtown Bethesda.

We are greatly distressed by the Planning Board's recent actions on the Bethesda Sector Plan, and the speed at which the process is going. We find it patently irresponsible to increase densities without first studying the impacts and planning for them.

As an environmentalists, we believe in the concept of smart growth: building in higher densities near public transport. However, doing so by overlaying such densities onto already maxed-out and aging infrastructure of roads, public transportation, schools, green space, and utilities is not smart.

People living in high rise apartments and condos in Bethesda have already demonstrated that they do not want to give up their cars, in part due to the unreliability of Metro, and parking is overflowing into nearby residential neighborhoods. Traffic is already snarled all day on Wisconsin Avenue. Adding hundreds of new residents and business will not improve it. I urge you to spend some time observing yourself, and think about this: what will happen when emergency vehicles cannot reach those in need?

In the BCC Cluster, schools are already over-crowded. As parents of three MCPS graduates we have seen how overcrowding degrades the education our children receive. We already have portables at all the schools in the BCC Cluster. A popular local park is being made into a new middle school depriving residents of recreational space. The development along Wisconsin now under discussion threatens to eliminate the park that buffers our Town, and serves not just residents but countless workers in Bethesda.

All our utilities and services are overtaxed and/or aging. We see this constantly in power outages, broken water mains, storm sewers that cannot handle large storms. As of today, after the blizzard, only a handful of Bethesda business are open because those who work in them cannot get to work and trucks making deliveries cannot get to the stores. Adding thousands of new residents and businesses to this equation is worse than irrational—it is an invitation to disaster.

Moreover, the proposed high rise, high density development breaks promises made to residents decades ago. We have lived here for over 20 years and have watched our quality of life consistently eroded by development in Bethesda. We bought our properties with the assurance that development in Bethesda would be highest near Metro and step down as it moved toward residential areas. We have lost the "mom and pop" stores that served our actual needs, and gained high end retail that does not. The traffic is awful, on Wisconsin Blvd, Bradley Blvd, East West Hwy, and Connecticut Ave. Often it is a struggle to get into or out of our neighborhood and cut-through traffic speed through our streets endangering children and pedestrians. Changing the rules of the game now is a bait and switch. Allowing low-rise operations (such as St. John's Church) to transfer development rights to another property owner so they can build taller adds insult to injury.

The Planning Board needs to first listen to its own staff and stop granting densities greater than they recommend. But that is not enough. This process needs to slow down and do a much better job of planning. That's your job. Planning includes assessing impacts before, not after, granting development rights. Planning includes weighing the concerns of all stakeholders, not just developers. We are confident that once you do this, you will find that Bethesda has developed already to capacity.

Sincerely,  
Sally and Ernest Kelly  
7300 Oak Lane  
Chevy Chase, MD 20815

**MCP-CTRACK**

**RECEIVED**

02110  
JAN 27 2016

**From:** Angela <angcw@msn.com>  
**Sent:** Saturday, January 23, 2016 11:57 AM  
**To:** MCP-Chair  
**Subject:** Battery Lane Park

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

I have been an resident at Whitehall Condo on Battery Lane for more than 50 years and I walk through the Park almost daily.

PLEASE DO NOT ruin our park by putting a road through it!!! With all the building in the area, it is one of the last green spaces to enjoy.

I think this money, OUR tax dollars, could be put to better use! And if developers are offering to pay for it, beware of what they expect in return!

Sincerely,

Angela C. Weisskopf  
4981 Battery Lane  
Bethesda, MD 20814

## MCP-CTRACK

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**From:** Abhik Ray Chaudhury <abhikraychaudhury@gmail.com>  
**Sent:** Sunday, January 24, 2016 7:00 PM  
**To:** MCP-Chair  
**Subject:** South Bethesda Development  
**Attachments:** Letter.pdf



Chair and Commissioners:

As a homeowner in the South Bethesda District, south of Bradley Boulevard, Bradley House Condominium Association, we are writing regarding the Downtown Bethesda Development Plan and the redevelopment you are considering in this neighborhood. The redevelopment of the multi-family properties in South Bethesda as high rises, at the height of 10 or 15 stories, and the mix of commercial and residential uses are unacceptable and should be denied by the Board. High rise and commercial development are not appropriate in our neighborhood and should stop at Bradley Boulevard.

The South Bethesda District has been a stable residential community since the 1940s and there is no compelling reason to change that environment. We are a quiet residential area of townhouses and mid-rise garden apartments and condominiums that transition to Norwood Park and Chevy Chase West, a single family neighborhood.

Our infrastructure does not support the proposed population increases — 1. we have narrow streets and the area would be overtaxed with residents, visitors and commercial delivery, 2. we have limited parking that does not accommodate current residents and guests, much less additional residents, visitors and businesses.

In addition, the Fire Station 6 is particularly poorly located for proposed mixed use high rise development. Development of high rise residential and commercial use will detrimentally affect its emergency response and service. The intersection of Bradley Boulevard and Wisconsin Avenue has been identified as one of the ten most congested in Montgomery County. Such an influx of traffic will impact this intersection and increase its hazards

station property is a good idea and will increase the visibility of Norwood Park, the only large park in Bethesda.

We encourage the planning board and the Commissioners to let this community continue to function as its current quiet residential neighborhood by limiting the buildings in the DBDP South Bethesda District to five stories high and no mixed use.

We would welcome a call to discuss our concerns with the planning board — 301-652-9132 — and we would welcome the opportunity to walk you through our neighborhood — a place that we call home and love.

Sincerely,

Abhik and Sharmila Ray- Chaudhury

4800 Chevy Chase Drive, Unit 201

Chevy Chase, MD 20815

## **MCP-CTRACK**

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**From:** Wendy E Patterson <wendy.e.patterson1561@gmail.com>  
**Sent:** Monday, January 25, 2016 12:02 AM  
**To:** MCP-Chair; Anderson, Casey; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy; Wells-Harley, Marye; Mary.Wells-Harley@mncppc-mc.org  
**Cc:** council.council@montgomerycountymd.gov;  
councilmember.berliner@montgomerycountymd.gov;  
councilmember.leventhal@montgomerycountymd.gov;  
councilmember.floreen@montgomerycountymd.gov;  
councilmember.elrich@montgomerycountymd.gov;  
councilmember.katz@montgomerycountymd.gov;  
councilmember.rice@montgomerycountymd.gov;  
councilmember.navarro@montgomerycountymd.gov;  
councilmember.hucker@montgomerycountymd.gov;  
councilmember.riemer@montgomerycountymd.gov  
**Subject:** Future development plans for South Bethesda  
**Attachments:** Downtown Bethesda Development Plan

Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910

Chair Casey Anderson  
Commissioner Norman Dreyfuss  
Commissioner Natali Fani-Gonzalez  
Commissioner Amy Presley  
Commissioner Mary Wells-Harley:

Dear Chair Anderson and Members of the Planning Board:

In follow-up to my previous note of June 17, 2015 (attached), I would like to briefly express my concerns about the plans you will soon be considering for the future development of my neighborhood, South Bethesda. As an owner of a unit at 4720 Chevy Chase Drive Condominium, I am deeply concerned that you will be detrimentally affecting this area by overdeveloping the rental properties and adding commercial activities south of Bradley Boulevard. We are a transitional area between the intensive high rise residential and commercial development of Central Bethesda and the single family area to our south, Chevy Chase West. We are a quiet residential area that borders on and treasures Norwood Park. We have narrow streets and many mature trees that help to create an appealing residential neighborhood.

Requests to increase the density and height of the rental properties in our neighborhood will negatively affect the value of our property and potentially eliminate some of the last remaining affordable housing in Bethesda. We like the balance of housing that we currently have and believe it provides important housing choices for people who want to reside in this area. Many people cannot afford the new condos and apartments that are being built in Bethesda and this area has long served as an ethnically and economically diverse area.

Parking here is already woefully inadequate for the people who live here as well as our guests. Even the provision of underground parking in any new development is not workable because the streets in our neighborhood as well as the thoroughfares that serve us cannot accommodate that much additional traffic.

The proposed development of Fire Station 6 is a particular problem. It is impossible to imagine the combination of high rise housing, commercial activity and emergency services at the already congested intersection of Bradley and Wisconsin. Emergency services will certainly suffer. I support the plan to turn the vacant land adjacent to the Fire Station into a more visible entrance to Norwood Park.

Proposals to increase commercial activity in this area should be rejected. This is a residential area and provides an important transition to Central Bethesda from Norwood Park and from the central area to the single family neighborhood to our south.

**I wish to join nearby homeowners, condominium communities, and neighborhood associations in urging the planning board to reject such requests and keep the area south of Bradley Boulevard as residential area of townhouses and mid-rise garden apartments. Pressures from high-rise and commercial development will overwhelm the residential character of the area south of Bradley Boulevard and further reduce the volume of affordable housing available.**

I believe there is a strong rationale for maintaining current zoning. It not only benefits residents in our area, but ensures affordable housing in South Bethesda and constitutes a logical transition area with easy access to Norwood Park.

Thank you for your efforts on behalf of Downtown Bethesda and Montgomery County.

Sincerely,

Wendy E. Patterson  
4720 Chevy Chase Drive, #403  
Chevy Chase, Maryland 20815

## MCP-CTRACK

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**From:** Wendy E Patterson <wendy.e.patterson1561@gmail.com>  
**Sent:** Wednesday, June 17, 2015 12:56 AM  
**To:** MCP-Chair; Anderson, Casey; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy; Wells-Harley, Marye; Mary.Wells-Harley@mncppc-mc.org  
**Cc:** council.council@montgomerycountymd.gov;  
councilmember.berliner@montgomerycountymd.gov;  
councilmember.leventhal@montgomerycountymd.gov;  
councilmember.floreen@montgomerycountymd.gov;  
councilmember.elrich@montgomerycountymd.gov;  
councilmember.katz@montgomerycountymd.gov;  
councilmember.rice@montgomerycountymd.gov;  
councilmember.navarro@montgomerycountymd.gov;  
councilmember.hucker@montgomerycountymd.gov;  
councilmember.riemer@montgomerycountymd.gov  
**Subject:** Downtown Bethesda Development Plan  
**Importance:** High

Chair Casey Anderson  
Commissioner Norman Dreyfuss  
Commissioner Natali Fani-Gonzalez  
Commissioner Amy Presley  
Commissioner Mary Wells-Harley:

As a homeowner in the South Bethesda District, south of Bradley Boulevard, 4720 Condominium Association, I am writing about the Downtown Bethesda Development Plan. The Plan extends zones meant for the center of Bethesda, where high density is desirable, to the edges, where appropriate transitions are needed via lower density multi-unit housing to single family residential neighborhoods. The South Bethesda District has been a stable residential community since the 1940s and there is no compelling reason to change that environment. **I encourage the planning board and the commissions to remove the area south of Bradley Boulevard from this plan and let this community continue to function with its garden character, tree-lined streetscapes and planted setbacks.**

In addition,

1. I do NOT support the CR zoning for 6600 Wisconsin Ave., the Bethesda Fire Department. The CR zone, as noted above, was meant for the urban center. The multi-family/retail development allowed by the zone will have a negative impact on our neighborhood, with increased vehicular traffic and the need to provide delivery and service access to any multi-unit building on the site. **Our roads barely support the residents who currently live in this neighborhood.** Chevy Chase Drive is a narrow County road that cannot support any increased traffic or parking. This zoning will also have a negative impact on the confronting neighborhood of single family homes on Nottingham Drive, a dead end County street that will effectively become a service alley if the CR zoning and development go forward. What will be the effect of a CR zoning on the fire station's ability to provide timely and effective emergency response? Failure to ensure that ability risks the safety of not only our neighborhood, but all of the areas served by Fire Station 6. **6600 Wisconsin Ave., the Bethesda Fire Department, should be zoned for a stand-alone fire station.**

2. I do not support aligning the boundaries of the Parking Lot District (PLD) within the Plan's boundaries, which would extend the boundary south of the north side of Bradley Boulevard and into our neighborhood. In 2012, the County attempted to install parking meters on the south side of Bradley Boulevard, Chevy Chase Drive and Offutt Lane. **The residents of this neighborhood showed the County that this is a neighborhood where residents and their guests require**

parking, and that parking meters were not appropriate for our neighborhood. The parking on south Bradley, Chevy Chase Drive and Offutt are the only on-street parking available to the residents of this neighborhood. In light of the findings in 2012, why is the PLD boundary being revised, with the likelihood that meter installation will be considered again?

3. I support additional access and mobility from Downtown Bethesda to Norwood Park. I understand that a number of these accesses would go through our residential neighborhood, but the park is there for all. However, I feel it is necessary to take into account parking realities and the care needed for the internal streets of our neighborhood, as well as the Chevy Chase West neighborhood, both of which border Norwood Park.

Sincerely,

Wendy E. Patterson /s/  
4720 Chevy Chase Drive, #403  
Chevy Chase, Maryland 20815



## MCP-CTRACK

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**From:** Mary Cahill <marycahill888@gmail.com>  
**Sent:** Monday, January 25, 2016 10:33 AM  
**To:** MCP-Chair  
**Subject:** overdevelopment proposals

I have been a resident of Kenwood Forest condominiums for nearly 30 years, a taxpayer who views the development in Bethesda with dismay!. The overdevelopment of Bethesda during these years is outrageous! I went to a meeting years ago when the old Giant on Arlington Rd. was being torn down and a new Giant built across the street. At that meeting there was protest that the plan for the old Giant's property violated the height restrictions and the commercial only restrictions of the Bethesda Plan. After that, it seemed to be "no holds barred" for any developers. Don't the developers have enough money with what they have done so far to completely change the character of Bethesda into a "mini city" instead of a nice neighborhood community?

I totally oppose tearing down the affordable housing in the apartments adjacent to our community. And I oppose the introduction of commercial property into our fire station. I am afraid that the infrastructure is going to totally collapse under the impact of this non-stop tearing down of old structures and replacement by expensive high rise condos and more retail stores. Please call a moratorium on further overbuilding of Bethesda! How can our schools keep up with the new numbers of students; the roads are already overburdened with traffic; and I fear the quality of life that I hoped for will disappear in the process! Mary Cahill 6663 Hillandale Rd., Chevy Chase/Bethesda MD 20815

## **MCP-CTRACK**

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**From:** Joseph Kaminski <joseph.kaminski@gmail.com>  
**Sent:** Monday, January 25, 2016 2:31 PM  
**To:** MCP-Chair  
**Cc:** Chichuan Kaminski  
**Subject:** Re: In Support of Development of S. Bethesda/Chevy Chase Area

Dear Chair Anderson and Members of the Planning Board,

We welcome the future development of my neighborhood, South Bethesda. As an Owner at 4800 Chevy Chase Drive, Unit 405, I strongly recommend development of the area. Revitalizing the area will only help the economy. We strongly support Alden Properties in replacing their mid-rise properties in North and South Bethesda with high rises. By doing so, it will bring increased revenue to the area and ultimately enhance the area, both commercially and residentially.

Best regards,

Joe and Chichuan Kaminski

Joseph M. Kaminski, M.D.

Chichuan Kaminski, M.D., M.S.  
706-836-4871



## MCP-CTRACK

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**From:** Ronit Dancis <ronitadancis@yahoo.com>  
**Sent:** Monday, January 25, 2016 7:59 PM  
**To:** MCP-Chair  
**Subject:** Bethesda Master Plan Revision: development

Dear Mr. Anderson:

We are pleased to see that the Planning Board is developing a master plan revision that will enable downtown Bethesda to continue to flourish and will contribute to the new housing supply that the Washington region so desperately needs.

Crucial to the success of the new master plan is the building of the Purple Line and the new south entrance to the Red Line that will connect the two train lines. The county agreed to build the south entrance ten years ago, but construction has been repeatedly postponed when funding was allocated to other priorities. If the south entrance were already open, most of the grief associated with the current escalator reconstruction would have been avoided.

We understand that the Planning Board is considering a development fee to pay for needed infrastructure, collected at the time new capacity is allocated. A fee of \$10 per square foot to the county for each square foot in excess of what was authorized in the old master plan would yield \$60,000,000 in revenue over the life of the new master plan. This would provide the funding needed to pay for the Red Line south entrance.

This approach would yield several benefits:

- Assured funding for an essential transportation project
- Faster implementation of the master plan, because property owners willing to build would have a clear roadmap for moving ahead
- A simpler review process
- More flexibility in design, because architects would be under less pressure to use every square foot of allocated Floor Area Ratio

The Metro Red Line, the Purple Line and the resulting growth of Bethesda are creating an unusual amount of value. We believe it is appropriate to capture some of that value to pay for capital improvements that are needed to take full advantage of these transportation facilities. We hope the Planning Board will consider this approach as it finalizes the Bethesda plan.

Sincerely,

Dan Reed  
Vice President, Land Use and Housing Shortage

## MCP-CTRACK

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**From:** ROLOQUICK@aol.com  
**Sent:** Tuesday, January 26, 2016 5:31 PM  
**To:** MCP-Chair  
**Cc:** casey-anderson@mncppc-mc.org; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy; Wells-Harley, Marye  
**Subject:** South Bethesda Development Plan

The purpose of this letter is to state our opposition to the proposed extension of multi-storied apartment buildings in South Bethesda. The authorization of such buildings would increase density and would lead to unacceptable changes in the character of our South Bethesda neighborhoods.

Traffic on our major streets (i.e. Wisconsin Avenue) is already overloaded, extremely congested at unacceptable levels. The increase in traffic that would inevitably follow the proposed increases in population density in South Bethesda would result in additional cars on the road at levels we hate to contemplate but are sure to come. Parking is very limited in our area. There is not enough street parking now for our residents and guests. Soothing assurances that all cars would be garaged in underground facilities would be relevant if they were to remain in off street garages. We need to control growth in Bethesda and not to facilitate its expansion.

Although our ZIP code number labels our residence in Chevy Chase, most of us know that we live in middle class Bethesda. We have lived here and paid county taxes since 1978 (38 years) We are not strangers to this community and have watched the many changes for all these years. We are very much concerned over the direction recommended to your Commission by proponents of apparently almost unlimited growth.

Sincerely,  
Bob and Louise Quick  
4720 Chevy Chase Drive,  
Chevy Chase, Md.

RECEIVED  
0097  
JAN 21 2016

OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PLANNING COMMISSION

**MCP-CTRACK**

**From:** Patrick Moulding <pamoulding@hotmail.com>  
**Sent:** Wednesday, January 20, 2016 7:03 PM  
**To:** MCP-Chair  
**Subject:** Comments on rezoning proposals affecting Chevy Chase Drive and Fire Station 6

January 20, 2016

We live at Bradley House on Chevy Chase Drive in Chevy Chase, very close to Fire Station 6. We love living in this area and have been closely following the ongoing construction activities on the south side of Bethesda.

We are aware of several zoning proposals now under consideration by the Planning Board that would, among other things, allow significant changes to the height of apartment buildings in our neighborhood as well as allow a substantial increase in the commercial rather than residential use of those properties. We write to express our concern that these changes would substantially alter the character of our neighborhood, and we ask the Board not to adopt these proposals.

Our understanding is that the zoning proposals would allow the height of five of the mid-rise apartment buildings in our immediate vicinity to more than double; change Fire Station 6 to a multi-story mixed-use building; and replace the office building at 4740 Chevy Chase Drive with a 9 story office and residential building.

We have supported the various recent additions in downtown Bethesda, such as the new buildings at the intersection of Woodmont and Bethesda as well as the new apartments along Arlington. We walk to downtown Bethesda frequently and are already patrons of the new restaurants. We also very much appreciate the efforts to promptly restore trees and plants to the new walks and trailways, as we have been concerned by the noticeably aggressive removal and trimming of mature trees throughout Bethesda and Chevy Chase, not just in the immediate vicinity of the construction sites. We likewise believe the new parking garage is better serving the already-tight parking situation on this side of downtown. We hope that the higher density housing options in the immediate downtown areas will continue to support Bethesda's justly celebrated diversity of dining and shopping options.

However, our neighborhood is a residential area of townhouses and mid-rise garden apartments. We are a transition area to Norwood Park and Chevy Chase West, a single family neighborhood. We are a quiet and pedestrian-friendly neighborhood offering an important housing alternative of garden apartments for Bethesda, and so we believe that high rise and commercial development should stop at Bradley Boulevard. We are deeply concerned that the addition of seven high rise buildings will overwhelm our neighborhood and fundamentally alter its residential character.

We are concerned that these changes would have a number of adverse effects. For example, parking is already severely limited in our area, with barely enough parking for current residents and guests. The intersection of Bradley Boulevard and Wisconsin Avenue has been identified as one of the ten most congested in Montgomery County. The higher density zoning under consideration would push these concerns well past the breaking point. Even if underground parking were provided as part of the proposed development, the area would be overwhelmed by the additional vehicle and commercial traffic. Predictable associated development

such as widening the present narrow residential streets would also require removal of our mature trees, an important component of Bethesda's distressingly diminishing tree canopy.

We likewise question the long-term sustainability of adding so much new apartment/condo supply in a very small radius. At one of last year's community meetings about development plans, we asked about the implications of the rapid addition of so many additional apartment/condo units. Those discussions have left us concerned that there has not been any systematic look at whether there is a realistic demand for it. If these residential projects are completed and the demand does not materialize, the adverse effect on local housing prices, including in our neighborhood, could be significant. With so much additional housing being added in the immediate downtown area – including completed buildings with low occupancy rates – we think it is even more important to preserve the lower-impact residential character of the adjacent neighborhoods.

