

July 14, 2016

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

Re: Bethesda Downtown Plan (the "Sector Plan") – Proposed Park Impact Payment

Dear Chairman Anderson and Members of the Planning Board:

I am submitting this letter on behalf of 4918-4938 Battery Lane LLC regarding the Montgomery County Planning Board's ongoing worksessions on the Sector Plan, specifically regarding the proposed Park Impact Payment that is under consideration. We are certainly supportive of new and improved parks and open spaces in Bethesda, but it strikes us that this is being approached in an entirely counterintuitive and potentially damaging manner.

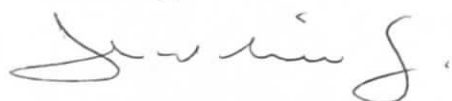
Master plans and sector plans, especially those in downtown areas like Bethesda, typically propose increases in density above what is currently permitted in recognition of the evolution of an area, ongoing improvements to infrastructure, and an increasing desire by County residents and others outside the area to live in vibrant, walkable, transit-oriented locations. However, in the case of this Sector Plan, the Planning Board has chosen to artificially hold down density and essentially force property owners and developers to buy back the density that would otherwise have typically been afforded through the comprehensive planning and rezoning process, to raise money for parks and open space.

This is a completely counterintuitive approach to generate revenue that utilizes all "stick" with no "carrot", and conveys to property owners and businesses that are already here and potential future property owners and businesses outside the area who are seeking to locate here that Montgomery County does not want their business. Moreover, it conveys that the County has no desire for the increased tax revenue that results both from higher property values as the result of upzoning of properties and from new businesses attracted to an area. It seems that the Planning Board does not fully understand that this increased tax revenue could be used to fund the desired parks and open spaces in Bethesda, while avoiding the presumably unintended perception that Montgomery County has no interest in attracting new business or stimulating the economy.

Before the Planning Board chooses to enact the Park Impact Payment as currently proposed, we urge that it take into account the very real negative economic consequences that could result.

Thank you for your consideration.

Sincerely,



John W. Gill, Jr.

## Howerton, Leslye

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**From:** Philip Cabrera <philcabrera@mac.com>  
**Sent:** Wednesday, July 13, 2016 5:40 PM  
**To:** Howerton, Leslye  
**Subject:** Re: Action Request on Bethesda Plan

On Jul 13, 2016, at 5:38 PM, Philip Cabrera <[philcabrera@mac.com](mailto:philcabrera@mac.com)> wrote:

On Jul 13, 2016, at 5:35 PM, Philip Cabrera <[philcabrera@mac.com](mailto:philcabrera@mac.com)> wrote:

On Jul 9, 2016, at 11:58 AM, Philip Cabrera  
<[philcabrera@mac.com](mailto:philcabrera@mac.com)> wrote:

Mr. Casey Anderson, Chair

and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot

windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration. The Cabrera family has lived on Ridge St. for more than 50 years.

Sylvia Cabrera and Philip Cabrera

4410 Ridge St., Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** Dedun Ingram <idedun@gmail.com>  
**Sent:** Tuesday, July 12, 2016 11:44 PM  
**To:** MCP-Chair  
**Subject:** Comments on red-line draft Bethesda Downtown Plan

Dear Planning board and Planning staff

I would like to submit the following comments on the red-line version of the draft Bethesda Downtown Plan.

1. Increasing park and open space in Bethesda is listed as the first overarching goal of the Plan (Section 1.2.2), with affordable housing moved to second place. However, reading through the rest of chapter 1 and subsequent chapters, this has not been implemented in the Plan. Many of the lists still list housing goals and items first followed by park items. Some sections have no park-related items whatsoever, even though I could usually think of a few pertinent ones that could be added.
2. The Plan repeatedly states the importance of and intention to protect and preserve existing single-family neighborhoods, yet the Plan fails to do this in many ways. Excessively tall buildings are still being placed both adjacent to single-family homes and too near them. The buffers that have been kept intact for decades are being eliminated all around Bethesda's edges. Removal of the R-60 zoned properties that comprised that buffer opens up the neighborhoods not only to more intense development on their borders than is reasonable, but also to the very real threat of deterioration of the neighborhoods due to floating zone development and encroachment within those neighborhoods which the rezoning of the R-60 properties makes possible. Preservation and protection of single-family neighborhoods is not only a violation of assurances made to residents by the County for years and years, but also a poor business and planning decision.
3. While I applaud the roll-back of all the additional density that the Planning Board had awarded over the past months, the density level proposed in the draft Plan is still too high. It allows development well beyond the amount the Council of Governments predicts will be needed in this area and does not fully consider impacts on school and traffic. I think some additional thought should be given to staging the additional density for Bethesda, with only a certain amount being allowed within a specified time period and within specified time frames and no advancement to the next level of density allowed unless performance tests have been met. Forecasts 20 years into the future are notoriously poor and the Plan adds substantially more density and height to Bethesda than any preceding plan, so it would be prudent to plan for evaluation points during the life of the plan so adjustments can be made if necessary. This is especially warranted because of the already overcrowded schools and congested roadways and the impracticality of adding capacity.

4. Again, while I applaud the roll-back of the overall density, I am not sure if the roll-back of mapped density to the 1994 levels and placement of available density in a pool and on priority sending sites makes sense. This is a new approach and I do not think that its pros and cons and the details of how it should operate have been sufficiently studied and worked out. For example, how does this approach ensure that the largest developments occur where we want them. How do we moderate the first come first serve stampede? It is premature to send this Plan forward before the ramifications and details of such a major change have been thoroughly evaluated.