Finally, we are concerned that turning Fire Station 6 into a mixed use commercial and residential property would detrimentally affect its emergency response and service. The plan developed by Chevy Chase West to use the vacant land on the Fire Station property is a good idea. It will increase the visibility of Norwood Park, the only large park in Bethesda.

We are counting on the Planning Board to make decisions that will protect the residential character of our neighborhood. We appreciate your consideration of our concerns and encourage the Board not to adopt the rezoning proposals.

Sincerely,

Patrick Moulding and Jessica Kronstadt  
Bradley House, Unit 402  
4800 Chevy Chase Drive

**MCP-CTRACK**

**RECEIVED**

JAN 20 2016

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

0082

**From:** Pamela Lindstrom <pamela.lindstrom@gmail.com>  
**Sent:** Wednesday, January 20, 2016 10:21 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Dave Sears  
**Subject:** Re: Affordable housing in the Bethesda plan  
**Attachments:** transit,TOD,affordablehousing.docx; Bethesda MP comments - Dec.docx; Appendix, affordable housing- Oct.docx

To the Planning Board and staff:

Please consider these statements in the worksession that deals with affordable housing in Bethesda CBD. I have submitted them in the past but have added to them subsequently.

Thank you,  
Pamela Lindstrom

On Tue, Jan 19, 2016 at 11:47 AM, MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)> wrote:

Dear Ms. Lindstrom:

This confirms receipt of your email and attached correspondence for distribution to the Planning Board and appropriate staff prior to the next worksession on February 4.

I do not have a record of having received your essay via the Chair's public email address: [mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org). Please forward it to this address for distribution to the Board prior to the next worksession.

Thank you.

*Joyce P. Garcia*

Special Assistant to the Montgomery County Planning Board

M-NCPPC

8787 Georgia Avenue

Silver Spring, MD 20910

Direct: [301-495-4631](tel:301-495-4631)

Main: 301-495-4605

Fax: 301-495-1320

joyce.garcia@mncppc-mc.org

**From:** Pamela Lindstrom [mailto:pamela.lindstrom@gmail.com]

**Sent:** Tuesday, January 19, 2016 11:13 AM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>; Howerton, Leslye <Leslye.Howerton@montgomeryplanning.org>

**Subject:** Affordable housing in the Bethesda plan

Please distribute to the Planning Board members, before the Thursday work session. I hope to participate in the work session.

Was my essay on the role of affordable housing in urban development distributed to the Board? If not, please do so!

Thanks you,

Pamela Lindstrom

## **Equitable Smart Growth: Transit, TOD, Economy and Affordable Housing**

Economic development, socioeconomic equity, affordable housing, climate protection, transit preference as a transport policy, transit oriented development (TOD), and shared streets full of “public life”<sup>i</sup> are usually treated as separate goals. Each has its advocates, though most of us implicitly support them all. American society divides these goals into two classes:

- Those with direct benefits, often economic, for us,
- Those with no direct benefit to us and at least perceived costs, which call on our altruism. Subsidized housing, perceived as benefitting only the poor residents, is the perfect example of the latter.<sup>ii</sup>

Planning Downtown Bethesda reminds us that these goals are linked; a master plan that effectively supports lower income housing provides the links that complete virtuous cycles that advance all the goals, and thus benefit all of us. It is worth using all our tools to maximize affordable housing, even in the most urban, desirable, and expensive place in the County.<sup>iii</sup>

This essay cites the documents, shows the examples, and outlines the case for using transport, environmental and climate protection funds for affordable housing; and for using public and private housing funds preferentially near transit. Directing these disparate funds to increase housing affordability near transit would be the cost effective way to promote not only social, but also economic, sustainable transport and climate protection goals.<sup>iv</sup>

I have read not only the Bethesda plan but other documents that led to the epiphany outlined in this memo. Coincidentally, the Sierra Club officers were speculating as to whether lower income residents of station areas were more likely to use the transit than people with above average incomes. I found that a wealth of data support that common sense assumption. Transit ridership, non-auto mode share of peak hour trips, and Vehicle Miles Traveled are all strongly affected by residents' incomes. In particular, incomes tend to rise in proximity to transit improvements and in new housing, the effect we know as gentrification. This effect is so strong and consistent that experts conclude that building transit facilities and zoning for TOD without fighting gentrification is inefficient use of precious transit funds. If, on the other hand, rules and funds stimulate affordable housing at transit stations, more housing is built at all price levels, transit use rises. Current and potential residents, businesses, and transit users all benefit.

The essay builds the case from the following points:

- **Benefits of TOD Housing to low income residents.**
  - **Benefits of low income residents to higher income residents and employees in the Neighborhood.**
  - **Benefits of low priced housing and low income residents to transit systems and all transit users.**
  - **Using transportation funds for affordable housing as climate protection strategy.**
  - **Low parking needs for transit oriented housing and for affordable housing.**
  - **Benefits of Affordable Housing Providers to the Private Development and Real Estate Industries.**
  - **Growing Employers and Commercial Developers as a Source of Affordable Housing Need and Revenue.**
  - **A Municipality's skill at planning and producing high quality urban centers and its economic success**
- 
- **Benefits of TOD Housing to low income residents**

A regional planner from Dallas told the Rail-volution conference that all federal assistance for housing should be directed at transit station areas.<sup>v</sup> Focusing housing assistance in TOD locations benefits the transit system. Living near transit also maximizes the benefit of housing subsidies to low income residents. Transport costs are second only to housing costs as consumers of an average household's income. The share a household pays for transport is lowest in metropolitan areas with high transit mode share. These data lead to unlikely results when the combined cost of housing and transport is compared across metropolitan areas. New York City residents spend the lowest share of their income on transport, and are near the lowest for the combination of transport plus housing. Sprawl cities like Atlanta, Miami and Los Angeles are near the highest in combined expenditure despite low housing cost. Washington DC has high combined cost due to the high cost of housing. Transport cost is relatively low.<sup>vi</sup>

Furthermore, average families living in more urban, transit-served parts of metropolitan areas have much lower transport costs than those in suburban sprawl areas. In sprawl areas, auto-dependent households spend 25% of income on transport, while households in TOD areas spend only 9%.<sup>vii</sup> For low income families, housing benefits are magnified by transport benefits, yielding a greater change in standard of living.

Low income people also reap less tangible benefits from affordable housing. Planning documents from Munich, Germany assert the need to save room for low income and ethnically diverse residents in this high growth high priced city. The benefits flow both ways, the Germans say: proximity and acquaintance with "other" people breeds empathy and altruism in meeting their needs. And in turn, the future workforce will be needed to keep the economy growing. Even the Middle Eastern refugees will be a good thing in the long term.<sup>viii</sup> So Münchners have opened their communities, wallets and hearts to the Syrian refugees flowing through the railway stations.

HOC has six properties in downtown Bethesda<sup>x</sup>. Except for MPDUs required by law, these are probably the only dedicated (and perhaps only market rate) affordable housing in Bethesda.

#### **• Benefits of Low Income neighbors to higher income residents and employees in Urban Centers**

The retail in Washington area urban centers is mostly confined to a narrow set of goods and services focused on affluent young professionals: restaurants, bars, expensive boutiques and clothing shops, ditto for foods: bakeries, snack and gourmet shops, etc. For the ordinary needs of life, basic groceries, affordable clothing, hardware, and household stuff that one finds in large shopping centers, department stores and discount stores, they make their way to the suburbs, usually by car.

Low income residents have little flexibility in car mobility and in expenditures. Thus lower priced stores have a ready-made customer base in the lower income residents of an urban center. Affluent people also appreciate and patronize normally priced stores to their neighborhood. Thus a virtuous cycle links economically diverse residents, and increased size and diversity of the local retail market, the happiness of residents and employees, and perception of the center as location for home, business or job.

One sees this phenomenon in the main and secondary centers of European cities. Munich contains some excellent examples, including old centers like Münchner Freiheit and Pasing, and new ones growing according to city plans along the urban rail lines.<sup>x</sup> Like most German (and other middle European) cities, a good share of social housing is required, thus even the fashionable areas are socioeconomically diverse. They site schools, libraries and such public facilities in the centers. These residents (and employees and visitors) produce a great market for all sorts of retail, which the merchants gladly fill. Offerings include chain supermarkets, chain and unique bakeries, cafes, chain and German and all sorts of ethnic restaurants, department stores, lower priced clothing, housewares, sporting goods, discount stores. Pasing has a full sized shopping mall with several stories of flats above, within a block of the train station, tram and buses, and walking distance of thousands of



residents and employees. These mainstream stores produce a market for secondary retail like sidewalk stands and outdoor markets.

Munich's city plan focuses growth in dense centers within the current urban area (railway yards, parking facilities, etc.) and on the edges (abandoned military sites). These new centers are focused on a central plaza and shopping center. Given the urban densities, walk/bicycle facilities, and share of about 30% income controlled housing, the economic success and centering function is assured.

**• Benefits of low priced housing and low income residents to transit systems and all transit users.**

The benefits of high quality well located subsidized housing has been apparent to European government officials for many years<sup>xi</sup>. The cooperative efforts of city officials, social housing firms, and private sector architects and builders is visible in the most stylish and desired transit-centered redevelopment sites in cities like Vienna, Amsterdam and Copenhagen. The use of government funds accelerates construction of housing in accord with public policies prescribing dense development at transit stations. This mixed income housing increases transit ridership and reduces the subsidy required for the transit system.<sup>xii</sup> Thus better transit service becomes feasible, leading to more riders, and so on. The benefit of social housing to a transit system is shown in the table below. The most cost-effective public transport in the First World is in Europe, though service is much more intense in Paris and Vienna, with ambitious social housing programs, than in any U.S. city, even New York.

City	Passengers Av. Weekday	Length - km	passengers/km
Budapest	1,200,000	32.1	37,383
Buenos Aires	1,700,000	52.3	32,505
Beijing	5,500,000	228	24,123
<b>Paris</b>	<b>4,500,000</b>	<b>214</b>	<b>21,028</b>
<b>Vienna</b>	<b>1,350,000</b>	<b>69.5</b>	<b>19,424</b>
Toronto	942,600	68.3	13,801
<b>NYC</b>	<b>5,086,833</b>	<b>369</b>	<b>13,785</b>
Stockholm	1,070,000	105.7	10,123
London	3,400,000	400	8,500
<b>WashingtonDC</b>	<b>727,684</b>	<b>171</b>	<b>4,255</b>
San Francisco	592,504	167	3,548
Baltimore	57,600	24.5	2,351

Germans drive somewhat more than average Europeans. But public transport systems are excellent and Germany still uses public transport funds more efficiently than does the U.S.<sup>xiii</sup> Despite more intensive service, subsidies per public transportation rider or kilometer of public transportation service is 1.5 to 2 times lower. In 2005, there were 57 vehicle kilometers of public transport service per year per inhabitant in Germany compared to only 24 in the U.S. German public transport systems earned about 60% of cost in the fare box; still U.S. systems average about 35% from fares.

German laws link expenditures on public transport and housing, such that cities must coordinate plans for social housing projects with transit systems.

**• Directing public housing subsidies to lower income Americans.**

Land development and construction of buildings is generally considered the province of private enterprise in the U.S.; government subsidy for housing is scorned. The data shows, however that the

American housing industry enjoys higher subsidies than those in Europe. The difference is in who receives the benefit. The high income countries in the EU spend about 0.65% of GDP on housing subsidies, virtually all to low and moderate income people. In the US about 1.7% of GDP goes to subsidize housing, much of it in the form of income tax deductions for higher income people.<sup>xiv</sup>

• **Using transportation funds for affordable housing as climate protection strategy**

Much of the data comes from California, stimulated by the State's semi-serious efforts to implement the climate protection law that sets targets for greenhouse gas (GHG) reduction. Studies include analysis of both census data and large sample surveys. The transport sector is the largest source of greenhouse gases in California.

Achieving the GHG targets for the transport sector was addressed by the classic strategy of transit improvements and TOD. But the expected shift from driving to sustainable transport and lifestyles was weak, undermined by gentrification. The TOD housing supplied by market forces was expensive, since demand exceeds supply. Higher income residents owned more cars, drove more and took fewer transit trips than lower income people either displaced from existing housing or residing in new housing. The data gathered by housing providers, academics and state agency staffs led to a search for more funds to support affordable housing.<sup>xv</sup>

A disparate set of metropolitan areas have found ways to use state and federal transportation funds for transit accessible affordable housing. They range from predictable areas, like Portland and San Francisco, to those known for persistent sprawl and ever new and more dispersed edge cities: Atlanta, Dallas, Denver.<sup>xvi</sup> The climate protection benefits go beyond emissions from the transport sector: multi-story efficient urban buildings use much less energy than low density suburban buildings.

• **Low parking needs for transit oriented housing and for affordable housing**

Both lower income households and households near transit stations have below average rates of car ownership.<sup>xvii</sup> The combination permits a substantial reduction in parking spaces, thus a major cost saving to developer/manager and residents alike. The Center for TOD concludes that the cost of garage parking can even determine whether an affordable housing project is financially feasible.

Transit served jurisdictions such as Montgomery County permit reductions in parking near transit stations, and also permit reductions for affordable housing units. Either of these exemptions allow up to 50% reduction in parking spaces. But reduction below 50% by combining the exemptions is not allowed. Car free households should be able to reap the full financial benefit of their choice. Other places go beyond mere reduction, by permitting transit proximate housing with no private parking spaces for residents. "Car free housing estates" are reasonably common in western Europe.<sup>xviii</sup> These housing estates always have strong social housing components. Nearer at hand, Washington DC has permitted several experimental car-free housing developments.<sup>xix</sup> There are easily enough car-free households in urban Montgomery County such that experimental car free settlements should be successful.<sup>xx</sup> The opportunity to deeply reduce the garage parking requirement would give yet another boost to affordable housing and affordable housing providers (AHPs), and put us a step closer to the urban ideal of divorcing development from the need for more road capacity.

• **Benefits of Affordable Housing Providers to the private development and real estate industries**

HOC's activities illustrate the benefits that AHPs can bring private developers, builders, and real estate managers. HOC's funding for construction and rent subsidies proceed in good times and bad; the countercyclical effect reduces the extreme declines in this very cyclical business.

During the Great Recession HOC's finances suffered, but the agency was still able to tap sources of financing and revenue available only for affordable housing. Thus HOC continued to undertake both construction and large scale renovation of its properties. The work was preformed, of

course, by the County's private firms. As the Recession continued, the US Government made several changes that increased the resources for ambitious AFPs to refinance, renovate, sell, and develop affordable housing.<sup>xvi</sup> The latter ability allowed HOC to partner in and finance developments in very early stages, thus strengthening the recovery. Many private developers proposed partnerships with HOC at that time, and have done so in similar situations over the years. HOC had to turn down some opportunities to rescue financially troubled TOD housing, due to limited funds. More funding would have allowed both a faster recovery and higher share of affordable housing in the County's transit station areas.

In more normal times, HOC's contracts for managing its properties are steady sources of revenue for some of the most prominent Montgomery County real estate firms. In Bethesda, the demand for luxury multifamily housing will saturate long before the overall demand to live downtown. Builders partnering with AHPs will have access to a broader market, both accelerating and extending the development business and all its secondary and tertiary businesses.

HOC's low income tenants with public housing vouchers benefit landlords since rent is paid promptly and reliably by the federal government.

#### **• Growing Employers and Commercial Developers as a Source of Affordable Housing Need and Revenue**

Elements of another cycle which can be either vicious or virtuous are commercial developers and employers. The current housing market creates stresses for the lower half (or more) of the workforce in one way or another: They are paying more than they can afford; they have inadequate living space; or they are enduring long, expensive, even dangerous car commutes. Despite the shortage of housing for the lower income workforce, and sufficiency or surplus of expensive housing, developers continue to supply more of the expensive stuff. The "Policy Implications" (copied below) from the recent analysis by George Mason University's Lisa Sturtevant et al<sup>xvii</sup> shows the consequences if the current cycle continues unchecked. The growing shortage of affordable housing contributes to worsening traffic and quality of life, stresses the workforce, and ultimately limits job growth and "economic vitality". That is especially true in the "existing and growing regional employment centers".

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#### **Policy Implications**

These jobs-driven housing demand forecasts have several implications for local governments, builders, economic development professionals, and employers in the region:

1. Local jurisdictions are planning for an insufficient amount of housing to accommodate future workers.
  2. More housing is needed closer to jobs, in existing and growing regional employment centers.
  3. There is a need for more multi-family housing and smaller, more affordable owner and renter homes in the region.
  4. A lack of a sufficient supply of housing contributes to worsening traffic and quality of life and threatens our region's economic vitality.
- 

Well planned "growing regional employment centers" in Europe advertise their social housing programs and unstressed workforce in their economic development strategies, and toolkit for attracting employers.<sup>xviii</sup> The availability of affordable housing reduces the demand for wage

increases, and reduces the employers' cost of doing business. This leads to acceptance of (or at least not violent opposition to) taxation and government expenditure on affordable housing.

Currently, only our residential developers contribute to the affordable housing supply. In designing the CR zones, advocates proposed and County officials considered mechanisms that raise funds from commercial developers.<sup>xxiv</sup> These included either a mandatory housing payment, as required in other jurisdictions such as Arlington<sup>xxv</sup>, or a housing payment as one of the public benefits that a developer can choose to reach maximum density. Neither was done, but the advantages to commercial developers, employers and lower wage workers are clear:

- Employers benefit from access to a larger lower wage labor pool of people who are less stressed by unaffordable housing and unpredictable commutes.
- Less stressed employees put less pressure on employers to raise pay or recruit new employees. This "business climate" benefits their bottom line and allows businesses to grow.
- The business climate should increase the demand for the products of commercial developers.
- Funds from commercial developers stimulate more proximate affordable housing, which leads to more reasonably paid low stressed employees.
- The new residents shop nearby, boosting the local retail economy, welcomed by all employees and residents.

#### **• The Affordable Housing Sector' s Resources and the Municipality' s Ability to Elicit Smart Growth**

Urban planners often complain that while they can put transit-oriented smart growth in their plans, they cannot make it happen. They can, however, encourage smart growth by favoring the activities of AHPs. Encouragement can consist of reducing the cost of smart growth, broadening the share of households that can afford it, and increasing the funding directed toward it. AHPs are well equipped to accomplish all three.

In some European cities, social housing (produced by AHPs with rent and income restrictions on the occupants) is a high enough share of total housing production that it affects the pattern of regional growth. The city plan focuses growth on the smartest growth areas. AHPs, called "housing societies" build in accordance with the plan, thus the city directs growth according to its plan by means of the housing societies.<sup>xxvi</sup> As an indication of the strength of the social housing sector, the share of all forms of assisted housing is 20% or more of the total housing stock in several countries (U.K., Netherlands, Austria). Munich, Germany plans for 20-40% of new housing to be some form of affordable housing.

#### **• A Municipality' s skill at planning and producing high quality urban centers and its economic success**

Multiple reports on multiple parameters conclude that dense cities that regulate development, favor transit and pedestrians over cars, and discourage outward sprawl are not only better for the environment (including for climate protection) but also do better economically. Consider the following:

- Every year Emerging Trends in Real Estate gives its highest rankings to "24 hour cities" , strongly urban and centralized, with land use plans (or geography) that confine sprawl development.
- Montgomery County' s major office building vacancies occur in suburban sprawl locations; most recent office rentals occur near Metro stations (Montgomery County Office Market Assessment, PES for the Planning Department)

- Metropolitan areas with balanced mixed use growth areas rank highly in job growth (study by James Mason U)
- Article in Washington Post business section about the need for housing in the office deserts of downtown DC. makes the case that housing is needed to support the lively retail and street scene that is valued by the prized younger workers. What the prized younger workers in fact need is housing they can afford.
- Washington Post investment columnist's report on cities in which to invest coincided with the cities with a strong vision centered on transit, and walkable mixed use balanced TOD. Effective zoning law and master plans are what translate the vision into reality
- Recent Natural History magazine article reports that flooding high water events are increasing faster than scientists forecast. "In the next few decades, east coast US cities will have to cope with frequent flooding, even with minor storms and slightly swollen high tides." Stronger controls of land use are recommended, both to protect residents and businesses, and for the future, to try to reduce the predicted warming.

### What we're doing and what we need to do

- **What we're doing:** MPDUs, Housing Initiative Fund, tax credit financing, recent changes in how HUD administers public housing support, public benefit points in the new zoning code. The added benefits in the latest CR zone have already encouraged increased shares of MPDUs in plans for several large housing developments.
- **What we need to do:** Make the Bethesda plan a model "inclusionary plan" for growth as protecting climate looms larger in all our decisions.
- Apply the Bethesda model to all the County's urban mixed use areas; making the whole County a model for sustainability in the climate constrained world.
- Consider and adopt mechanisms to increase funds available to developers of affordable housing. AHPs can multiply the benefits produced by a given amount of funds.

<sup>i</sup> Public life as used by Jane Jacobs in *Death and Life of Great American Cities*.

<sup>ii</sup> Biologists, economists and journalists are writing about the concrete practical adaptive benefits of altruism, sounding modern versions of Tocqueville's vision of America in the 1830s.

<sup>iii</sup> This essay provides rationale for my comments on the draft Downtown Bethesda master plan.

<sup>iv</sup> Ref. one of them states that municipalities that don't include affordable housing in their transit facility plans are not making cost-effective use of the funds.

<sup>v</sup> Rail-revolution 2011. My notes.

<sup>vi</sup> Center for Transit Oriented Development, *Mixed Income Near Transit. Increasing Affordability with Location Efficiency*. Thanks to Dave O'Leary for finding this report and the report from California Housing Corporation.

<sup>vii</sup> Center for Transit-oriented Development, *Mixed Income Housing Near Transit*. Cited above.

<sup>viii</sup> News articles, personal observations and conversations with German and Austrian acquaintances.

<sup>ix</sup> These are the HOC properties in Bethesda:

- 1) The Metropolitan, Old Georgetown Rd., mixed income
- 2) The Barclay, Bradley Lane, opportunity housing (mixed income)
- 3) Waverly House, senior housing
- 4) Avondale St., 14 newly acquired units of naturally affordable housing in 3 buildings
- 5) Lasko Manor, Hampden Lane, housing for long term homeless
- 6) Fairfax Courts. Near the Barclay, opportunity housing.

<sup>x</sup> Walking Tour booklets from Munich planning department

<sup>xi</sup> European Parliament, 2013, *Social Housing in the EU*, Chapter 1, Figure 1.1: Social Housing Share. Also publications of the Vienna and Amsterdam city housing departments.

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- xii Wikipedia
- xiii Ralph Buehler, Transportation Research Board journal. Note that German public transport systems fall short of those in other European cities.
- xiv European Parliament, see above; communication from Will Fischer, Center for Budget and Policy Priorities. Based on data in the U.S. Administration's draft 2015 budget.
- xv Studies referenced in California Housing Partnership Corporation paper.
- xvi Center for Transit Oriented Development, op.cit.; my notes from 2011 Rail-volution conference.
- xvii California Housing Partnership, op.cit. Page 3.
- xviii Examples in Vienna and Amsterdam
- xix Have any been built? Research needed...
- xx get ref. from Glenn Orlin or Planning Dept.
- xxi HOC received funds from the TARP Program for "shovel ready" renovation projects at several properties. The anti-recession federal funding was augmented by "tax credit" financing. Later, as part of a major policy change, HUD essentially gave HOC the public housing properties which HUD owned but HOC managed. HOC used the value of these properties to finance both renovation of the former public housing, and undertaking major development of properties in urban centers such as Chevy Chase Lake and downtown Silver Spring.
- xxii Housing the Region's Workforce: Summary of Key Findings. 2011. Lisa Sturtevant et al. George Mason University Center for Regional Analysis
- xxiii Literature from Vienna, Munich etc. planning departments
- xxiv Advocates for an affordable housing payment in the CR zone public benefits formed a coalition that included housing advocates, affordable housing providers, social service providers, advocates and providers for the homeless, food providers and religious organizations. The environmental and smart growth groups also advocated for mechanism in which commercial developers helped finance affordable housing.
- xxv Memo: Arlington County Affordable Housing Land Use and Zoning Tools
- xxvi Same as vii.

## Appendix. A Housing Section in the Downtown Bethesda Sector Plan.

"Housing" should be a subhead in Chapter 2, a new section 2.2 following 2.1 Land Use.

The Housing section should discuss:

1. Demographics, including current households and jobs, forecast growth, and the balance between households (workforce) and jobs; and income: range and median for all households and rental households if available; share of households/rental household that are rent stressed (over 30% of gross income for rent). Compare median income and number of rent stressed, in Bethesda and countywide.

2. The importance of housing the workforce within "existing and growing regional employment centers", to current and prospective employers.

- Cite recent study from George Mason University Center for Regional Analysis and its "Policy Implications".<sup>i</sup>

- Also cite the report The Planning Department commissioned, "Office Market Assessment" which stresses that future office growth will favor the mixed use transit served centers. This strengthens the case that employment growth in these centers, Bethesda being the County's largest example, will be self limiting without more housing affordable to the workforce.

3. Targets for additional affordable units and units with new rent restrictions.

4. Explanation of the affordable housing map Figure 2.07.

- Total number of affordable units and units in various categories (the colored dots)

- Level of affordability in terms of % of median income needed to pay the rent

- Status: Is the rent regulated, or is it "market affordable" subject to unregulated increases?

Much of the housing labeled market affordable on the map actually charges rents at the MPDU level or higher (See my full statement for documentation). This should be explained in the text.

5. Strategies for increasing affordable housing produced, and preserving where appropriate:

- Use public benefit points to reward more than minimum MPDUs.<sup>ii</sup>

- Require 15% MPDUs for residential development in Bethesda.

- Facilitate the activity of affordable housing providers (AHPs) in housing development, as efficiently increasing the yield of affordable units that stay affordable.

- Add a housing payment from non-residential development as an option for public benefit points. Put the funds into a Housing Fund used as gap financing by AHPs.

6. Explanation that the detailed land use for individual properties (Chapter 3) considers their potential as a resource for affordable housing.

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<sup>i</sup> "Policy Implications

These jobs-driven housing demand forecasts have several implications for local governments, builders, economic development professionals, and employers in the region:

1. Local jurisdictions are planning for an insufficient amount of housing to accommodate future workers.

2. More housing is needed closer to jobs, in existing and growing regional employment centers.

3. There is a need for more multi-family housing and smaller, more affordable owner and renter homes in the region.

4. A lack of a sufficient supply of housing contributes to worsening traffic and quality of life and threatens our region's economic vitality."

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<sup>ii</sup> This list of four includes explication and justifications of 2 Implementation items proposed in Ch. 4, plus two suggestions having both equity and potential for producing substantial affordable housing units.



## **Downtown Bethesda Sector Plan and Equitable Smart Growth**

Usually there is plenty of rhetoric and deficit of action in officials' approach to affordable housing, thus my goal is usually to narrow the gap between rhetoric and action. The draft Bethesda plan, however, could use more rhetoric. The CR zone is written to reward the amount of rhetoric in master plans, as a criterion for assigning priority to public benefits. If the plan doesn't clearly favor affordable housing, developers can choose the easier and cheaper environmental and design public benefits. In the draft, the green shady walkable vision for Bethesda is set out much more concretely than is the vision for an equitable Bethesda. Yet the most important contribution this plan, and the downtown, could make to environmental goals would be a substantial increase in affordable housing.

Let us examine how the Bethesda plan treats affordable housing, and compare that treatment to environmental goals such as green space and efficient buildings. This statement will address:

- Chapters 1 and 2. The Overarching Goals, Objectives etc. and Areawide Characteristics;
- A proposed strategy to maximize the affordable housing provided, including suitable properties (Chapter 3)
- An Appendix, which outlines a section for the Bethesda plan called "Housing".

### **What Priorities (Goals, Vision, Characteristics) Does the Plan Set?**

The goals, concepts, performance areas, etc. all refer to affordability along with other items by which developers earn public benefit points. The Vision set out on pages 3 to 5 foresees a more affordable downtown. Affordable housing appears in the introduction to its central concept of Sustainability, and among the Overarching Goals (p. 6). The Housing Objectives (p. 8) include:

- Incentives for preservation and expansion of affordable housing.
- Balanced growth, with housing available for all employees who work in the area.

That is a good start, but after these opening pages, the plan's other priorities dominate. The vision that emerges from the Concept Framework and the Summary of Recommendations does not include a key roll for affordable housing or for housing at all. The list of "six key performance areas" (p. 10) does not include adequate housing, addressing it only indirectly as Equity.

I recently wrote an essay on the key role affordable housing plays in effective Transit Oriented Development. Suffice to say here that government participation in planning, zoning, and finance of housing is as important to TOD communities as is the transit itself. The beneficiaries of transit-proximate affordable housing go far beyond the residents of the housing. Affordable housing development and availability are enablers of progress in all six of the key performance areas. Conversely, TOD locations for affordable housing maximizes the benefit to the lower income residents.

Table 1.01. Sustainability Performance Area Metrics details the metrics used for each of the key performance areas. The Equity metrics include growth in rental housing units and in jobs, but... There are no targets for total or affordable housing units.

"Targets" for jobs and rental housing appear to be copied from the County's Growth Forecasts, without attribution, rather than numbers to aim for.

The targets for housing units and jobs imply widening divergence, adding nearly 15,000 jobs but only 3800 housing units. Predominance of jobs is well known to drive up the price of housing.

By comparison, the other five performance areas list many concrete, implementable targets for parks, streets, green roofs, and LEED certified buildings.

The New Approaches (p. 6) also focus attention on aspects of the plan other than affordable housing: historic preservation, landscaping, energy conservation.

**The Plan for Bethesda's Areawide Characteristics**

The plan itself begins with Chapter 2. Affordable housing, and in fact, housing itself are not addressed directly.

Section 2.2 Land Use and Zoning lists several tactics for preserving existing affordable housing, including use of "density incentives". Uniform density increases of 20% are applied to all properties, residential and commercial. None of the additional value is captured as additional public benefit.

The bullets in the draft plan envision increases in both housing and jobs. The land use map shows almost the whole downtown area as mixed use.

The plan urgently needs a section entitled "Housing" equivalent to those on Transportation, Urban Design, Ecology. The draft lacks any organized discussion of housing. Figure 2.07 maps existing affordable rental units. The map is useful, but it needs both data and analysis to convey the status of the dots on the map:

- How many existing affordable units altogether, including condominiums as well as rentals?
- Who owns them? An affordable housing provider like HOC or private company that can raise the rent?
- What is the duration of affordability?
- How affordable are they? Of the rent restricted units, how many are MPDUs for moderate income people vs. those with low incomes?
- Are the market affordable units affordable to medium and lower income residents?
- Etc.

Study of data on current rents charged for Bethesda apartments shows that market rate affordable units cost more or about the same as MPDUs. (table below) The supply of these lower end garden apartments will never increase, Their rents will surely rise faster than the regulated MPDUs. Plus the garden apartments are substandard by current standards, in particular they often use more energy, thus have higher utility costs for residents.

**Rents for Modern Market rate, MPDUs and Older Garden Apartments**

	Market Rate - \$		MPDUs \$	
	1 bedroom	2 bedroom	1 bedroom	2 bedroom
<b>Older Garden Apts.</b>				
The Glens, Battery Lane	1340-1700	1705-1950		
Aldon at Chevy Chase	from 1525	from 1780		
8200 Wisconsin	1400-1600	from 2175		
4507 & 4511 Avondale	1250 -1350			
Battery Gardens	1125	1325		
<b>Recent High Rise</b>				
Bainbridge	2300-2400	3300-4000	1175	1410
Seasons	1950	2600	1266	
Upstairs at Bethesda Row	2477-3810	2800-4850	1270	1300

Data from DHCA Apartment Rental Guide for Montgomery County, Feb. 2015.

The plan includes an objective of supplying enough housing to provide for the entire workforce. That is a very ambitious objective, and sure enough the plan doesn't elaborate on what it means and how it could be achieved. MPDUs, even at 15%, would not meet the need for the moderate income workforce, much less those with low incomes. The CR zones for many properties (Tables, Ch. 3) show a higher FAR for housing than for commercial building. Many zones, however, permit enough commercial/office FAR to make that option attractive when the market for office space rebounds. Sections of the plan on habitat/tree canopy, pervious area, energy, the High Performance Area, open space and urban design all convey that goals are ambitious: Bethesda is expected to be extraordinary; that is, to exceed ordinary standards. The topic of Housing deserves similar treatment. Without this rationale, the Overall Vision, the Housing Objectives, just baldly stated, even the priority given to 15% MPDUs for public benefit points (Chapter 4), are not compelling. My principal objective is that this plan be the best possible for increasing affordable housing. The attached Appendix makes the case and outlines the content of the Housing section.

Section 2.3 Transportation specifies well what's needed to give Bethesda the form of a real traditional downtown, if it can be implemented. Specifying the role of Parking, however, is not resolved. As with other planning parameters, parking and household income are connected by feedback loops. The need for parking at residences rises with household income. The cost of parking, in turn affects the households' usable income. It's costly to have a space available to a low income resident who may not own a car. It should be possible for low income residents to reap the financial benefit of living car-free.

The new zoning code sets a baseline parking space requirement at one space per housing unit in downtowns. Parking spaces for affordable units may be reduced to 0.5 space per units. For all new housing, the zoning code allows "unbundling", in which residents pay separately for parking space. That option allows a reduction to 0.5 to 0.75 space per unit depending on bedroom count. Housing developers can also choose to pay a fee to the Parking Lot District and reduce garage space accordingly. We need to know if those options are used in current buildings, and how it affects parking occupancy.

In theory developers/landlords could combine discounts and provide fewer than 0.5 parking spaces. The code, however, does not permit that. One hears that multifamily housing, both market rate and affordable, in the Metro station areas has excess parking capacity. Garage parking is such a high cost for builders and occupants. It would be worth study to learn if there are situations in which fewer spaces could be required, both within buildings and in public garages. Also, the County should learn from other jurisdictions' experiences in reduced parking requirements.

### **Chapter 3. Opportunities to Increase Affordable Housing in the Districts**

Certain properties lend themselves to development with high share of affordable housing. The number is substantial, including all properties in public or quasi-public (such as HOC or other agency) ownership, some properties labeled "market affordable housing" and the enclaves of detached single family houses. In some cases, the plan already makes the recommendation; in other cases, it would need to be amended.

As an Appendix attached to these Comments, an annotated copy of the draft plan's Recommended Land Use map, Figure 2.03, shows properties to be considered for high share of affordable housing.

- **Metro Core.** The draft plan includes signature buildings and affordable housing in its Goals for the Core. Planners need to be flexible and encourage creativity, to achieve the plan's goals efficiently.

The Metro Core above the Metro station is the perfect place for this signature building, a tower visible from a distance announcing "here is Bethesda". There are concerns about a tower's impact on the plaza, consuming the open space and casting too much shade. Thus this is also the place to raise the height limit in exchange for perfect building design. Challenge the creativity of one of the current crop of innovative, conservationist architects to design a narrow stepped back tower in exactly the right location and shape to

- add livability and vitality to the Core,
- minimize shading of adjacent buildings,
- use sun path and modern glass to produce a light-filled building with low energy consumption,
- rest on a base of interesting retail and entertainment establishments, laid out so that they attract customers from Metrorail and bus bays, and
- require some residential component to reach maximum height and density, including a significant share of affordable units, or a substantial payment into the housing fund.

The west end of the plaza badly needs redesign to connect people more visibly and easily to the Metro station. Relocating the County's Regional Services Center (RSC) would allow more space for creative urban design; a new building could be an added reward for providing affordable housing.

• Properties owned/used by affordable housing providers. The Metropolitan is HOC's "flagship" property, at the west end of the Metro plaza but up and down around several bends and not visible to transit riders. The Metropolitan is built on County-owned land and houses several County facilities. Neither the residents nor the users of the RSC and other offices contribute much "liveliness" to the plaza or patrons to nearby shops. The Metropolitan is not a prospect for redevelopment, but reconfiguring/reuse of the lower level non-residential space should be considered, to increase its contribution to the plaza and add value to HOC. For instance, the space could accommodate the Regional Services Center, or a new library (See below) freeing one of those properties for redevelopment.

HOC testimony states that the Metropolitan as built leaves substantial FAR unused. That unused capacity could be sold and the funds used by HOC toward redeveloping one of its properties or participating in redevelopment of another garden apartment site.

In the Pearl District, The Waverly, an HOC-owned apartment building for the low income elderly is recommended as a "priority sending site for density averaging to preserve existing affordable housing". HOC has no plan to redevelop the Waverly, so becoming a sending area is appropriate. Selling development rights would provide welcome funds. Other HOC buildings proposed as sending sites, including the three small buildings on Avondale Street, should be rezoned and redeveloped. HOC's plan for the property take advantage of its contiguity with The Waverly to design an integrated housing estate with shared amenities that benefit all the residents.

• Public Parking Lots and Garages. The draft plan recommends "a constrained parking policy that supports a transit-oriented downtown". The County's Parking Lot District properties should all be considered as potential sites for affordable housing. Public ownership means that affordable housing providers don't have to pay the high market cost of land. Development costs could be reduced by low parking requirements for the new housing. Not only use of the lots, but also the garages "should be considered as they... are evaluated for replacement and as the market allows..." Developers may choose not to provide parking for all residents, but instead pay a fee to the Parking Lot District. As transit and other travel alternatives increase in Bethesda, use of the public garages and payment of the fee may decline. Thus the goals of the sector plan may hasten the time when facilities will be redundant and available for redevelopment. The affordable housing developers should be approached. Working with the Parking Lot District is discussed in Section 4.6.3. Redevelopment of parking facilities should not necessarily be contingent on "replacement of parking". Planning decisions for the County's business districts should not be made based on the financial interest of the Parking Lot Districts. Declining car ownership and use in Bethesda should be applauded and rewarded.

The land use section calls Bethesda's eastern edge the Eastern Greenway, including a large area of surface parking lot. Giving all this public land just to park and quasi-open space is not justified fiscally or socioeconomically. Housing development at 3 to 4 stories can serve as a buffer between the high rise downtown and the neighborhoods to the east; the site plans should preserve a green vegetated strip along the eastern edge, preferably with a public pathway and several small parks.

- Other properties in public or quasi-public ownership. Several speakers for fire company properties expressed the desire for zoning that gave the potential for redevelopment. New buildings could provide a new home and more resources for the institution, and housing at a range of prices. It would be justified to recapture some of the added value by asking for a higher than minimum share of affordable units.

- Older garden apartments. Both HOC and Aldon Management own multiple properties that the plan considers "market rate affordable", though both pointed out that the market supports rather high rents. Few units are actually affordable to those with moderate incomes (See Table above), much less those with low incomes.ii

The recommended CR density and/or height is relatively low. They are designated as priority sending sites; the plan recommends selling unbuilt capacity rather than redeveloping. HOC and Aldon Management, however, testified to their interest in redeveloping. Redeveloping these properties at high density would increase total housing and, if done right, the number of affordable units, including those for low income households. If owned and developed by affordable housing providers, the affordability would be permanent.

The generous public benefit points in the CR zone mean that developers providing at least 20% affordable units in transit-proximate locations can earn all their public benefit point from these two categories. Chevy Chase Lake, a joint development by HOC and private developer EYA, illustrates the possibilities. AHPs have gained several other bonuses: discounting the square footage of MPDUs and elimination of impact fees for projects with extra high affordability. Several AHPs besides HOC have capacity to undertake large development projects. Their benefits will make them attractive partners for landlords and private developers. This is the mechanism that can provide a quantum increase in high quality affordable housing in Bethesda.

- Enclaves of Single Family Houses. At the public hearing it appeared that some residents and owners want to keep the houses, others want CR zoning so they can sell for higher density development. The plan should offer a mechanism for allowing some residential redevelopment, and recapture some of the added value by asking for high share of affordability or purchase of development rights. To avoid "forcing" homeowners to sell before they are ready, the property tax reassessment could be delayed until redevelopment was imminent.

#### Chapter 4. Implementation

Section 4.1.4 lists the Top Priority Public Benefits, which includes Affordable Housing among others. A developer providing 15% MPDUs would receive 30 points toward the goal of 50 (CRT) or 100 (CR) points. Adding up the points for Top Priorities and the points from a few other automatic or required benefits yields more than 100 points. The table shows the points earned by a project a half mile (low) and a quarter mile (high) from a Metro station.

Public Benefit Points		
	low	high
transit proximity	30	50
structure parking	15	20
BLTs	5	5
energy efficiency	15	15
vegetated roof	15	15

exceptional design	10	10
MPDUs	30	30
TOTAL	120	145

In addition, many of the actions and features recommended in Chapter 2. Areawide Approach come with public benefit points: bicycle and pedestrian facilities, reduced parking, public open space, tower step back, tree cover, vegetated area. Are developers expected to provide these benefits without earning any points? Are these features that developers provide anyway, thus they don't deserve points? Or a final possibility: will developers prune away the excess points, including the MPDUs, in site plans?

- Other public or quasi-public properties. Fire & Rescue stations

Section 4.2 explains the idea for Priority Sending Sites. Any CR zoned property can sell or buy development rights from another CR zoned property in Bethesda, if some criteria are met. The plan designates some properties, including some older garden apartments as priorities for preserving the existing housing and thus Priority Sending Sites. These properties are mostly clustered around the HOC-owned Barclay apartments. Their CR zoning is designed to achieve this goal. Zoning of other properties clustered along Battery Lane is designed to encourage them to buy development rights.

The basic idea of exchanging development rights is good, if designed to maximize affordable housing. It is doubtful that the reward is high enough to tempt developers into selling density and agreeing to keep rents affordable. The arrangement of sending and receiving area is far from optimal for providing regulated affordable housing. The far better strategy is encouraging redevelopment of properties owned or financed by AHPs. That includes the HOC owned small apartment buildings on Avondale Street.

Even with substantial density increase, redevelopment would improve the performance on environmental criteria such as pervious area, tree cover and stormwater management. Large surface parking lots at HOC and Aldon properties would be replaced by garages.

### Conclusion

This draft plan shows the benefits of many lessons learned since the last master plan was written. Via this plan, Bethesda faces a future as a model community for a future in which sustainability is a preoccupation not just of scientists, but of all of us. As such, Bethesda must be available to all, not just to the prosperous.

I fully support the plan's goals for greenhouse gas reduction, water quality, public spaces and building design. I appreciate the concrete detailed portrayal of what is needed to carry out the plan's vision. The concern is that housing and affordability, while supposedly a priority, suffer by comparison. Most of this problem could be solved by adding a section called Housing to Chapter 2. The Housing section would explain the role of affordable housing in making Bethesda a successful urban place, as I have explained in the Appendix below, and in my essay. It would call attention to HOC 's and other affordable housing estates in the downtown, how they contribute to various aspects of the community including housing members of the workforce who cannot afford MPDUs. It would emphasize the need for more such high quality, mixed income urban housing with a substantial share of affordable units.

The Housing section should make the case for requiring 15% MPDUs, recommend adding still more moderate and low income, encourage the efforts of affordable housing providers, remove any doubt about affordable housing as a "highest priority" for public benefit points, recommend establishing a housing payment as public benefit for non-residential developers, and set the stage for housing-focused recommendations for individual properties.

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<sup>i</sup> HOC statement for the sector plan public hearing.

<sup>ii</sup> Aldon and HOC statements at the public hearing.

**MCP-CTRACK**

**From:** Deb and Rob <debandrob@beachdinks.com>  
**Sent:** Wednesday, January 20, 2016 5:56 AM  
**To:** MCP-Chair  
**Subject:** DBDP -- South Bethesda District

**RECEIVED**  
0689  
JAN 20 2016

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

Chair and Commissioners:

As a homeowner in the South Bethesda District, south of Bradley Boulevard — Bradley House Condominium Association — I am writing regarding the Downtown Bethesda Development Plan and the redevelopment you are considering in this neighborhood. The redevelopment of the multi-family properties in South Bethesda as high rises, at the height of 10 or 15 stories, and the mix of commercial and residential uses are unacceptable and should be denied by the Board. High rise and commercial development are not appropriate in our neighborhood and should stop at Bradley Boulevard.

The South Bethesda District has been a stable residential community since the 1940s and there is no compelling reason to change that environment. We are a quiet residential area of townhouses and mid-rise garden apartments and condominiums that transition to Norwood Park and Chevy Chase West, a single family neighborhood.

Our infrastructure does not support the proposed population increases — 1. we have narrow streets and the area would be overtaxed with residents, visitors and commercial delivery, 2. we have limited parking that does not accommodate current residents and guests, much less additional residents, visitors and businesses.

In addition, the Fire Station 6 is particularly poorly located for proposed mixed use high rise development. Development of high rise residential and commercial use will detrimentally affect its emergency response and service. The intersection of Bradley Boulevard and Wisconsin Avenue has been identified as one of the ten most congested in Montgomery County. Such an influx of traffic will impact this intersection and increase its hazards for vehicles, pedestrians and bicyclists. The plan developed by Chevy Chase West to use the vacant land on the fire station property is a good idea and will increase the visibility of Norwood Park, the only large park in Bethesda.

We encourage the planning board and the commissioners to let this community continue to function as its current quiet residential neighborhood by limiting the buildings in the DBDP South Bethesda District to five stories high and no mixed use.

We would welcome a call to discuss our concerns with the planning board — 301-652-9132 — and we would welcome the opportunity to walk you through our neighborhood — a place that we call home and love.

Sincerely,

Rob and Debrah Shaver

Rob and Debrah Shaver  
4800 Chevy Chase Drive, #504



Chevy Chase, MD 20815  
301.652.9132

MCP-Chair

RECEIVED

JAN 19 2016

... CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PLANNING COMMISSION

0082

**From:** Pamela Lindstrom <pamela.lindstrom@gmail.com>  
**Sent:** Tuesday, January 19, 2016 11:13 AM  
**To:** MCP-Chair; Howerton, Leslye  
**Subject:** Affordable housing in the Bethesda plan  
**Attachments:** Jan2016 Beth. note on goals, objectives etc.docx

Please distribute to the Planning Board members, before the Thursday work session. I hope to participate in the work session.

Was my essay on the role of affordable housing in urban development distributed to the Board? If not, please do so!

Thanks you,  
Pamela Lindstrom

Pamela Lindstrom  
12 Jan 2016

Memo to Planning Board

Subject: Bethesda Vision, Objectives, Areawide Approach, etc.

At the June 2015 Public Hearing on the Bethesda Sector Plan, you may have been surprised that Dave Sears, Michal Friedman and I, speaking for the Sierra Club, urged a focus on affordable housing. For Smart Growth to provide the environmental benefits that we are counting on, it must be available to a wide range of socioeconomic groups.

Planning officials appear to agree at least in rhetoric. Chairman Anderson has said that his two chief aspirations for the plan are that it would lead to more public green space and more affordable housing. The rhetoric is heartening to hear. The actual words in the staff draft plan fell short of making that case<sup>1</sup>, however, and the words have not changed. The Planning Board went directly into debating the zoning of individual properties.

Planning and zoning in our urban centers like Bethesda offer many opportunities to increase the number and share of affordable housing units. If done "smartly" equitable housing clearly has more economic benefits than costs to the urban center, the development industry, and probably broader economies. Yet often the opportunities are not seized. American communities lack the historic or conceptual frame of reference that routinely includes equity in plans for growth. The poor do not advocate for their own interest in the same way that middle and upper class residents and businesses do. So economics (that is, money) determines who gets to occupy the housing and businesses in the most attractive locations.

In writing the new CR zones, planners tried to give some permanence to a community's vision that went beyond mere zoning, by tying the priority for public benefits to the master plan's priorities. I analyzed the initial chapters which summarize Bethesda's community wide vision, objectives, goals, etc. Years from now, its statements of aspirations *would not* reliably guide development review to seize chances to add affordable housing.

As stated above, statements during the worksessions lead one to hope that planners have strengthened their resolve that Bethesda will break new ground in equitable smart growth. But when and how will the plan be edited to clearly reflect that resolve?

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<sup>1</sup> See my essay on the central role of affordable housing in achieving smart growth and sustainability goals.

## **Equitable Smart Growth: Transit, TOD, Economy and Affordable Housing**

Economic development, socioeconomic equity, affordable housing, climate protection, transit preference as a transport policy, transit oriented development (TOD), and shared streets full of “public life”<sup>i</sup> are usually treated as separate goals. Each has its advocates, though most of us implicitly support them all. American society divides these goals into two classes:

- Those with direct benefits, often economic, for us,
- Those with no direct benefit to us and at least perceived costs, which call on our altruism. Subsidized housing, perceived as benefitting only the poor residents, is the perfect example of the latter.<sup>ii</sup>

Planning Downtown Bethesda reminds us that these goals are linked; a master plan that effectively supports lower income housing provides the links that complete virtuous cycles that advance all the goals, and thus benefit all of us. It is worth using all our tools to maximize affordable housing, even in the most urban, desirable, and expensive place in the County.<sup>iii</sup>

This essay cites the documents, shows the examples, and outlines the case for using transport, environmental and climate protection funds for affordable housing; and for using public and private housing funds preferentially near transit. Directing these disparate funds to increase housing affordability near transit would be the cost effective way to promote not only social, but also economic, sustainable transport and climate protection goals.<sup>iv</sup>

I have read not only the Bethesda plan but other documents that led to the epiphany outlined in this memo. Coincidentally, the Sierra Club officers were speculating as to whether lower income residents of station areas were more likely to use the transit than people with above average incomes. I found that a wealth of data support that common sense assumption. Transit ridership, non-auto mode share of peak hour trips, and Vehicle Miles Traveled are all strongly affected by residents' incomes. In particular, incomes tend to rise in proximity to transit improvements and in new housing, the effect we know as gentrification. This effect is so strong and consistent that experts conclude that building transit facilities and zoning for TOD without fighting gentrification is inefficient use of precious transit funds. If, on the other hand, rules and funds stimulate affordable housing at transit stations, more housing is built at all price levels, transit use rises. Current and potential residents, businesses, and transit users all benefit.

The essay builds the case from the following points:

- **Benefits of TOD Housing to low income residents.**
  - **Benefits of low income residents to higher income residents and employees in the Neighborhood.**
  - **Benefits of low priced housing and low income residents to transit systems and all transit users.**
  - **Using transportation funds for affordable housing as climate protection strategy.**
  - **Low parking needs for transit oriented housing and for affordable housing.**
  - **Benefits of Affordable Housing Providers to the Private Development and Real Estate Industries.**
  - **Growing Employers and Commercial Developers as a Source of Affordable Housing Need and Revenue.**
  - **A Municipality's skill at planning and producing high quality urban centers and its economic success**
- **Benefits of TOD Housing to low income residents**

A regional planner from Dallas told the Rail-volution conference that all federal assistance for housing should be directed at transit station areas.<sup>v</sup> Focusing housing assistance in TOD locations benefits the transit system. Living near transit also maximizes the benefit of housing subsidies to low income residents. Transport costs are second only to housing costs as consumers of an average household's income. The share a household pays for transport is lowest in metropolitan areas with high transit mode share. These data lead to unlikely results when the combined cost of housing and transport is compared across metropolitan areas. New York City residents spend the lowest share of their income on transport, and are near the lowest for the combination of transport plus housing. Sprawl cities like Atlanta, Miami and Los Angeles are near the highest in combined expenditure despite low housing cost. Washington DC has high combined cost due to the high cost of housing. Transport cost is relatively low.<sup>vi</sup>

Furthermore, average families living in more urban, transit-served parts of metropolitan areas have much lower transport costs than those in suburban sprawl areas. In sprawl areas, auto-dependent households spend 25% of income on transport, while households in TOD areas spend only 9%.<sup>vii</sup> For low income families, housing benefits are magnified by transport benefits, yielding a greater change in standard of living.

Low income people also reap less tangible benefits from affordable housing. Planning documents from Munich, Germany assert the need to save room for low income and ethnically diverse residents in this high growth high priced city. The benefits flow both ways, the Germans say: proximity and acquaintance with "other" people breeds empathy and altruism in meeting their needs. And in turn, the future workforce will be needed to keep the economy growing. Even the Middle Eastern refugees will be a good thing in the long term.<sup>viii</sup> So Münchners have opened their communities, wallets and hearts to the Syrian refugees flowing through the railway stations.

HOC has six properties in downtown Bethesda<sup>ix</sup>. Except for MPDUs required by law, these are probably the only dedicated (and perhaps only market rate) affordable housing in Bethesda.

#### • **Benefits of Low Income neighbors to higher income residents and employees in Urban Centers**

The retail in Washington area urban centers is mostly confined to a narrow set of goods and services focused on affluent young professionals: restaurants, bars, expensive boutiques and clothing shops, ditto for foods: bakeries, snack and gourmet shops, etc. For the ordinary needs of life, basic groceries, affordable clothing, hardware, and household stuff that one finds in large shopping centers, department stores and discount stores, they make their way to the suburbs, usually by car.

Low income residents have little flexibility in car mobility and in expenditures. Thus lower priced stores have a ready-made customer base in the lower income residents of an urban center. Affluent people also appreciate and patronize normally priced stores to their neighborhood. Thus a virtuous cycle links economically diverse residents, and increased size and diversity of the local retail market, the happiness of residents and employees, and perception of the center as location for home, business or job.

One sees this phenomenon in the main and secondary centers of European cities. Munich contains some excellent examples, including old centers like Münchner Freiheit and Pasing, and new ones growing according to city plans along the urban rail lines.<sup>x</sup> Like most German (and other middle European) cities, a good share of social housing is required, thus even the fashionable areas are socioeconomically diverse. They site schools, libraries and such public facilities in the centers. These residents (and employees and visitors) produce a great market for all sorts of retail, which the merchants gladly fill. Offerings include chain supermarkets, chain and unique bakeries, cafes, chain and German and all sorts of ethnic restaurants, department stores, lower priced clothing, housewares, sporting goods, discount stores. Pasing has a full sized shopping mall with several stories of flats above, within a block of the train station, tram and buses, and walking distance of thousands of

residents and employees. These mainstream stores produce a market for secondary retail like sidewalk stands and outdoor markets.

Munich's city plan focuses growth in dense centers within the current urban area (railway yards, parking facilities, etc.) and on the edges (abandoned military sites). These new centers are focused on a central plaza and shopping center. Given the urban densities, walk/bicycle facilities, and share of about 30% income controlled housing, the economic success and centering function is assured.

**• Benefits of low priced housing and low income residents to transit systems and all transit users.**

The benefits of high quality well located subsidized housing has been apparent to European government officials for many years<sup>xi</sup>. The cooperative efforts of city officials, social housing firms, and private sector architects and builders is visible in the most stylish and desired transit-centered redevelopment sites in cities like Vienna, Amsterdam and Copenhagen. The use of government funds accelerates construction of housing in accord with public policies prescribing dense development at transit stations. This mixed income housing increases transit ridership and reduces the subsidy required for the transit system.<sup>xii</sup> Thus better transit service becomes feasible, leading to more riders, and so on. The benefit of social housing to a transit system is shown in the table below. The most cost-effective public transport in the First World is in Europe, though service is much more intense in Paris and Vienna, with ambitious social housing programs, than in any U.S. city, even New York.

City	Passengers		
	Av. Weekday	Length - km	passengers/km
Budapest	1,200,000	32.1	37,383
Buenos Aires	1,700,000	52.3	32,505
Beijing	5,500,000	228	24,123
<b>Paris</b>	<b>4,500,000</b>	<b>214</b>	<b>21,028</b>
<b>Vienna</b>	<b>1,350,000</b>	<b>69.5</b>	<b>19,424</b>
Toronto	942,600	68.3	13,801
<b>NYC</b>	<b>5,086,833</b>	<b>369</b>	<b>13,785</b>
Stockholm	1,070,000	105.7	10,123
London	3,400,000	400	8,500
<b>WashingtonDC</b>	<b>727,684</b>	<b>171</b>	<b>4,255</b>
San Francisco	592,504	167	3,548
Baltimore	57,600	24.5	2,351

Germans drive somewhat more than average Europeans. But public transport systems are excellent and Germany still uses public transport funds more efficiently than does the U.S.<sup>xiii</sup> Despite more intensive service, subsidies per public transportation rider or kilometer of public transportation service is 1.5 to 2 times lower. In 2005, there were 57 vehicle kilometers of public transport service per year per inhabitant in Germany compared to only 24 in the U.S. German public transport systems earned about 60% of cost in the fare box; still U.S. systems average about 35% from fares.

German laws link expenditures on public transport and housing, such that cities must coordinate plans for social housing projects with transit systems.

**• Directing public housing subsidies to lower income Americans.**

Land development and construction of buildings is generally considered the province of private enterprise in the U.S.; government subsidy for housing is scorned. The data shows, however that the

American housing industry enjoys higher subsidies than those in Europe. The difference is in who receives the benefit. The high income countries in the EU spend about 0.65% of GDP on housing subsidies, virtually all to low and moderate income people. In the US about 1.7% of GDP goes to subsidize housing, much of it in the form of income tax deductions for higher income people.<sup>xiv</sup>

• **Using transportation funds for affordable housing as climate protection strategy**

Much of the data comes from California, stimulated by the State's semi-serious efforts to implement the climate protection law that sets targets for greenhouse gas (GHG) reduction. Studies include analysis of both census data and large sample surveys. The transport sector is the largest source of greenhouse gases in California.

Achieving the GHG targets for the transport sector was addressed by the classic strategy of transit improvements and TOD. But the expected shift from driving to sustainable transport and lifestyles was weak, undermined by gentrification. The TOD housing supplied by market forces was expensive, since demand exceeds supply. Higher income residents owned more cars, drove more and took fewer transit trips than lower income people either displaced from existing housing or residing in new housing. The data gathered by housing providers, academics and state agency staffs led to a search for more funds to support affordable housing.<sup>xv</sup>

A disparate set of metropolitan areas have found ways to use state and federal transportation funds for transit accessible affordable housing. They range from predictable areas, like Portland and San Francisco, to those known for persistent sprawl and ever new and more dispersed edge cities: Atlanta, Dallas, Denver.<sup>xvi</sup> The climate protection benefits go beyond emissions from the transport sector: multi-story efficient urban buildings use much less energy than low density suburban buildings.

• **Low parking needs for transit oriented housing and for affordable housing**

Both lower income households and households near transit stations have below average rates of car ownership.<sup>xvii</sup> The combination permits a substantial reduction in parking spaces, thus a major cost saving to developer/manager and residents alike. The Center for TOD concludes that the cost of garage parking can even determine whether an affordable housing project is financially feasible.

Transit served jurisdictions such as Montgomery County permit reductions in parking near transit stations, and also permit reductions for affordable housing units. Either of these exemptions allow up to 50% reduction in parking spaces. But reduction below 50% by combining the exemptions is not allowed. Car free households should be able to reap the full financial benefit of their choice. Other places go beyond mere reduction, by permitting transit proximate housing with no private parking spaces for residents. "Car free housing estates" are reasonably common in western Europe.<sup>xviii</sup> These housing estates always have strong social housing components. Nearer at hand, Washington DC has permitted several experimental car-free housing developments.<sup>xix</sup> There are easily enough car-free households in urban Montgomery County such that experimental car free settlements should be successful.<sup>xx</sup> The opportunity to deeply reduce the garage parking requirement would give yet another boost to affordable housing and affordable housing providers (AHPs), and put us a step closer to the urban ideal of divorcing development from the need for more road capacity.

• **Benefits of Affordable Housing Providers to the private development and real estate industries**

HOC's activities illustrate the benefits that AHPs can bring private developers, builders, and real estate managers. HOC's funding for construction and rent subsidies proceed in good times and bad; the countercyclical effect reduces the extreme declines in this very cyclical business.

During the Great Recession HOC's finances suffered, but the agency was still able to tap sources of financing and revenue available only for affordable housing. Thus HOC continued to undertake both construction and large scale renovation of its properties. The work was preformed, of



course, by the County's private firms. As the Recession continued, the US Government made several changes that increased the resources for ambitious AFPs to refinance, renovate, sell, and develop affordable housing.<sup>xxi</sup> The latter ability allowed HOC to partner in and finance developments in very early stages, thus strengthening the recovery. Many private developers proposed partnerships with HOC at that time, and have done so in similar situations over the years. HOC had to turn down some opportunities to rescue financially troubled TOD housing, due to limited funds. More funding would have allowed both a faster recovery and higher share of affordable housing in the County's transit station areas.

In more normal times, HOC's contracts for managing its properties are steady sources of revenue for some of the most prominent Montgomery County real estate firms. In Bethesda, the demand for luxury multifamily housing will saturate long before the overall demand to live downtown. Builders partnering with AHPs will have access to a broader market, both accelerating and extending the development business and all its secondary and tertiary businesses.

HOC's low income tenants with public housing vouchers benefit landlords since rent is paid promptly and reliably by the federal government.

#### **• Growing Employers and Commercial Developers as a Source of Affordable Housing Need and Revenue**

Elements of another cycle which can be either vicious or virtuous are commercial developers and employers. The current housing market creates stresses for the lower half (or more) of the workforce in one way or another: They are paying more than they can afford; they have inadequate living space; or they are enduring long, expensive, even dangerous car commutes. Despite the shortage of housing for the lower income workforce, and sufficiency or surplus of expensive housing, developers continue to supply more of the expensive stuff. The "Policy Implications" (copied below) from the recent analysis by George Mason University's Lisa Sturtevant et al<sup>xxii</sup> shows the consequences if the current cycle continues unchecked. The growing shortage of affordable housing contributes to worsening traffic and quality of life, stresses the workforce, and ultimately limits job growth and "economic vitality". That is especially true in the "existing and growing regional employment centers".

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#### **Policy Implications**

These jobs-driven housing demand forecasts have several implications for local governments, builders, economic development professionals, and employers in the region:

1. Local jurisdictions are planning for an insufficient amount of housing to accommodate future workers.
  2. More housing is needed closer to jobs, in existing and growing regional employment centers.
  3. There is a need for more multi-family housing and smaller, more affordable owner and renter homes in the region.
  4. A lack of a sufficient supply of housing contributes to worsening traffic and quality of life and threatens our region's economic vitality.
- 

Well planned "growing regional employment centers" in Europe advertise their social housing programs and unstressed workforce in their economic development strategies, and toolkit for attracting employers.<sup>xxiii</sup> The availability of affordable housing reduces the demand for wage

increases, and reduces the employers' cost of doing business. This leads to acceptance of (or at least not violent opposition to) taxation and government expenditure on affordable housing.

Currently, only our residential developers contribute to the affordable housing supply. In designing the CR zones, advocates proposed and County officials considered mechanisms that raise funds from commercial developers.<sup>xxiv</sup> These included either a mandatory housing payment, as required in other jurisdictions such as Arlington<sup>xxv</sup>, or a housing payment as one of the public benefits that a developer can choose to reach maximum density. Neither was done, but the advantages to commercial developers, employers and lower wage workers are clear:

- Employers benefit from access to a larger lower wage labor pool of people who are less stressed by unaffordable housing and unpredictable commutes.
- Less stressed employees put less pressure on employers to raise pay or recruit new employees. This "business climate" benefits their bottom line and allows businesses to grow.
- The business climate should increase the demand for the products of commercial developers.
- Funds from commercial developers stimulate more proximate affordable housing, which leads to more reasonably paid low stressed employees.
- The new residents shop nearby, boosting the local retail economy, welcomed by all employees and residents.

#### **• The Affordable Housing Sector' s Resources and the Municipality' s Ability to Elicit Smart Growth**

Urban planners often complain that while they can put transit-oriented smart growth in their plans, they cannot make it happen. They can, however, encourage smart growth by favoring the activities of AHPs. Encouragement can consist of reducing the cost of smart growth, broadening the share of households that can afford it, and increasing the funding directed toward it. AHPs are well equipped to accomplish all three.

In some European cities, social housing (produced by AHPs with rent and income restrictions on the occupants) is a high enough share of total housing production that it affects the pattern of regional growth. The city plan focuses growth on the smartest growth areas. AHPs, called "housing societies" build in accordance with the plan, thus the city directs growth according to its plan by means of the housing societies.<sup>xxvi</sup> As an indication of the strength of the social housing sector, the share of all forms of assisted housing is 20% or more of the total housing stock in several countries (U.K., Netherlands, Austria). München, Germany plans for 20-40% of new housing to be some form of affordable housing.

#### **• A Municipality's skill at planning and producing high quality urban centers and its economic success**

Multiple reports on multiple parameters conclude that dense cities that regulate development, favor transit and pedestrians over cars, and discourage outward sprawl are not only better for the environment (including for climate protection) but also do better economically. Consider the following:

- Every year Emerging Trends in Real Estate gives its highest rankings to "24 hour cities" , strongly urban and centralized, with land use plans (or geography) that confine sprawl development.
- Montgomery County' s major office building vacancies occur in suburban sprawl locations; most recent office rentals occur near Metro stations (Montgomery County Office Market Assessment, PES for the Planning Department)

- Metropolitan areas with balanced mixed use growth areas rank highly in job growth (study by James Mason U)
- Article in Washington Post business section about the need for housing in the office deserts of downtown DC. makes the case that housing is needed to support the lively retail and street scene that is valued by the prized younger workers. What the prized younger workers in fact need is housing they can afford.
- Washington Post investment columnist's report on cities in which to invest coincided with the cities with a strong vision centered on transit, and walkable mixed use balanced TOD. Effective zoning law and master plans are what translate the vision into reality
- Recent Natural History magazine article reports that flooding high water events are increasing faster than scientists forecast. "In the next few decades, east coast US cities will have to cope with frequent flooding, even with minor storms and slightly swollen high tides." Stronger controls of land use are recommended, both to protect residents and businesses, and for the future, to try to reduce the predicted warming.

### What we're doing and what we need to do

- **What we're doing:** MPDUs, Housing Initiative Fund, tax credit financing, recent changes in how HUD administers public housing support, public benefit points in the new zoning code. The added benefits in the latest CR zone have already encouraged increased shares of MPDUs in plans for several large housing developments.
- **What we need to do:** Make the Bethesda plan a model "inclusionary plan" for growth as protecting climate looms larger in all our decisions.
- Apply the Bethesda model to all the County's urban mixed use areas; making the whole County a model for sustainability in the climate constrained world.
- Consider and adopt mechanisms to increase funds available to developers of affordable housing. AHPs can multiply the benefits produced by a given amount of funds.

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<sup>i</sup> Public life as used by Jane Jacobs in *Death and Life of Great American Cities*.

<sup>ii</sup> Biologists, economists and journalists are writing about the concrete practical adaptive benefits of altruism, sounding modern versions of Tocqueville's vision of America in the 1830s.

<sup>iii</sup> This essay provides rationale for my comments on the draft Downtown Bethesda master plan.

<sup>iv</sup> Ref. one of them states that municipalities that don't include affordable housing in their transit facility plans are not making cost-effective use of the funds.

<sup>v</sup> Rail-volution 2011. My notes.

<sup>vi</sup> Center for Transit Oriented Development, *Mixed Income Near Transit. Increasing Affordability with Location Efficiency*. Thanks to Dave O'Leary for finding this report and the report from California Housing Corporation.

<sup>vii</sup> Center for Transit-oriented Development, *Mixed Income Housing Near Transit*. Cited above.

<sup>viii</sup> News articles, personal observations and conversations with German and Austrian acquaintances.

<sup>ix</sup> These are the HOC properties in Bethesda:

- 1) The Metropolitan, Old Georgetown Rd., mixed income
- 2) The Barclay, Bradley Lane, opportunity housing (mixed income)
- 3) Waverly House, senior housing
- 4) Avondale St., 14 newly acquired units of naturally affordable housing in 3 buildings
- 5) Lasko Manor, Hampden Lane, housing for long term homeless
- 6) Fairfax Courts. Near the Barclay, opportunity housing.

<sup>x</sup> Walking Tour booklets from Munich planning department

<sup>xi</sup> European Parliament, 2013, *Social Housing in the EU*, Chapter 1, Figure 1.1: Social Housing Share. Also publications of the Vienna and Amsterdam city housing departments.

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- xii Wikipedia
- xiii Ralph Buehler, Transportation Research Board journal. Note that German public transport systems fall short of those in other European cities.
- xiv European Parliament, see above; communication from Will Fischer, Center for Budget and Policy Priorities. Based on data in the U.S. Administration' s draft 2015 budget.
- xv Studies referenced in California Housing Partnership Corporation paper.
- xvi Center for Transit Oriented Development, op.cit.; my notes from 2011 Rail-volution conference.
- xvii California Housing Partnership, op.cit. Page 3.
- xviii Examples in Vienna and Amsterdam
- xix Have any been built? Research needed...
- xx get ref. from Glenn Orlin or Planning Dept.
- xxi HOC received funds from the TARP Program for “shovel ready” renovation projects at several properties. The anti-recession federal funding was augmented by “tax credit” financing. Later, as part of a major policy change, HUD essentially gave HOC the public housing properties which HUD owned but HOC managed. HOC used the value of these properties to finance both renovation of the former public housing, and undertaking major development of properties in urban centers such as Chevy Chase Lake and downtown Silver Spring.
- xxii Housing the Region' s Workforce: Summary of Key Findings. 2011. Lisa Sturtevant et al. George Mason University Center for Regional Analysis
- xxiii Literature from Vienna, Munich etc. planning departments
- xxiv Advocates for an affordable housing payment in the CR zone public benefits formed a coalition that included housing advocates, affordable housing providers, social service providers, advocates and providers for the homeless, food providers and religious organizations. The environmental and smart growth groups also advocated for mechanism in which commercial developers helped finance affordable housing.
- xxv Memo: Arlington County Affordable Housing Land Use and Zoning Tools
- xxvi Same as vii.

## **Downtown Bethesda Sector Plan and Equitable Smart Growth**

Usually there is plenty of rhetoric and deficit of action in officials' approach to affordable housing, thus my goal is usually to narrow the gap between rhetoric and action. The draft Bethesda plan, however, could use more rhetoric. The CR zone is written to reward the amount of rhetoric in master plans, as a criterion for assigning priority to public benefits. If the plan doesn't clearly favor affordable housing, developers can choose the easier and cheaper environmental and design public benefits. In the draft, the green shady walkable vision for Bethesda is set out much more concretely than is the vision for an equitable Bethesda. Yet the most important contribution this plan, and the downtown, could make to environmental goals would be a substantial increase in affordable housing.

Let us examine how the Bethesda plan treats affordable housing, and compare that treatment to environmental goals such as green space and efficient buildings. This statement will address:

- Chapters 1 and 2. The Overarching Goals, Objectives etc. and Areawide Characteristics;
- A proposed strategy to maximize the affordable housing provided, including suitable properties (Chapter 3)
- An Appendix, which outlines a section for the Bethesda plan called "Housing".

### **What Priorities (Goals, Vision, Characteristics) Does the Plan Set?**

The goals, concepts, performance areas, etc. all refer to affordability along with other items by which developers earn public benefit points. The Vision set out on pages 3 to 5 foresees a more affordable downtown. Affordable housing appears in the introduction to its central concept of Sustainability, and among the Overarching Goals (p. 6). The Housing Objectives (p. 8) include:

- Incentives for preservation and expansion of affordable housing.
- Balanced growth, with housing available for all employees who work in the area.

That is a good start, but after these opening pages, the plan's other priorities dominate. The vision that emerges from the Concept Framework and the Summary of Recommendations does not include a key roll for affordable housing or for housing at all. The list of "six key performance areas" (p. 10) does not include adequate housing, addressing it only indirectly as Equity.

I recently wrote an essay on the key role affordable housing plays in effective Transit Oriented Development. Suffice to say here that government participation in planning, zoning, and finance of housing is as important to TOD communities as is the transit itself. The beneficiaries of transit-proximate affordable housing go far beyond the residents of the housing. Affordable housing development and availability are enablers of progress in all six of the key performance areas. Conversely, TOD locations for affordable housing maximizes the benefit to the lower income residents.

Table 1.01. Sustainability Performance Area Metrics details the metrics used for each of the key performance areas. The Equity metrics include growth in rental housing units and in jobs, but... There are no targets for total or affordable housing units.

"Targets" for jobs and rental housing appear to be copied from the County's Growth Forecasts, without attribution, rather than numbers to aim for.

The targets for housing units and jobs imply widening divergence, adding nearly 15,000 jobs but only 3800 housing units. Predominance of jobs is well known to drive up the price of housing.

By comparison, the other five performance areas list many concrete, implementable targets for parks, streets, green roofs, and LEED certified buildings.

The New Approaches (p. 6) also focus attention on aspects of the plan other than affordable housing: historic preservation, landscaping, energy conservation.

**The Plan for Bethesda’s Areawide Characteristics**

The plan itself begins with Chapter 2. Affordable housing, and in fact, housing itself are not addressed directly.

Section 2.2 Land Use and Zoning lists several tactics for preserving existing affordable housing, including use of “density incentives”. Uniform density increases of 20% are applied to all properties, residential and commercial. None of the additional value is captured as additional public benefit.

The bullets in the draft plan envision increases in both housing and jobs. The land use map shows almost the whole downtown area as mixed use.

The plan urgently needs a section entitled “Housing” equivalent to those on Transportation, Urban Design, Ecology. The draft lacks any organized discussion of housing. Figure 2.07 maps existing affordable rental units. The map is useful, but it needs both data and analysis to convey the status of the dots on the map:

- How many existing affordable units altogether, including condominiums as well as rentals?
- Who owns them? An affordable housing provider like HOC or private company that can raise the rent?
- What is the duration of affordability?
- How affordable are they? Of the rent restricted units, how many are MPDUs for moderate income people vs. those with low incomes?
- Are the market affordable units affordable to medium and lower income residents?
- Etc.

Study of data on current rents charged for Bethesda apartments shows that market rate affordable units cost more or about the same as MPDUs. (table below) The supply of these lower end garden apartments will never increase, Their rents will surely rise faster than the regulated MPDUs. Plus the garden apartments are substandard by current standards, in particular they often use more energy, thus have higher utility costs for residents.

**Rents for Modern Market rate, MPDUs and Older Garden Apartments**

	Market Rate - \$		MPDUs \$	
	1 bedroom	2 bedroom	1 bedroom	2 bedroom
<b>Older Garden Apts.</b>				
The Glens, Battery Lane	1340-1700	1705-1950		
Aldon at Chevy Chase	from 1525	from 1780		
8200 Wisconsin	1400-1600	from 2175		
4507 & 4511 Avondale	1250 -1350			
Battery Gardens	1125	1325		
<b>Recent High Rise</b>				
Bainbridge	2300-2400	3300-4000	1175	1410
Seasons	1950	2600	1266	
Upstairs at Bethesda Row	2477-3810	2800-4850	1270	1300

Data from DHCA Apartment Rental Guide for Montgomery County, Feb. 2015.

The plan includes an objective of supplying enough housing to provide for the entire workforce. That is a very ambitious objective, and sure enough the plan doesn't elaborate on what it means and how it could be achieved. MPDUs, even at 15%, would not meet the need for the moderate income workforce, much less those with low incomes. The CR zones for many properties (Tables, Ch. 3) show a higher FAR for housing than for commercial building. Many zones, however, permit enough commercial/office FAR to make that option attractive when the market for office space rebounds. Sections of the plan on habitat/tree canopy, pervious area, energy, the High Performance Area, open space and urban design all convey that goals are ambitious: Bethesda is expected to be extraordinary; that is, to exceed ordinary standards. The topic of Housing deserves similar treatment. Without this rationale, the Overall Vision, the Housing Objectives, just baldly stated, even the priority given to 15% MPDUs for public benefit points (Chapter 4), are not compelling. My principal objective is that this plan be the best possible for increasing affordable housing. The attached Appendix makes the case and outlines the content of the Housing section.

Section 2.3 Transportation specifies well what's needed to give Bethesda the form of a real traditional downtown, if it can be implemented. Specifying the role of Parking, however, is not resolved. As with other planning parameters, parking and household income are connected by feedback loops. The need for parking at residences rises with household income. The cost of parking, in turn affects the households' usable income. It's costly to have a space available to a low income resident who may not own a car. It should be possible for low income residents to reap the financial benefit of living car-free.

The new zoning code sets a baseline parking space requirement at one space per housing unit in downtowns. Parking spaces for affordable units may be reduced to 0.5 space per units. For all new housing, the zoning code allows "unbundling", in which residents pay separately for parking space. That option allows a reduction to 0.5 to 0.75 space per unit depending on bedroom count. Housing developers can also choose to pay a fee to the Parking Lot District and reduce garage space accordingly. We need to know if those options are used in current buildings, and how it affects parking occupancy.

In theory developers/landlords could combine discounts and provide fewer than 0.5 parking spaces. The code, however, does not permit that. One hears that multifamily housing, both market rate and affordable, in the Metro station areas has excess parking capacity. Garage parking is such a high cost for builders and occupants. It would be worth study to learn if there are situations in which fewer spaces could be required, both within buildings and in public garages. Also, the County should learn from other jurisdictions' experiences in reduced parking requirements.

### **Chapter 3. Opportunities to Increase Affordable Housing in the Districts**

Certain properties lend themselves to development with high share of affordable housing. The number is substantial, including all properties in public or quasi-public (such as HOC or other agency) ownership, some properties labeled "market affordable housing" and the enclaves of detached single family houses. In some cases, the plan already makes the recommendation; in other cases, it would need to be amended.

As an Appendix attached to these Comments, an annotated copy of the draft plan's Recommended Land Use map, Figure 2.03, shows properties to be considered for high share of affordable housing.

- Metro Core. The draft plan includes signature buildings and affordable housing in its Goals for the Core. Planners need to be flexible and encourage creativity, to achieve the plan's goals efficiently.

The Metro Core above the Metro station is the perfect place for this signature building, a tower visible from a distance announcing "here is Bethesda". There are concerns about a tower's impact on the plaza, consuming the open space and casting too much shade. Thus this is also the place to raise the height limit in exchange for perfect building design. Challenge the creativity of one of the current crop of innovative, conservationist architects to design a narrow stepped back tower in exactly the right location and shape to

- add livability and vitality to the Core,
- minimize shading of adjacent buildings,
- use sun path and modern glass to produce a light-filled building with low energy consumption,
- rest on a base of interesting retail and entertainment establishments, laid out so that they attract customers from Metrorail and bus bays, and
- require some residential component to reach maximum height and density, including a significant share of affordable units, or a substantial payment into the housing fund.

The west end of the plaza badly needs redesign to connect people more visibly and easily to the Metro station. Relocating the County's Regional Services Center (RSC) would allow more space for creative urban design; a new building could be an added reward for providing affordable housing.

- Properties owned/used by affordable housing providers. The Metropolitan is HOC's "flagship" property, at the west end of the Metro plaza but up and down around several bends and not visible to transit riders. The Metropolitan is built on County-owned land and houses several County facilities. Neither the residents nor the users of the RSC and other offices contribute much "liveliness" to the plaza or patrons to nearby shops. The Metropolitan is not a prospect for redevelopment, but reconfiguring/reuse of the lower level non-residential space should be considered, to increase its contribution to the plaza and add value to HOC. For instance, the space could accommodate the Regional Services Center, or a new library (See below) freeing one of those properties for redevelopment.

HOC testimony states that the Metropolitan as built leaves substantial FAR unused. That unused capacity could be sold and the funds used by HOC toward redeveloping one of its properties or participating in redevelopment of another garden apartment site.

In the Pearl District, The Waverly, an HOC-owned apartment building for the low income elderly is recommended as a "priority sending site for density averaging to preserve existing affordable housing". HOC has no plan to redevelop the Waverly, so becoming a sending area is appropriate. Selling development rights would provide welcome funds. Other HOC buildings proposed as sending sites, including the three small buildings on Avondale Street, should be rezoned and redeveloped. HOC's plan for the property take advantage of its contiguity with The Waverly to design an integrated housing estate with shared amenities that benefit all the residents.

- Public Parking Lots and Garages. The draft plan recommends "a constrained parking policy that supports a transit-oriented downtown". The County's Parking Lot District properties should all be considered as potential sites for affordable housing. Public ownership means that affordable housing providers don't have to pay the high market cost of land. Development costs could be reduced by low parking requirements for the new housing. Not only use of the lots, but also the garages "should be considered as they... are evaluated for replacement and as the market allows..." Developers may choose not to provide parking for all residents, but instead pay a fee to the Parking Lot District. As transit and other travel alternatives increase in Bethesda, use of the public garages and payment of the fee may decline. Thus the goals of the sector plan may hasten the time when facilities will be redundant and available for redevelopment. The affordable housing developers should be approached. Working with the Parking Lot District is discussed in Section 4.6.3. Redevelopment of parking facilities should not necessarily be contingent on "replacement of parking". Planning decisions for the County's business districts should not be made based on the financial interest of the Parking Lot Districts. Declining car ownership and use in Bethesda should be applauded and rewarded.



The land use section calls Bethesda's eastern edge the Eastern Greenway, including a large area of surface parking lot. Giving all this public land just to park and quasi-open space is not justified fiscally or socioeconomically. Housing development at 3 to 4 stories can serve as a buffer between the high rise downtown and the neighborhoods to the east; the site plans should preserve a green vegetated strip along the eastern edge, preferably with a public pathway and several small parks.

- Other properties in public or quasi-public ownership. Several speakers for fire company properties expressed the desire for zoning that gave the potential for redevelopment. New buildings could provide a new home and more resources for the institution, and housing at a range of prices. It would be justified to recapture some of the added value by asking for a higher than minimum share of affordable units.
- Older garden apartments. Both HOC and Aldon Management own multiple properties that the plan considers "market rate affordable", though both pointed out that the market supports rather high rents. Few units are actually affordable to those with moderate incomes (See Table above), much less those with low incomes.<sup>ii</sup>

The recommended CR density and/or height is relatively low. They are designated as priority sending sites; the plan recommends selling unbuilt capacity rather than redeveloping. HOC and Aldon Management, however, testified to their interest in redeveloping. Redeveloping these properties at high density would increase total housing and, if done right, the number of affordable units, including those for low income households. If owned and developed by affordable housing providers, the affordability would be permanent.

The generous public benefit points in the CR zone mean that developers providing at least 20% affordable units in transit-proximate locations can earn all their public benefit point from these two categories. Chevy Chase Lake, a joint development by HOC and private developer EYA, illustrates the possibilities. AHPs have gained several other bonuses: discounting the square footage of MPDUs and elimination of impact fees for projects with extra high affordability. Several AHPs besides HOC have capacity to undertake large development projects. Their benefits will make them attractive partners for landlords and private developers. This is the mechanism that can provide a quantum increase in high quality affordable housing in Bethesda.

- Enclaves of Single Family Houses. At the public hearing it appeared that some residents and owners want to keep the houses, others want CR zoning so they can sell for higher density development. The plan should offer a mechanism for allowing some residential redevelopment, and recapture some of the added value by asking for high share of affordability or purchase of development rights. To avoid "forcing" homeowners to sell before they are ready, the property tax reassessment could be delayed until redevelopment was imminent.

#### Chapter 4. Implementation

Section 4.1.4 lists the Top Priority Public Benefits, which includes Affordable Housing among others. A developer providing 15% MPDUs would receive 30 points toward the goal of 50 (CRT) or 100 (CR) points. Adding up the points for Top Priorities and the points from a few other automatic or required benefits yields more than 100 points. The table shows the points earned by a project a half mile (low) and a quarter mile (high) from a Metro station.

	Public Benefit Points	
	low	high
transit proximity	30	50
structure parking	15	20
BLTs	5	5
energy efficiency	15	15
vegetated roof	15	15

exceptional design	10	10
MPDUs	30	30
TOTAL	120	145

In addition, many of the actions and features recommended in Chapter 2. Areawide Approach come with public benefit points: bicycle and pedestrian facilities, reduced parking, public open space, tower step back, tree cover, vegetated area. Are developers expected to provide these benefits without earning any points? Are these features that developers provide anyway, thus they don't deserve points? Or a final possibility: will developers prune away the excess points, including the MPDUs, in site plans?

- Other public or quasi-public properties. Fire & Rescue stations

Section 4.2 explains the idea for Priority Sending Sites. Any CR zoned property can sell or buy development rights from another CR zoned property in Bethesda, if some criteria are met. The plan designates some properties, including some older garden apartments as priorities for preserving the existing housing and thus Priority Sending Sites. These properties are mostly clustered around the HOC-owned Barclay apartments. Their CR zoning is designed to achieve this goal. Zoning of other properties clustered along Battery Lane is designed to encourage them to buy development rights.

The basic idea of exchanging development rights is good, if designed to maximize affordable housing. It is doubtful that the reward is high enough to tempt developers into selling density and agreeing to keep rents affordable. The arrangement of sending and receiving area is far from optimal for providing regulated affordable housing. The far better strategy is encouraging redevelopment of properties owned or financed by AHPs. That includes the HOC owned small apartment buildings on Avondale Street.

Even with substantial density increase, redevelopment would improve the performance on environmental criteria such as pervious area, tree cover and stormwater management. Large surface parking lots at HOC and Aldon properties would be replaced by garages.

## Conclusion

This draft plan shows the benefits of many lessons learned since the last master plan was written. Via this plan, Bethesda faces a future as a model community for a future in which sustainability is a preoccupation not just of scientists, but of all of us. As such, Bethesda must be available to all, not just to the prosperous.

I fully support the plan's goals for greenhouse gas reduction, water quality, public spaces and building design. I appreciate the concrete detailed portrayal of what is needed to carry out the plan's vision. The concern is that housing and affordability, while supposedly a priority, suffer by comparison. Most of this problem could be solved by adding a section called Housing to Chapter 2. The Housing section would explain the role of affordable housing in making Bethesda a successful urban place, as I have explained in the Appendix below, and in my essay. It would call attention to HOC 's and other affordable housing estates in the downtown, how they contribute to various aspects of the community including housing members of the workforce who cannot afford MPDUs. It would emphasize the need for more such high quality, mixed income urban housing with a substantial share of affordable units.

The Housing section should make the case for requiring 15% MPDUs, recommend adding still more moderate and low income, encourage the efforts of affordable housing providers, remove any doubt about affordable housing as a "highest priority" for public benefit points, recommend establishing a housing payment as public benefit for non-residential developers, and set the stage for housing-focused recommendations for individual properties.

- 
- <sup>i</sup> HOC statement for the sector plan public hearing.
  - <sup>ii</sup> Aldon and HOC statements at the public hearing.

## **Appendix. A Housing Section in the Downtown Bethesda Sector Plan.**

“Housing” should be a subhead in Chapter 2, a new section 2.2 following 2.1 Land Use.

The Housing section should discuss:

1. Demographics, including current households and jobs, forecast growth, and the balance between households (workforce) and jobs; and income: range and median for all households and rental households if available; share of households/rental household that are rent stressed (over 30% of gross income for rent). Compare median income and number of rent stressed, in Bethesda and countywide.

2. The importance of housing the workforce within “existing and growing regional employment centers”, to current and prospective employers.

- Cite recent study from George Mason University Center for Regional Analysis and its “Policy Implications”.<sup>i</sup>

- Also cite the report The Planning Department commissioned, “Office Market Assessment” which stresses that future office growth will favor the mixed use transit served centers. This strengthens the case that employment growth in these centers, Bethesda being the County’s largest example, will be self limiting without more housing affordable to the workforce.

3. Targets for additional affordable units and units with new rent restrictions.

4. Explanation of the affordable housing map Figure 2.07.

- Total number of affordable units and units in various categories (the colored dots)

- Level of affordability in terms of % of median income needed to pay the rent

- Status: Is the rent regulated, or is it “market affordable” subject to unregulated increases?

Much of the housing labeled market affordable on the map actually charges rents at the MPDU level or higher (See my full statement for documentation). This should be explained in the text.

5. Strategies for increasing affordable housing produced, and preserving where appropriate:

- Use public benefit points to reward more than minimum MPDUs.<sup>ii</sup>

- Require 15% MPDUs for residential development in Bethesda.

- Facilitate the activity of affordable housing providers (AHPs) in housing development, as efficiently increasing the yield of affordable units that stay affordable.

- Add a housing payment from non-residential development as an option for public benefit points. Put the funds into a Housing Fund used as gap financing by AHPs.

6. Explanation that the detailed land use for individual properties (Chapter 3) considers their potential as a resource for affordable housing.

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<sup>i</sup> “Policy Implications

These jobs-driven housing demand forecasts have several implications for local governments, builders, economic development professionals, and employers in the region:

1. Local jurisdictions are planning for an insufficient amount of housing to accommodate future workers.

2. More housing is needed closer to jobs, in existing and growing regional employment centers.

3. There is a need for more multi-family housing and smaller, more affordable owner and renter homes in the region.

4. A lack of a sufficient supply of housing contributes to worsening traffic and quality of life and threatens our region’s economic vitality.”

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<sup>ii</sup> This list of four includes explication and justifications of 2 Implementation items proposed in Ch. 4, plus two suggestions having both equity and potential for producing substantial affordable housing units.

MCP-Chair

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JAN 20 2016

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

**From:** Katharine Kosin <kkosin@gwmail.gwu.edu>  
**Sent:** Tuesday, January 19, 2016 7:07 PM  
**To:** MCP-Chair  
**Subject:** Testimony Against Building a Road Through Battery Lane Park

This is my third time sending testimony on this issue, since you continue to ignore the overwhelming opposition of residents in the area when it comes to destroying Battery Lane Park by building a road through it. I hope that perhaps the third time will be the charm, and you might finally consider the will of the community over your own greed and the will of developers. I have also been told that you claim opponents need to "get involved" to have any hope of defeating this aspect of the plan, despite the fact that the community already got heavily involved over the summer (so much that you extended the period of acceptance for written testimony), to no evident effect. So here is my testimony once again.

I am a 27-year-old professional who purchased a condo in the Sussex House building next to Battery Lane Park in 2013. I purchased the property specifically because of the attraction of the lovely pedestrian-only park next door full of old-growth trees, and because it was a quiet section of town. Like the typical millennial, I do not own a car; I commute by walking and taking bus or Metro. I therefore applaud the stated goal of the plan to "improve pedestrian and bike connectivity through the district and along the park." However, building a road through Battery Lane Park--and essentially eliminating a major pedestrian/bike thoroughfare in favor of a car thoroughfare--violates this very goal. So for the sake of your own plan's integrity and goals, you must reconsider this aspect.

Likewise building a road violates your own stated goal to "enhance neighborhood livability." As residents have been telling you, we use this as a park; your proposed plan would destroy the park's integrity and peace, and the old-growth trees cannot be replaced.

I also have to strenuously object to Montgomery County proposing to purchase land valued at \$12 million for the purpose of destroying quality of life in the neighborhood at a time when school budgets are being cut; if you have \$12 million to drop on the Sherwin-Williams lot, please use that money to actually help improve quality of life in schools instead. The county also just finished renovating the Tennis Courts there, which is a waste of money if they plan to destroy said courts in this new plan.

Finally, I pass by many an empty storefront on my way between the Metro and Battery Lane Park. This would suggest that LESS retail space is needed, not more. If there was a truly demand for more stores, then these empty storefronts would be filled. Please do not destroy the only major park left in the northern end of Bethesda--an irreplaceable community resource the currently receives much use--for the sake of more storefronts which will likely soon go empty too. This is not smart growth.

Thanks for your time,

Katharine Kosin  
4970 Battery Lane

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JAN 19 2016

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

MCP-Chair

**From:** Aaron Forsberg <forsberg.state@gmail.com>  
**Sent:** Monday, January 18, 2016 11:55 AM  
**To:** MCP-Chair  
**Cc:** CM Berliner; council.council@montgomerycountymd.gov  
**Subject:** Letter re South Bethesda in the Downtown Bethesda Development Plan  
**Attachments:** 2016-01-18 Forsberg letter re DBDP (S Bethesda).PDF

Montgomery County Planning Board

8787 Georgia Ave.

Silver Spring, MD 20910

Chair Casey Anderson

Vice Chair Marye Wells-Harley

Commissioner Norman Dreyfuss

Commissioner Natali Fani-Gonzalez

Commissioner Amy Presley:

I am writing to the Board in support of your preparation of the **Downtown Bethesda Development Plan** as a follow up to my previous letter of June 30, 2015. As a homeowner with a school-age daughter in the South Bethesda District, at 4720 Chevy Chase Drive Condominium south of Bradley Boulevard, I greatly appreciate your effort to guide Bethesda's development so that it continues to thrive as a community for the next two decades.

Since your proceedings last summer, there have been numerous property owner requests to make zoning changes above and beyond those you have recommended that would allow for the redevelopment of the multi-family properties in South Bethesda into high-rises of ten or more stories. **I wish to join nearby homeowners, condominium communities, and neighborhood associations in urging the planning board to reject such requests and keep the area south of Bradley Boulevard as residential area of townhouses and mid-rise garden apartments.**

**Pressures from high-rise and commercial development will overwhelm the residential character of the area south of Bradley Boulevard and further reduce the volume of affordable housing available.** As a transition area linking the dense development of the Downtown and both Norwood Park and the neighborhood of single-family dwellings in Chevy Chase West further south, the area provides a valuable housing alternative that adds

to the richness of the housing stock in the community. Bethesda needs affordable housing and I understand the properties under consideration include a substantial number of such units. They should be preserved rather than razed and redeveloped in denser concentrations.

Unlike in areas of North Bethesda, where I can say from having previously lived there that additional residential units would provide ready access to major employers, denser development south of Bradley Boulevard would simply strain existing infrastructure and jeopardize the quality of residential life. The intersection of Bradley Boulevard and Wisconsin Avenue has been identified as one of the ten most congested in Montgomery County and parking in the area is already severely limited. The influx of additional traffic can only increase the pressure, and there is no assurance that the area can actually handle it. If streets were widened, the result would be the loss of the many mature trees lining them, an important component of Bethesda's tree canopy.

I previously wrote to you about how I believe Fire Station 6 located at the intersection is particularly badly located for proposed high-rise development for mixed use. Here I wish to express my support for the plan developed by Chevy Chase West to use the vacant land on the Fire Station property in a manner that enhances the visibility of Norwood Park, the only large park in Bethesda.

Thank you for your efforts on behalf of Downtown Bethesda and Montgomery County.

Sincerely,

Aaron P. Forsberg

E-mail: [forsberg.state@gmail.com](mailto:forsberg.state@gmail.com)

4720 Chevy Chase Dr. #102

Chevy Chase, MD 20815



Aaron P. Forsberg  
4720 Chevy Chase Dr. #102  
Chevy Chase, MD 20815

January 18, 2016

Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910

Chair Casey Anderson  
Vice Chair Marye Wells-Harley  
Commissioner Norman Dreyfuss  
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Thank you for your efforts on behalf of Downtown Bethesda and Montgomery County.

Sincerely,



Aaron P. Forsberg

E-mail: [forsberg.state@gmail.com](mailto:forsberg.state@gmail.com)

TO

[MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)

CC

[council.council@montgomerycountymd.gov](mailto:council.council@montgomerycountymd.gov)

[councilmember.berliner@montgomerycountymd.gov](mailto:councilmember.berliner@montgomerycountymd.gov)

MCP-Chair

**From:** Robert Weinstein <robnweinstein@gmail.com>  
**Sent:** Sunday, January 17, 2016 11:36 PM  
**To:** MCP-Chair  
**Subject:** Letter to All Board Members

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JAN 19 2016

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

0078

January 18, 2016

Montgomery Country Planning Board Members

Dear Board Members

As a fifteen year resident of 4720 Chevy Chase Drive, I would like to briefly express my concerns about two issues that I understand the planning board will be considering this week.

My chief concern is about the future of the fire station at the corner of Bradley Boulevard and Wisconsin Avenue. I attended the informational meeting the fire department held for the community last year, and I've been following this issue since it was first made public. The contention of the board of directors that the present fire station must be replaced with a new one that is somehow well integrated into a much denser mix of residential and commercial development on that corner was very hard to accept, in general, and the assertion that funding for the future operations of the fire station would be in question if they weren't granted a green light, was nothing short of outrageous.

As a member of the community, and an architect, I feel especially strongly that the intersection of Wisconsin Avenue and Bradley Boulevard has tremendous importance as a transitional "gateway" between the four very different quadrants that are joined by it. Fittingly, the critical corner where the fire station sits, serves as a crucial anchor, a signifier of our shared civic identity – something all the more valuable amongst the rapid encroaching development in the area. I believe it would be a huge mistake, practically as well as aesthetically, to change the essential character of that critical corner. I certainly wouldn't oppose a beautiful new fire station with enhanced amenities, but any future vision for that corner should be oriented towards enhancing its very public nature, and not compromising it.

As for the decision to allow the kind of height and density that is being proposed along Bradley Boulevard, I can't help but think that it would so essentially change the character of this neighborhood as to render it utterly unrecognizable (and quite possibly unlivable). I certainly don't see evidence that buildings of that scale would not fundamentally challenge our already overburdened network of streets past their tipping point, and simply put, markedly degrade the quality of life for all in this community.

Sincerely,

Robert Weinstein

4720 Chevy Chase Drive, Apt 203

Chevy Chase, MD. 20815

MCP-Chair

RECEIVED

**From:** abigail marshall <abby.s.marshall@gmail.com>  
**Sent:** Friday, January 15, 2016 11:43 AM  
**To:** MCP-Chair  
**Subject:** Bethesda Sector Plan

JAN 19 2016  
OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
0074

As residents of Montgomery County and the Town of Chevy Chase we are writing to object strenuously to the current proposal to place a high rise building next to St. John's Church on Wisconsin Avenue. The building will be hugely out of scale with the neighborhood it backs. It will exacerbate traffic issues on West, Bradley and Wisconsin. It is unbelievable to us that the County is considering changing the tenor of the area so drastically when current resources in the area (including the roads, schools etc.) are already strained. The proposal should be rejected.

Abigail Marshall and Landis Zimmerman  
4110 Rosemary Street  
Chevy Chase Md 20815

January 15, 2016

Montgomery County Planning Board  
M-NCPPC  
8787 Georgia Ave.  
Silver Spring, MD 20910

Casey Anderson, Chair  
Marye Wells-Harley, Vice Chair  
Norman Dreyfuss, Commissioner  
Natali Fani-Gonzalez, Commissioner  
Amy Presley, Commissioner

Dear Members of the Board:

There is planning to construct a building to be located along Arlington Rd. between Edgemoor Lane and Moorland Lane, Bethesda. This PLAN is in opposition to visions and goals of the BETHESDA CENTRAL BUSINESS DISTRICT SECTOR PLAN.

Proposed is a new structure to be up to fifty (50), and, seventy five (75) feet in height, across from The Bethesda Elementary School Playground. The plan will create a wall, i.e., a sharp division, rather than a smooth transition between neighborhoods.

Existing now is a row of two (2) story houses, topped with slanting shingled roofs, all about Thirty five (35) feet high.

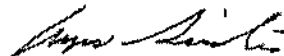
If and when the houses are replaced, our community will be best served with smooth transition of neighborhood to neighborhood. This can be accomplished by new structure with similar roofing appearance and height, now existing.

The proposed plan does not serve the community well.

It is an area of highly valued real estate.

It appears that money serves the wishes and intentions of buyer and sellers of the properties.

Sincerely,



Angus Sinclair  
4988 Moorland Lane Apt 403  
Bethesda, MD 20814  
Phone; 301-656-1864

Copy: Leslye Howerton, Assoc. AIA, LEED-GA, Planner Coordinator, Area 1

**MCP-CTRACK**

**RECEIVED**  
0061

JAN 13 2016

**From:** Hassan Ali <hassanbekirali@yahoo.com>  
**Sent:** Wednesday, January 13, 2016 10:27 AM  
**To:** MCP-Chair  
**Cc:** dvollmer@verizon.net  
**Subject:** Parking lots

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

Dear Chair Person,

Last weekend I was at the Farmer's Women's market in Bethesda, a place we have enjoyed for many, many years, and heard that the Planning Board has decided to remove the parking lot behind the market. I suppose the plan is to replace the parking lot with another money-making building!

Also last week, my wife and I happened to walk from the Women's Market down to the Barnes and Noble store and, to my shock, I was momentarily disoriented (I hadn't been there for a few months) since the parking lot across the street from Barnes and Noble has been replaced by a building complex. What has happened to MD in recent years--it seems you have joined the rapacious, uncontrolled development mania affecting many other states! Shame on you! Please reverse your thoughtless decision.

Hassan

Law Offices Of  
MILLER, MILLER & CANBY  
**MM&C**  
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---

200-B MONROE STREET, ROCKVILLE, MARYLAND 20850 P: 301.762.5212 F: 301.762.6044 WWW.MILLERMILLERCANBY.COM

All attorneys admitted in Maryland and where indicated.

PATRICK C. MCKEEVER (DC)  
JAMES L. THOMPSON (DC)  
LEWIS R. SCHUMANN  
JODY S. KLINE  
ELLEN S. WALKER

JOSEPH P. SUNTUM  
EDWARD S. WEST (DC, PA, VA)  
ROBERT E. GOUGH  
DONNA E. MCBRIDE (DC)  
GLENN M. ANDERSON (FL)  
HELEN M. WHELAN (DC, WV)

MICHAEL G. CAMPBELL (DC, VA)  
SOO I.EE-CHO (CA)  
BOBBY BAGHERI (DC, VA)  
DIANE E. FEUERHERD  
MICHAEL S. SPENCER

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

January 11, 2016

Ms. Leslye Howerton  
Area One Planning Team  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, Maryland 20901

RE: Bethesda Downtown Plan;  
Montgomery Avenue District

Dear Leslye:

As I dictate this letter, I am mindful of the Chairman's comments at last Thursday's work session that he really did not want to be hearing now, for the first time, from property owners who did not testify at the original public hearing on the Staff Draft Downtown Bethesda plan. Unfortunately, we met and spoke last week for the first time with the owners of lots 4, 5 and 6 (4332-4336 Montgomery Avenue) outlined in yellow on the attached aerial photograph. The owner, Mr. Belur Radhakrishnan, did not testify at the original public hearing on the Downtown Sector Plan Amendment. Recent discussions with the State Highway Administration, and review of plans provided by the planners for the Purple Line, have convinced the Radhakrishnans that the zoning designated for their properties in the Sector Plan should be reconsidered. Accordingly, we would like to meet with you to discuss this matter in more detail.

You will note that I have sent a copy of this letter to the parks planners involved in the development of the plan's green space recommendations because the conversations that the Radhakrishnans wish to have with you involves plans recommendations for a linear green space



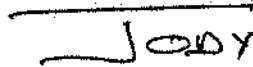
including many properties on the south side of Montgomery Avenue including the Radhakrishnans' properties.

Could you please help us schedule a meeting with you and the parks planners to discuss the Radhakrishnan's concerns? We would be pleased to come to a meeting at your offices or at the parks Department office.

Thank you for your attention to this request.

Sincerely Yours,

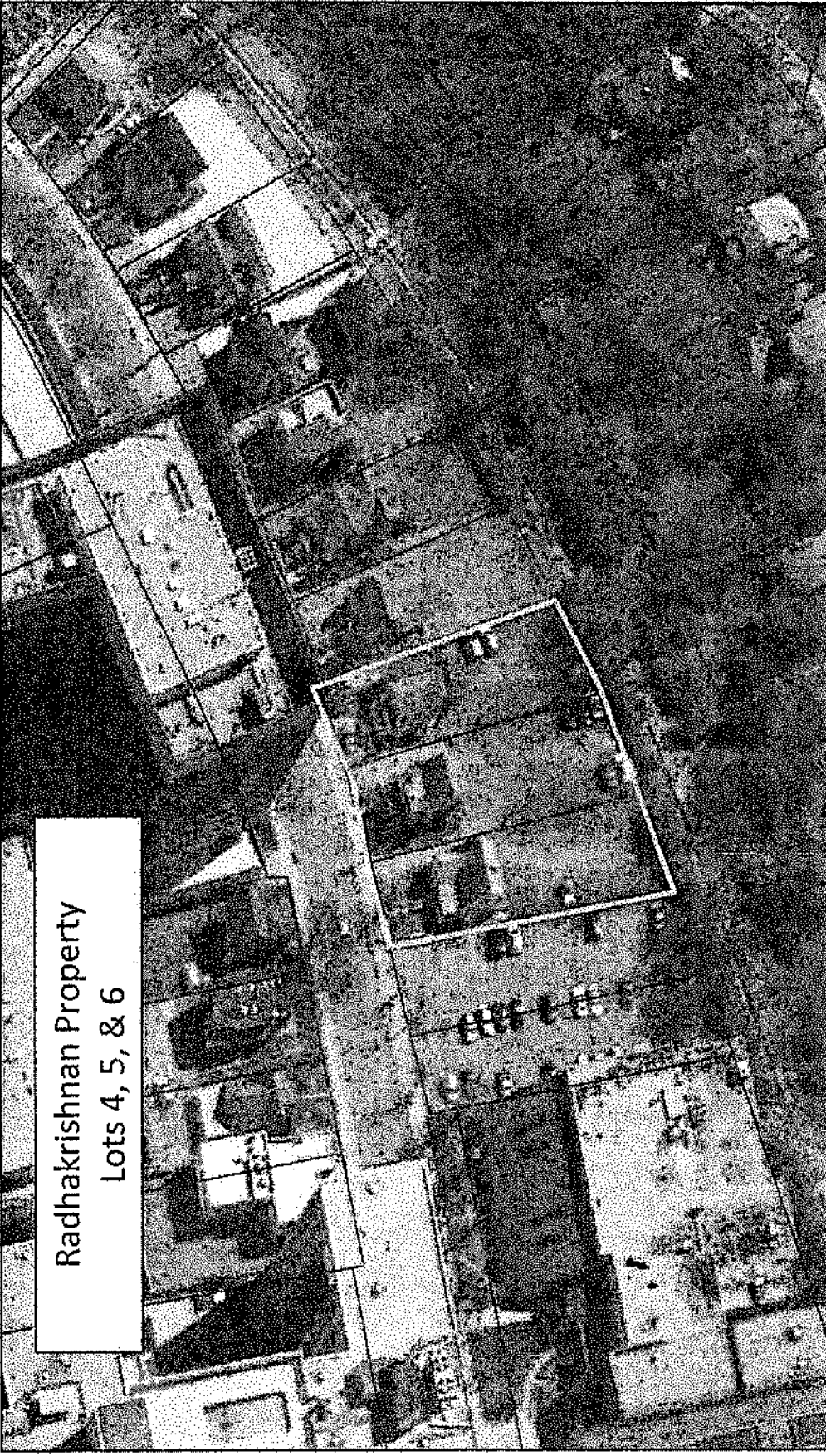
Miller, Miller & Canby

A handwritten signature in black ink that reads "Jody". The signature is written in a cursive style with a horizontal line above the name.

Jody S. Kline

JSK/dlc

cc: Robert Keronenberg  
Belur K. Radhakrishnan  
Badri Radhakrishnan  
Soo Lee-Cho, Esquire



Radhakrishnan Property  
Lots 4, 5, & 6

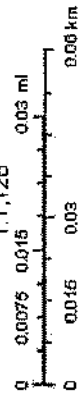
January 5, 2016



Parcel Boundaries

MD\_SixinchImagery

1:1,128



Author: Maryland Department of Planning  
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**MCP-CTRACK**

RECEIVED  
0047

JAN 11 2016

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

**From:** Ed Butler <ed.butler@yahoo.com>  
**Sent:** Sunday, January 10, 2016 9:33 PM  
**To:** MCP-Chair  
**Subject:** Proposed South Bethesda Re-zoning

January 10, 2016

Montgomery Country Planning Board Members

Dear Board Members

I have been following Board deliberations regarding various aspects of the development of an updated Plan for the Bethesda downtown area. Bethesda residents appreciate your work and the process of consultation with residents and other stakeholders.

I own and live in an apartment in the 4720 Chevy Chase Drive building facing Norwood Park. I am very concerned about the proposal zoning changes (to permit higher rise buildings and added commercial land use) in the area between Chevy Chase Drive and Bradley Blvd., including the land now designated for Fire Station #6. These changes will have very adverse affects for those living in this area - such as greater traffic congestion and air/noise pollution.

It would also eliminate our current status as an effective buffer zone between Bradley Blvd and Norwood Park and the residential areas south of the Park. As important, the zoning changes would have a negative impact on the Board's goal of ensuring affordable residential space in our downtown area. I personally like the economic "mix" of residents we have in our neighborhood.

Is there really a need for expanded infrastructure at Fire station #6? Is there is a study, that justifies an expanded physical plant? If so, we would appreciate if it were made public. If there is not an nformed opinion as to need, I think there should be a study to justify such a major change in zoning. It seems to me that the unoccupied land adjacent to the fire station could be put to better use such as making it part of Norwood park. Commercial use of this land would only increase the already congested Chevy Chase Drive and aggravate parking difficulties on this narrow, tree-lined street..

In conclusion, My wife and I want to register our disagreement with the proposed re-zoning of South Bethesda. We believe there is a strong rationale for maintaining current zoning. It not only benefits residents in our area. It ensures affordable housing in South Bethesda and constitutes a logical transition area with easy access to Norwood Park.

Sincerely

Edward and Ivonne Butler  
4720 Chevy Chase Drive, Apt 404  
Chevy Chase, MD. 20815

**MCP-Chair**

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0030

JAN 07 2016

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

**From:** Todd Hoffman <[thoffman@townofchevy Chase.org](mailto:thoffman@townofchevy Chase.org)>  
**Sent:** Thursday, January 07, 2016 12:17 PM  
**To:** MCP-Chair  
**Subject:** Town of Chevy Chase Comments on Bethesda Sector Plan  
**Attachments:** TOCC Comments on Bethesda Sector Plan.pdf

Please deliver the attached to all Planning Board members. 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@townofchevy Chase.org](mailto:thoffman@townofchevy Chase.org)

**Comments on Bethesda Sector Plan  
Town of Chevy Chase  
Al Lang, Mayor  
January 7, 2016**

I appreciate this opportunity to provide comments on the proposed Bethesda Sector Plan on behalf of the Town Council and residents of the Town of Chevy Chase. I want to highlight four of the Town's primary interests, along with some specific observations.

First, we believe it is vitally important to **implement the proposed Bethesda Commons plan** on parking lots 24 and 10, between 46<sup>th</sup> St. and Wisconsin Avenue, as an extension of Elm Street Park and the proposed Eastern Greenway. We reject the idea that the parking lots will never be turned into a park, and welcome discussions on how we might work with the Planning Board and the DOT to understand and achieve our respective goals.

- From a community perspective, the Commons would offer an **appropriate transitional land use** (i.e. "buffer zone") between a single-family neighborhood and high density development, as is called for in the Sector Plan. It would create a large "**civic green**" behind the Farm Women's Market with a modern, underground parking facility below.
- This location presents a unique opportunity to create a **large, open recreation area** proximate to an urban business district -- a disappearing and highly desirable resource in the down-county area - for downtown Bethesda area residents and workers to enjoy.

Second, we strongly encourage the Board to **limit the height of buildings** immediately adjacent to and across the street from all residential neighborhoods to ensure commercial development compatible with nearby single-family residences. With regards to protecting the property interests of residents of the Town of Chevy Chase specifically, we require that:

- **The properties between Wisconsin Avenue and West Avenue should remain dual zoned or should be designated CRN** ("Commercial, Residential, Neighborhood"), with building heights no greater than 75 feet along Wisconsin Avenue and 35 feet along West Avenue. Additionally, if split zoning is eliminated, the **FAR for these properties should be capped at 1.75**, rather than 2.25 under the current plan. **Density transfers are misused** and should not be permitted at this location as they defeat the purpose of controlling the impact of development adjacent to residential neighborhoods.
- When rezoning properties along Wisconsin Avenue, the Planning Board should abide by the Sector Plan principle of "**stepped down development**" from the Metro station. In addition, any rezoning should ensure **mixed use development** of retail and residential units.
- In the event the Bethesda Commons plan is not fully implemented, **parking lots 10 and 24** should be zoned to allow for buildings no higher than 35 feet and with a FAR of 0.5.

Third, it is imperative that the Planning Board **conduct impact studies of density increases** over staff recommendations before sending the plan to the County Council.

- As acknowledged by the Planning Board staff, the Sector Plan contemplates significant density increases above professional staff recommendations on a parcel-by-parcel basis. The Planning Board is obliged to reconcile those increases with the **impact of the additional density** on traffic congestion, cut-through traffic and parking in residential neighborhoods, overcrowding in area schools, demand on public infrastructure, storm water run-off and other environmental concerns, and quality of life of area residents both during and after construction.

Finally, we believe that the Board should **solicit additional input from the public** before making decisions regarding significant future development adjacent to our neighborhood.

- **Many Town residents remain unaware of the potential impact** of various aspects of the Sector Plan on their neighborhood and quality of life. While the Planning Board did hold hearings over the summer, **significant changes have occurred** quietly and over a short period of time.
- We ask the Planning Board to **schedule another round of well-publicized hearings** on all aspects of the Bethesda Sector Plan before any recommendations are made to the County Council.

**MCP-CTRACK**

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JAN 07 2016

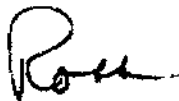
OFFICE OF THE CHAIRMAN  
THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

**From:** Ross Heller <rheller@usae-e-mail.com>  
**Sent:** Wednesday, January 06, 2016 5:09 PM  
**To:** MCP-Chair  
**Cc:** 'Andy Leon Harney'  
**Subject:** Strong opposition to proposed zoning change  
**Attachments:** Planning Board letter 12-29-15.docx

Sir . . .

The attached letter is self-explanatory.

Sincerely,



Ross E. Heller  
Publisher, CustomNEWS, Inc.  
301-951-1881

January 6, 2016

VIA EMAIL (MCP-Chair@mncppc-mc.org)

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

Re: Bethesda Sector Plan: Eastern Greenway/Wisconsin Avenue Corridor "Gateway Tower" Proposal

Chairman Anderson and Members of the County Planning Board:

Anne and I would like to add our own strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue).

As you know, this location is at the extreme southeastern corner of the proposed Bethesda sector plan, over half a mile from the entrance to the Bethesda metro station. The developer is proposing zoning changes to accommodate a 145-foot, 14-story, 240,000 square foot Tower that will loom over everything in the adjacent neighborhood, as well as every other structure between Leland Street and Friendship Heights. Indeed, there is no meaningful development south of the proposed Tower for a full mile.

Such density and height are inappropriate this distance from a metro station, will exacerbate traffic congestion on Wisconsin Avenue and Bradley Lane, and will have a dramatically negative impact on the adjacent areas of the Town of Chevy Chase in terms of cut-through traffic, noise, and school overcrowding.

This location needs the kind of smart, reasonable development that has made places like Bethesda Row successful. That requires meaningful, considered attention to the impact of the proposed plan on traffic, noise, infrastructure, parking, schools, and quality of life. Rather than acceding to the developer's requests by enshrining them in the Bethesda sector plan, the Planning Board should take into consideration these important factors as well as the significant concerns of the surrounding communities. It should only approve rezoning for the properties that adequately protects the interests of the adjacent neighborhood, and the current proposal does not.

Thank you for your consideration of this matter.

Sincerely,

Ross E. and Anne Daly Heller, 6809 Delaware Street, Chevy Chase, MD 20815



## **MCP-CTRACK**

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**From:** Linda Demlo <ldemlo@starpower.net>  
**Sent:** Wednesday, January 06, 2016 5:18 PM  
**To:** MCP-Chair  
**Subject:** Comments on Bethesda Sector Plan

To: Chairman Anderson and Members of the County Planning Board

It is my understanding that on January 7 you will be considering the zoning of the property adjacent to St. John's Church just north of the intersection of Bradley Lane and Wisconsin Avenue, known to some as the Gateway Tower.

For a variety of reasons, I strongly encourage you to retain the current split zoning on the lot and to disapprove the developer's request for zoning to allow a 145-foot tower residential building to be built in that location. The height of buildings immediately adjacent to and across the street from all residential neighborhood should be limited to ensure commercial development compatible with nearby single-family residences and to protect their property interests. The Planning Board should abide by the Sector Plan principle of "stepped down development" from the Metro station.

I also encourage you and your fellow Board members to reconsider and reverse the decision that has been made with respect to parking lots 24 and 10, between 46th Street and Wisconsin Avenue. Additional parking lots have already been built, are under construction, or are in the planning stages, and transportation patterns in the Bethesda area are expected to change. It would be prudent to see how well needs are met by these enhancements before disrupting an historic property and the adjacent neighborhoods, to say nothing of people who currently depend on these lots.

It's time to have a hiatus in the development process to assess where we are and where we're going. Those of us who live in this area (and you may not) are already contending with increased traffic congestion, cut-through traffic and parking in residential neighborhoods, overcrowding in area schools, increased demand on public infrastructure, storm water run-off and other environmental concerns -- in short, a dramatically decreased quality of life. This ignores the aesthetic issues of the new construction, which for the most part consists of ugly Kremlin-like boxes and the emergence of an urban canyon that used to be Wisconsin Avenue.

I urge you to solicit additional input from the public before making decisions regarding significant future development adjacent to our and other neighborhoods. Any proposals should be accompanied by carefully designed impact studies of the effects of density increases that will withstand close methodological scrutiny before they are forwarded to the County Council. This would be particularly important if Planning Board members continue to ignore staff recommendations.

Thank you for your consideration.

Linda K. Demlo  
4421 Stanford St.  
Chevy Chase, MD 20815

## **MCP-CTRACK**

---

**From:** Carolyn Benson <Carolyn.Benson@LIVE.com>  
**Sent:** Wednesday, January 06, 2016 5:23 PM  
**To:** MCP-Chair  
**Attachments:** LetterPlanning.docx

Chairman Anderson and Members of the County Planning Board:

We write to express our strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue). Attached is a letter and rationale for our opposition.

Carolyn and Jeff Benson

6811 Connecticut Ave., Chevy Chase

January 6, 2016

VIA EMAIL (MCP-Chair@mncppc-mc.org)

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

Re: Bethesda Sector Plan: Eastern Greenway/Wisconsin Avenue Corridor "Gateway Tower" Proposal

Chairman Anderson and Members of the County Planning Board:

We write to express our strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue). This location is at the extreme southeastern corner of the proposed Bethesda sector plan, over half a mile from the entrance to the Bethesda metro station. The developer is proposing zoning changes to accommodate a 145-foot, 14-story, 240,000 square foot Tower that will loom over everything in the adjacent neighborhood, as well as every other structure between Leland Street and Friendship Heights. Indeed, there is no meaningful development south of the proposed Tower for a full mile.

Such density and height are inappropriate this distance from a metro station, will exacerbate traffic congestion on Wisconsin Avenue and Bradley Lane, and will have a dramatically negative impact on the adjacent areas of the Town of Chevy Chase in terms of cut-through traffic, noise, and school overcrowding.

This location needs the kind of smart, reasonable development that has made places like Bethesda Row successful. That requires meaningful, considered attention to the impact of the proposed plan on traffic, noise, infrastructure, parking, schools, and quality of life. Rather than acceding to the developer's requests by enshrining them in the Bethesda sector plan, the Planning Board should take into consideration these important factors as well as the significant concerns of the surrounding communities. It should only approve rezoning for the properties that adequately protects the interests of the adjacent neighborhood, and the current proposal does not.

We also write to present alternatives that we believe are more suitable for the location and more consistent with the tenor of the single-family residential neighborhood adjacent to the proposed development, as well as with the articulated vision of Bethesda set forth in the May 2015 draft of the Bethesda sector plan.

**1. The Southern Portion of the Sector Plan Cannot Sustain the Amount of Density the Planning Board Has Approved to Date**

The original May 2015 draft Staff Plan contemplated significant density growth for the eastern side of Wisconsin Avenue south of Elm Street, which is adjacent to the Town of Chevy Chase. At the last two work sessions, the Planning Board has approved even greater density increases (approximately 1.2 million total square feet) on Wisconsin Avenue, most of it in the southern portion of the sector. These density increases have been approved without adequate consideration of the impact this density will have on traffic congestion on Wisconsin Avenue, cut-through traffic and parking in the residential neighborhoods adjacent to Wisconsin Avenue, overcrowding in area schools, demand on public infrastructure, and quality of life of area residents. Of particular note:

- The Planning Department's traffic study, which was conducted based on the May 2015 draft Staff Plan – prior to the recently approved increases – specifically noted that the intersection of Bradley Lane and Wisconsin Avenue is highly congested with a vehicle/capacity ratio during afternoon rush hour of .81 and 1.00. 7/20/15 Planning Board at 1:09. This is one of the most congested intersections in the sector plan; congestion is significantly greater than at other Wisconsin Avenue intersections in the sector plan.
- The Planning Department Staff specifically warned at the July 20 hearing that the Bradley/Wisconsin intersection was “one intersection we want to keep an eye on – if we do increase the land use density in the southern portion of the sector plan, we might want to reevaluate that intersection and a few the others that are continuing to increase in congestion.” 7/20/15 Planning Board at 1:09-1:10.
- The Planning Department staff also noted that four intersections adjacent to the Bethesda sector (including the intersections of Connecticut Avenue and East-West Highway and Connecticut Avenue and Bradley Lane) were already “in a failing condition,” and that congestion in these areas would be exacerbated by the sector plan. 7/20/15 Planning Board at 1:07.
- The Planning Department staff further noted that the draft Plan contemplates 18,690 new households, of which 45% will be in the southern part of the sector. 7/20/15 Planning Board at 1:03. The Staff's analysis shows that area schools are already significantly over capacity, and that even with planned expansions at Bethesda Elementary and BCC, as well as the building of a new middle school, existing schools cannot accommodate the population growth contemplated under the Staff Plan. 7/20/15 Planning Board at 1:18. While the Staff discussed potential ideas for reopening or building new schools, all of the sites discussed were well outside the Bethesda sector plan and cannot meaningfully absorb this level of new population. Given land prices, it is also hard to see how MCPS could acquire property to build new facilities proximate to the sector.

We do not believe the density increases that have been provisionally approved to date (or any further density increases) should receive final approval until an updated traffic congestion study

can be performed that considers the impact of these density increases, and until MCPS conducts a feasibility study on where it could locate new facilities proximate to the Bethesda sector.

2. The Proposed Tower Adds Too Much Density and Is Too Tall for Southern Wisconsin Avenue Directly Adjacent to Single-Family Homes

The proposed Tower would occupy one of three properties on the block between Bradley Lane and Stanford Street between West and Wisconsin Avenues, a location currently occupied by one- to three- story retail structures and St. John's Church. The Tower, which is directly north of the Bradley Lane/Wisconsin intersection, would exacerbate the traffic congestion discussed above. The proposed Tower would be directly across a narrow street from single-family homes on West Avenue. Each of the streets on at the rear of the Tower (West Avenue, and Ridge and Stanford Streets) are single lane and lack continuous sidewalks on both sides, so increased traffic in the area would pose safety concerns to pedestrians including families with young children.

The entire block is currently split-zoned, with the portion fronting West Avenue zoned as R-60 and the portion fronting Wisconsin Avenue zoned as CR 3.0 H-75.<sup>1</sup> In the May 2015 Staff Plan, this block was split between two districts – with portions falling in the Wisconsin Avenue corridor and the Eastern Greenway. The Staff recommended that the property retain split zoning, with the Eastern Greenway portion fronting West Avenue zoned as CRT 0.5 H-70 and the portion fronting Wisconsin Avenue as CR 3.5 with certain properties as H-90 and others as H-120.

At the October 29 hearing, the developer requested that split zoning be eliminated, that FAR be increased to CR 4.0, and that the height be increased to 145 feet. While the Board agreed to eliminate split zoning, the Board properly recognized that the density and height increases were inappropriate for an area directly adjacent to single-family housing. For example:

- Both Board Members Dreyfus and Chairman Anderson said that if split zoning was eliminated, the overall FAR needed to be significantly lowered “so there is no temptation for somebody to come and say 145 feet – all across the block” and the FAR needed to be lowered so “they don’t have the FAR to work with to build an enormous building.” 10/29/15 Hearing at 2:19.
- At the end of the discussion, Chairman Anderson specifically said that the FAR should be “1.75 or 2.0.” 10/29/15 Hearing at 2:29. For reasons that are not clear, following the public hearing, the property was zoned CR 2.25.
- Chairman Anderson questioned the Staff’s recommendation for 120 feet saying “120 is already a lot . . . I am having a hard time seeing how you step down from 145 feet to something reasonable – 145 feet to 70 feet is still a significant building. . . If I thought

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<sup>1</sup> In other words, the current zoning of portion of the property fronting West Avenue is exclusively residential (“R-60”), while the portion fronting Wisconsin Avenue is zoned Commercial/Residential (“CR”) with a maximum floor-to-area ration (FAR) of 3.0 (meaning that the total square footage of the building cannot exceed three times the size of the plot) and a height restriction of 75 feet (“H-75”).

you could step down from 145 feet to 35, that is one thing, but 145 to 70, that's not." 10/29 Hearing at 2:20, 2:21, 2:26 & 2:28.

- At the hearing, Chairman Anderson specifically said that the developer needed to consult with the Town of Chevy Chase "and all the other neighbors" and "all the interested parties" before coming back to request additional modifications. 10/29 Hearing at 2:29.

On December 15 -- without having consulted with area residents -- the developer presented the Tower massing study to the Planning Board. This proposal failed to address significant concerns the Planning Board raised at the October 29 hearing and raises additional concerns:

- The developer is contemplating a 240,000 square foot Tower that will provide approximately 200 residential units. According to the Montgomery County Department of Assessments and Taxation records for 6801 and 6807 Wisconsin Avenue (which are attached as Exhibits 1 & 2), the area of the properties that are to be developed is .57 acres or approximately 25,000 square feet. This suggests that the FAR of the building will be significantly in excess of the 1.75 to 2.0 that Chairman Anderson stated should be the maximum at the October 29 hearing.
- The developer is contemplating a 14-story, 145-foot Tower that will step down to 50 feet fronting West Avenue. This exceeds both the 120 feet on Wisconsin Avenue and 35 feet fronting West Avenue that Chairman Anderson stated should be adopted at the October 29 hearing. Moreover, a Tower at the southernmost portion of the sector is inconsistent with one of the sector plan's guiding principles that higher-density projects should be located close to the Bethesda Metro Station and progressively step down in height and density as the distance from the Metro Station increases.
- The developer is contemplating a new multi-modal cut-through from Wisconsin Avenue to West Avenue that will feed vehicle traffic directly into the Town of Chevy Chase. To date, the developer has identified no realistic plan for restricting traffic flow on to West Avenue and into the Town. If cut-through access in and out of the property from West Avenue is not prohibited or restricted to emergency vehicles, the adverse effects on traffic, congestion, and pedestrian safety will be exponentially increased.
- The developer is proposing a 40-foot set-back fronting West Avenue. This is significantly less than the Eastern Greenway guideline of a 75-foot green set-back for buildings exceeding 70 feet. May 2015 Staff Draft at 127.

### 3. Requests

- a. The density increases south of Elm Street on Wisconsin Avenue should be rescinded until the traffic congestion study and a feasibility study for schools to accommodate new residents can be completed.
- b. The Staff's initial recommendation that the properties at 6801, 6807, and 6831 Wisconsin remain split zoned should be reinstated to preserve the distinct Eastern Greenway character of the property adjacent to single-family homes.

- c. Consistent with the Eastern Greenway principles and the single-family residential neighborhood to the east, the eastern portion of the lot should be designated CRN, to ensure there is a real buffer with meaningful density limits on the development. Alternatively, if split zoning is eliminated, the whole property should be designated CRN rather than CR. Again, this will help ensure there are meaningful density limits on the development.
- d. Consistent with Chairman Anderson's observations at the October 29 hearing, density on the property should be capped at 1.75.
- e. The current height limit of 75 feet should be retained. This is consistent with the sector plan's guiding principle that building heights should step down the further buildings are from the Metro and with the character of the adjacent neighborhood, and it is also consistent with the results of the surveys conducted by the Planning Department, which found that an overwhelming majority of respondents preferred lower heights in South Bethesda.
- f. Design Guidelines ought to ensure (i) that the property steps down to 35 feet closer to West Avenue, (ii) that the set-back towards West Avenue is consistent with Eastern Greenway principles (i.e., if the building is over 70 feet, there needs to be a 75-foot green set-back), and (iii) that no vehicle cut-through from Wisconsin Avenue to West Avenue is permitted.

Thank you for your consideration of this matter.

Carolyn Benson, 6811 Connecticut Ave., Chevy Chase, MD

Jeffrey Benson, 6811 Connecticut Ave., Chevy Chase, MD

## MCP-CTRACK

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**From:** Ellen Wilson <ewilson@burness.com>  
**Sent:** Wednesday, January 06, 2016 5:45 PM  
**To:** MCP-Chair  
**Subject:** Planning Board letter 12-29-15  
**Attachments:** Planning Board letter 12-29-15.docx



January 6, 2016

VIA EMAIL (MCP-Chair@mncppc-mc.org)

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

Re: Bethesda Sector Plan: Eastern Greenway/Wisconsin Avenue Corridor "Gateway Tower" Proposal

Chairman Anderson and Members of the County Planning Board:

We write to express our strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue). This location is at the extreme southeastern corner of the proposed Bethesda sector plan, over half a mile from the entrance to the Bethesda metro station. The developer is proposing zoning changes to accommodate a 145-foot, 14-story, 240,000 square foot Tower that will loom over everything in the adjacent neighborhood, as well as every other structure between Leland Street and Friendship Heights. Indeed, there is no meaningful development south of the proposed Tower for a full mile.

Such density and height are inappropriate this distance from a metro station, will exacerbate traffic congestion on Wisconsin Avenue and Bradley Lane, and will have a dramatically negative impact on the adjacent areas of the Town of Chevy Chase in terms of cut-through traffic, noise, and school overcrowding.

This location needs the kind of smart, reasonable development that has made places like Bethesda Row successful. That requires meaningful, considered attention to the impact of the proposed plan on traffic, noise, infrastructure, parking, schools, and quality of life. Rather than acceding to the developer's requests by enshrining them in the Bethesda sector plan, the Planning Board should take into consideration these important factors as well as the significant concerns of the surrounding communities. It should only approve rezoning for the properties that adequately protects the interests of the adjacent neighborhood, and the current proposal does not.

We also write to present alternatives that we believe are more suitable for the location and more consistent with the tenor of the single-family residential neighborhood adjacent to the proposed development, as well as with the articulated vision of Bethesda set forth in the May 2015 draft of the Bethesda sector plan.

1. The Southern Portion of the Sector Plan Cannot Sustain the Amount of Density the Planning Board Has Approved to Date

The original May 2015 draft Staff Plan contemplated significant density growth for the eastern side of Wisconsin Avenue south of Elm Street, which is adjacent to the Town of Chevy Chase. At the last two work sessions, the Planning Board has approved even greater density increases (approximately 1.2 million total square feet) on Wisconsin Avenue, most of it in the southern portion of the sector. These density increases have been approved without adequate consideration of the impact this density will have on traffic congestion on Wisconsin Avenue, cut-through traffic and parking in the residential neighborhoods adjacent to Wisconsin Avenue, overcrowding in area schools, demand on public infrastructure, and quality of life of area residents. Of particular note:

- The Planning Department's traffic study, which was conducted based on the May 2015 draft Staff Plan – prior to the recently approved increases – specifically noted that the intersection of Bradley Lane and Wisconsin Avenue is highly congested with a vehicle/capacity ratio during afternoon rush hour of .81 and 1.00. 7/20/15 Planning Board at 1:09. This is one of the most congested intersections in the sector plan; congestion is significantly greater than at other Wisconsin Avenue intersections in the sector plan.
- The Planning Department Staff specifically warned at the July 20 hearing that the Bradley/Wisconsin intersection was “one intersection we want to keep an eye on – if we do increase the land use density in the southern portion of the sector plan, we might want to reevaluate that intersection and a few the others that are continuing to increase in congestion.” 7/20/15 Planning Board at 1:09-1:10.
- The Planning Department staff also noted that four intersections adjacent to the Bethesda sector (including the intersections of Connecticut Avenue and East-West Highway and Connecticut Avenue and Bradley Lane) were already “in a failing condition,” and that congestion in these areas would be exacerbated by the sector plan. 7/20/15 Planning Board at 1:07.
- The Planning Department staff further noted that the draft Plan contemplates 18,690 new households, of which 45% will be in the southern part of the sector. 7/20/15 Planning Board at 1:03. The Staff's analysis shows that area schools are already significantly over capacity, and that even with planned expansions at Bethesda Elementary and BCC, as well as the building of a new middle school, existing schools cannot accommodate the population growth contemplated under the Staff Plan. 7/20/15 Planning Board at 1:18. While the Staff discussed potential ideas for reopening or building new schools, all of the sites discussed were well outside the Bethesda sector plan and cannot meaningfully absorb this level of new population. Given land prices, it is also hard to see how MCPS could acquire property to build new facilities proximate to the sector.

We do not believe the density increases that have been provisionally approved to date (or any further density increases) should receive final approval until an updated traffic congestion study

can be performed that considers the impact of these density increases, and until MCPS conducts a feasibility study on where it could locate new facilities proximate to the Bethesda sector.

2. The Proposed Tower Adds Too Much Density and Is Too Tall for Southern Wisconsin Avenue Directly Adjacent to Single-Family Homes

The proposed Tower would occupy one of three properties on the block between Bradley Lane and Stanford Street between West and Wisconsin Avenues, a location currently occupied by one- to three- story retail structures and St. John's Church. The Tower, which is directly north of the Bradley Lane/Wisconsin intersection, would exacerbate the traffic congestion discussed above. The proposed Tower would be directly across a narrow street from single-family homes on West Avenue. Each of the streets on at the rear of the Tower (West Avenue, and Ridge and Stanford Streets) are single lane and lack continuous sidewalks on both sides, so increased traffic in the area would pose safety concerns to pedestrians including families with young children.

The entire block is currently split-zoned, with the portion fronting West Avenue zoned as R-60 and the portion fronting Wisconsin Avenue zoned as CR 3.0 H-75.<sup>1</sup> In the May 2015 Staff Plan, this block was split between two districts – with portions falling in the Wisconsin Avenue corridor and the Eastern Greenway. The Staff recommended that the property retain split zoning, with the Eastern Greenway portion fronting West Avenue zoned as CRT 0.5 H-70 and the portion fronting Wisconsin Avenue as CR 3.5 with certain properties as H-90 and others as H-120.

At the October 29 hearing, the developer requested that split zoning be eliminated, that FAR be increased to CR 4.0, and that the height be increased to 145 feet. While the Board agreed to eliminate split zoning, the Board properly recognized that the density and height increases were inappropriate for an area directly adjacent to single-family housing. For example:

- Both Board Members Dreyfus and Chairman Anderson said that if split zoning was eliminated, the overall FAR needed to be significantly lowered “so there is no temptation for somebody to come and say 145 feet – all across the block” and the FAR needed to be lowered so “they don’t have the FAR to work with to build an enormous building.” 10/29/15 Hearing at 2:19.
- At the end of the discussion, Chairman Anderson specifically said that the FAR should be “1.75 or 2.0.” 10/29/15 Hearing at 2:29. For reasons that are not clear, following the public hearing, the property was zoned CR 2.25.
- Chairman Anderson questioned the Staff’s recommendation for 120 feet saying “120 is already a lot . . . I am having a hard time seeing how you step down from 145 feet to something reasonable – 145 feet to 70 feet is still a significant building. . . If I thought

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<sup>1</sup> In other words, the current zoning of portion of the property fronting West Avenue is exclusively residential (“R-60”), while the portion fronting Wisconsin Avenue is zoned Commercial/Residential (“CR”) with a maximum floor-to-area ration (FAR) of 3.0 (meaning that the total square footage of the building cannot exceed three times the size of the plot) and a height restriction of 75 feet (“H-75”).

you could step down from 145 feet to 35, that is one thing, but 145 to 70, that's not." 10/29 Hearing at 2:20, 2:21, 2:26 & 2:28.

- At the hearing, Chairman Anderson specifically said that the developer needed to consult with the Town of Chevy Chase "and all the other neighbors" and "all the interested parties" before coming back to request additional modifications. 10/29 Hearing at 2:29.

On December 15 -- without having consulted with area residents -- the developer presented the Tower massing study to the Planning Board. This proposal failed to address significant concerns the Planning Board raised at the October 29 hearing and raises additional concerns:

- The developer is contemplating a 240,000 square foot Tower that will provide approximately 200 residential units. According to the Montgomery County Department of Assessments and Taxation records for 6801 and 6807 Wisconsin Avenue (which are attached as Exhibits 1 & 2), the area of the properties that are to be developed is .57 acres or approximately 25,000 square feet. This suggests that the FAR of the building will be significantly in excess of the 1.75 to 2.0 that Chairman Anderson stated should be the maximum at the October 29 hearing.
- The developer is contemplating a 14-story, 145-foot Tower that will step down to 50 feet fronting West Avenue. This exceeds both the 120 feet on Wisconsin Avenue and 35 feet fronting West Avenue that Chairman Anderson stated should be adopted at the October 29 hearing. Moreover, a Tower at the southernmost portion of the sector is inconsistent with one of the sector plan's guiding principles that higher-density projects should be located close to the Bethesda Metro Station and progressively step down in height and density as the distance from the Metro Station increases.
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### 3. Requests

- a. The density increases south of Elm Street on Wisconsin Avenue should be rescinded until the traffic congestion study and a feasibility study for schools to accommodate new residents can be completed.

- b. The Staff's initial recommendation that the properties at 6801, 6807, and 6831 Wisconsin remain split zoned should be reinstated to preserve the distinct Eastern Greenway character of the property adjacent to single-family homes.
- c. Consistent with the Eastern Greenway principles and the single-family residential neighborhood to the east, the eastern portion of the lot should be designated CRN, to ensure there is a real buffer with meaningful density limits on the development. Alternatively, if split zoning is eliminated, the whole property should be designated CRN rather than CR. Again, this will help ensure there are meaningful density limits on the development.
- d. Consistent with Chairman Anderson's observations at the October 29 hearing, density on the property should be capped at 1.75.
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Thank you for your consideration of this matter.

Ellen Wilson, 3612 Raymond Street

John Freedman, 4408 Ridge Street

Cecily Baskir, 4408 Ridge Street

Evan Hirsche, 4429 Bradley Lane

Jeff Marquese, 4402 Ridge Street

Russ Powell, 4404 Ridge Street

Rachel Waters, 4414 Ridge Street

Jane Axelrad, 4417 Ridge Street

Martin Malsch, 4417 Ridge Street

Brad Haughey, 4424 Ridge Street

Laurie Haughey, 4424 Ridge Street

Andrea D. Harris, 4428 Ridge Street

Rob Portman, 6803 West Avenue

Annette Simons, 6803 West Avenue

## **MCP-CTRACK**

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**From:** Cannon <cannon.spotswood@gmail.com>  
**Sent:** Wednesday, January 06, 2016 6:11 PM  
**To:** MCP-Chair  
**Subject:** Common Sense

Dear Mr. Anderson,

I am writing in hopes that the Planning Board can speak to those affected by the proposed development of the Wisconsin Avenue Corridor between Bradley and Battery or farther North.

I am not opposed to development, but I challenge the Planning Board to come and spend several days between the hours of say 600am and 900pm and witness what happens on Wisconsin Avenue and ask yourselves what is the common sense thing to do? You don't need a cadre of city planners, traffic calmers, traffic experts or any other expert to know that the chaos and madness will only get worse as you increase the number of people traversing the streets and the number of cars using it. Question why it takes 10 minutes to go less than 2 blocks? And how the increased revenues and people will improve the Avenue?

Using simple common sense will tell you that increased heights to buildings, more cars and more people will not enhance or improve anything on Wisconsin Avenue. This is a street which can not be widened so how is it affected by proposed increased density? Again, common sense.

I think some good public forums explaining why these proposals are happening would make it a better way to understand the idea behind greater development on an already mobbed Avenue.

I would urge all of you to come witness how an emergency vehicle attempts to go through several blocked lanes of traffic? How would increased density improve this or make it better? It happens daily

Could you send me any applicable plans for this corridor as I would like to know more and understand why it is necessary? Is the increased revenue essential to support the county and its future?

I appreciate any insight into all these proposed plans for an already overburdened area.

Regards,

Cannon Spotswood  
4408 Leland Street  
Chevy Chase, MD 20815

## **MCP-CTRACK**

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**From:** Soching Tsai <soching2006@gmail.com>  
**Sent:** Wednesday, January 06, 2016 7:31 PM  
**To:** MCP-Chair  
**Subject:** URGENT: Objections to Bethesda Sector Plan: "Southern Gateway Tower" Proposal  
**Attachments:** Bethesda Planning Board letter 1-6-2016.docx

Dear Chairman Anderson and Members of the County Planning Board:

As residents of Chevy Chase, we are writing to express our strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue).

We have attached a letter detailing our objections and offering alternatives. I hope the Planning Board will take into consideration the views of Chevy Chase residents.

Thank you for your attention.

Sincerely,  
Soching Tsai and  
David Kombluth  
6714 Georgia Street



January 6, 2016

VIA EMAIL (MCP-Chair@mncppc-mc.org)

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

**Re: Bethesda Sector Plan: Eastern Greenway/Wisconsin Avenue Corridor  
"Gateway Tower" Proposal**

Dear Chairman Anderson and Members of the County Planning Board:

As residents of Chevy Chase, we are writing to express our strong opposition to the rezoning proposed by the developer of the Southern Gateway Tower at the properties at 6801 and 6807 Wisconsin Avenue ("the Tower"), located between St. John's Norwood Parish (6701 Wisconsin) and the Shops of Wisconsin Avenue (6831 Wisconsin Avenue). This location is at the extreme southeastern corner of the proposed Bethesda sector plan, over half a mile from the entrance to the Bethesda metro station. The developer is proposing zoning changes to accommodate a 145-foot, 14-story, 240,000 square foot Tower that will loom over everything in the adjacent neighborhood, as well as every other structure between Leland Street and Friendship Heights. Indeed, there is no meaningful development south of the proposed Tower for a full mile.

Such density and height are inappropriate this distance from a metro station, will exacerbate traffic congestion on Wisconsin Avenue and Bradley Lane, and will have a dramatically negative impact on the adjacent areas of the Town of Chevy Chase in terms of cut-through traffic, noise, and school overcrowding.

This location needs the kind of smart, reasonable development that has made places like Bethesda Row successful. That requires meaningful, considered attention to the impact of the proposed plan on traffic, noise, infrastructure, parking, schools, and quality of life. Rather than acceding to the developer's requests by enshrining them in the Bethesda sector plan, the Planning Board should take into consideration these important factors as well as the significant concerns of the surrounding communities. It should only approve rezoning for the properties that adequately protects the interests of the adjacent neighborhood, and the current proposal does not.

We also write to present alternatives that we believe are more suitable for the location and more consistent with the tenor of the single-family residential neighborhood adjacent to the proposed development, as well as with the articulated vision of Bethesda set forth in the May 2015 draft of the Bethesda sector plan.

## **1. The Southern Portion of the Sector Plan Cannot Sustain the Amount of Density the Planning Board Has Approved to Date**

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- The Planning Department Staff specifically warned at the July 20 hearing that the Bradley/Wisconsin intersection was "one intersection we want to keep an eye on – if we do increase the land use density in the southern portion of the sector plan, we might want to reevaluate that intersection and a few the others that are continuing to increase in congestion." 7/20/15 Planning Board at 1:09-1:10.
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## **2. The Proposed Tower Adds Too Much Density and Is Too Tall for Southern Wisconsin Avenue Directly Adjacent to Single-Family Homes**

The proposed Tower would occupy one of three properties on the block between Bradley Lane and Stanford Street between West and Wisconsin Avenues, a location currently occupied by one- to three- story retail structures and St. John's Church. The Tower, which is directly north of the Bradley Lane/Wisconsin intersection, would exacerbate the traffic congestion discussed above. The proposed Tower would be directly across a narrow street from single-family homes on West Avenue. Each of the streets on at the rear of the Tower (West Avenue, and Ridge and Stanford Streets) are single lane and lack continuous sidewalks on both sides, so increased traffic in the area would pose safety concerns to pedestrians including families with young children.

The entire block is currently split-zoned, with the portion fronting West Avenue zoned as R-60 and the portion fronting Wisconsin Avenue zoned as CR 3.0 H-75.<sup>1</sup> In the May 2015 Staff Plan, this block was split between two districts – with portions falling in the Wisconsin Avenue corridor and the Eastern Greenway. The Staff recommended that the property retain split zoning, with the Eastern Greenway portion fronting West Avenue zoned as CRT 0.5 H-70 and the portion fronting Wisconsin Avenue as CR 3.5 with certain properties as H-90 and others as H-120.

At the October 29 hearing, the developer requested that split zoning be eliminated, that FAR be increased to CR 4.0, and that the height be increased to 145 feet. While the Board agreed to eliminate split zoning, the Board properly recognized that the density and height increases were inappropriate for an area directly adjacent to single-family housing. For example:

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- Chairman Anderson questioned the Staff's recommendation for 120 feet saying "120 is already a lot . . . I am having a hard time seeing how you step down from 145 feet to something reasonable – 145 feet to 70 feet is still a significant building. . . If I thought you could step down from 145 feet to 35, that is one thing, but 145 to 70, that's not." 10/29 Hearing at 2:20, 2:21, 2:26 & 2:28.
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<sup>1</sup> In other words, the current zoning of portion of the property fronting West Avenue is exclusively residential ("R-60"), while the portion fronting Wisconsin Avenue is zoned Commercial/Residential ("CR") with a maximum floor-to-area ration (FAR) of 3.0 (meaning that the total square footage of the building cannot exceed three times the size of the plot) and a height restriction of 75 feet ("H-75").

interested parties" before coming back to request additional modifications. 10/29 Hearing at 2:29.

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### **3. Requests**

- a. The density increases south of Elm Street on Wisconsin Avenue should be rescinded until the traffic congestion study and a feasibility study for schools to accommodate new residents can be completed.
- b. The Staff's initial recommendation that the properties at 6801, 6807, and 6831 Wisconsin remain split zoned should be reinstated to preserve the distinct Eastern Greenway character of the property adjacent to single-family homes.
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- d. Consistent with Chairman Anderson's observations at the October 29 hearing, density on the property should be capped at 1.75.
- e. The current height limit of 75 feet should be retained. This is consistent with the sector plan's guiding principle that building heights should step down the further buildings are from the Metro and with the character of the adjacent neighborhood, and it is also consistent with the results of the surveys conducted by the Planning Department, which found that an overwhelming majority of respondents preferred lower heights in South Bethesda.
- f. Design Guidelines ought to ensure (i) that the property steps down to 35 feet closer to West Avenue, (ii) that the set-back towards West Avenue is consistent with Eastern Greenway principles (i.e., if the building is over 70 feet, there needs to be a 75-foot green set-back), and (iii) that no vehicle cut-through from Wisconsin Avenue to West Avenue is permitted.

Thank you for your consideration of this matter.

Sincerely,

Soching Tsai and David Kombluth  
6714 Georgia Street

## **MCP-CTRACK**

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**From:** gallery1fineart@rcn.com  
**Sent:** Wednesday, January 06, 2016 8:38 PM  
**To:** MCP-Chair  
**Subject:** No Road

I am requesting, that you do not put a road in through the Park.

My name is Ms J. Johnson. I live at Whitehall Condo on Battery Lane. I am a senior, who is handicapped, using a walker. It is very hard, for me to cross the street. Sometimes, cars stop and sometimes, they do not stop in the crosswalk. Also one of the bus stops was at the crosswalk, but they moved it, up the street.

We already have enough traffic on Battery Lane. The express buses J9, J70 and J3 run AM and PM on Battery Lane. The bus J2 and 34 runs all day and night until 12AM. We also have the Circulator running on Battery Lane. The Recue Squad, a great service, but they also, run up and down Battery Lane all day and all night.

If you put a road through the Park, It will be even more dangerous. As, you know, a Lady was killed Tue 1/5/16, trying to cross the street, by a bus that runs on Battery Lane. I do not want another person to get hit or worst be killed.

Thank you

Ms J Johnson

## **MCP-CTRACK**

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**From:** Christine Leggett <christine.leggett@me.com>  
**Sent:** Wednesday, January 06, 2016 9:13 PM  
**To:** MCP-Chair  
**Subject:** Bradley Lane and Wisconsin Avenue

Dear Mr, Anderson,

I have recently learned of plans to build a tower near the intersection of Bradley Lane and Wisconsin Avenue. My husband and I live on Bradley Lane and take our children to school via Bradley Lane. The backup that occurs nearly everyday at that intersection is almost unmanageable now, and I cannot imagine what it would be like if 200 + residents were added right there. It would also increase the traffic through out the purely residential town of Chevy Chase as people constantly try to avoid the traffic by cutting through there. I have seen numerous accidents and violations of traffic rules due to this. I cannot stress how dangerous and inconvenient this addition would be.

Yours Sincerely,  
Christie Leggett  
3719 Bradley Lane

## **MCP-CTRACK**

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**From:** bonnie luken <com321@verizon.net>  
**Sent:** Thursday, January 07, 2016 8:31 AM  
**To:** MCP-Chair  
**Subject:** Rezoning Request - Please deny

Mr. Casey Anderson, Chair

and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Planning Board:

Please deny the rezoning request for Southern Gateway Tower at 6801 and 6807 Wisconsin Avenues in South Bethesda. The amount of development already authorized is rapidly transforming a livable community into an unlivable one. The plan was agreed to with careful attention paid to density and height limitations and, in my view, already allow too much of both. I strenuously object to any rezoning that would allow further height or density. Obviously no one the board is paying attention to those of us currently living in this area. I'm not sure whose interests are current being considered, other than developers.

Bonnie Luken

6802 Georgia Street

Chevy Chase, MD