5. Removing caps on the density allowed on individual sites and relying solely on height to limit building size will allow buildings of unacceptable size to be built and make it unlikely that "signature" buildings with architecture that conforms to the design guidelines that have been added to this Plan are built. Builders these days want to maximize the density of their projects so as to maximize their profits and if the only statutory limit on that density is the mapped height for their property, they will want to build a building that goes straight up from the property lines, with no step-backs or articulations that will reduce the density they can cram on the site. More thought needs to be given to how to cap the density for each site at levels that discourage construction of boxes, to develop truly enforceable design criteria that will increase the probability that attractive buildings that follow the design guidelines will be built, not boxes, and to make sure that the most massive buildings are built where we want them and not on sites where we don't want them. This is a critical element of the Plan and has not been adequately developed.

6. Creation of the Bethesda Overlay Zone is yet another major change to the draft Plan that has not been sufficiently studied and mapped out. This may be a fine idea, but until the specifics have been determined and the pros and cons of the resulting BOZ thoroughly studied, it is premature to send the Plan forward for consideration by the County Council. Neither they nor the public can assess it properly. It would seem more reasonable for the ZTA to be spelled out and move forward with the Plan.

7. Despite the Plan's recognition that there is a dearth of parks and green space in Bethesda and the Plan's primary overarching goal being to increase them, it does not propose any truly significant new park space. The proposed civic gathering space where the Purple Line tail tracks will be is relatively small though well located. The proposed Montgomery Ave. park could be a reasonable size, but is not well located as it is quite far from the heart of Bethesda and not a pleasant walk from it. Additionally, it will be bordered by a busy roadway on one side and the Purple Line on the other side and will have a power station in the middle of it. The Plan misses an opportunity when it fails to take note of the potential of parking lots 10 and 24 as new park space (particularly with the loss of a substantial amount of Elm St. Park). Bethesda needs more substantial green parks, not just hard-scaped pocket parks.

8. The Plan should include more specifics about how parks will be acquired and developed. Establishment of a PIP has been suggested to help finance new park spaces which seems like a potentially good way to generate the required funding. , but again, the details of how the PIP would work and how much it would be have not been worked out yet. The \$25.81 per square foot price that has been suggested is almost half the going price for density on the market today so seems low. If the county cannot charge more than this for the PIP for statutory reasons, then perhaps an additional fee could be added to bring this up closer to the market price (this again is one of the details of the new density approach that needs more vetting). If density levels are staged, one of the performance tests should be acquisition and development of certain amounts of new park and green space. This is yet another example of why it is premature to move the Plan forward to the County Council.

9. The Plan stresses the importance of walkability and bicycle transit to get people out of their cars. Yet the Plan does relatively little to improve walkability and to develop bike paths and routes. If new buildings will be replacing a lot of our current buildings, then very wide sidewalks should be mandated and bike paths separated from the pedestrian portion of the sidewalk could be established (as is done all over Europe). This could be listed as a goal of the Plan to be achieved as opportunity arises. And the replacement tunnel for the Capital Crescent Trail is not mentioned in the Plan as far as I could tell though the storage lockers that are supposed to be in that tunnel were mentioned. The replacement tunnel should be mentioned. The current tunnel carries many pedestrians and cyclists into and out of Bethesda daily.

10. I object to the 120 foot height awarded to 4400 Montgomery Ave (Bethesda Sport and Health Club's extensive property). This property abuts 13 homes in the Town of Chevy Chase and thus appears to be subject to the zoning code's compatibility standards as specified in 59-4.1.8. If these standards are applied to this property, then it is not possible to construct a building of anywhere near that height on it and I find it puzzling and misleading that it is mapped at this height in the Plan. How will the Planning Board handle this when the property owner comes in with a development plan for a 120 foot building claiming it to be his "right" under the Plan and a streetful of residents come in demanding that the county zoning code be applied to this property as written? Is this property being set up for yet another ZTA?

11. I object also to the exception that has been made for the Jaffe and Douglas properties with regard to the density and zone assigned to their R-60 lots that front on West Ave. Why would the Planning Board not map these properties at CRT 0.5 as it has done for all other R-60 properties on the borders of Bethesda? Why should these property owners not buy the density as other property owners are being asked to do? Also, it appeared that the R-60 lots were being converted to CR not to CRT. If that is the case, why? A CR zone up against residential properties is not appropriate.

In sum, I think it is premature for the Plan to be voted out of the Planning Board and on to the County Council. This Plan will be in effect for the next 20 years or so. It is being crafted for the most densely developed part of the County, an area that is supposed to be the economic engine of the

County. It is important to get this Plan right. A lot of work and effort has gone into the Plan but a lot has been changed on the fly and the new components remain only partially formed. Spending a few more months working through the new components and reintegrating the Plan would seem very worthwhile.

Thank you for your consideration,

Deborah Ingram

4411 Elm St.

Chevy Chase, MD

## **MCP-CTRACK**

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**From:** Naomi Spinrad <nspinrad68@verizon.net>  
**Sent:** Wednesday, July 13, 2016 7:32 AM  
**To:** Howerton, Leslye  
**Cc:** MCP-Chair; Wright, Gwen; Kronenberg, Robert  
**Subject:** Fire station 6 language

Dear Leslye,

After consultation with the Chevy Chase West Neighborhood Association Board of Directors, and a review of the discussion on June 9 regarding the fire station, I am writing on behalf of the CCWNA to reiterate our support for the language in the edited version of the Bethesda plan relating to the undeveloped space on the fire station property. The discussion among the commissioners never questioned the desirability of green space at that location but instead was focused on avoiding an implication that the county could "reach out and grab it." Staff was directed to come back with language based on the Battery Park language, which they did. Accordingly, we oppose any change in the plan language in Section 2.7 (Parks and open space), Section 2.7.3.C.2 (Page 65 of the staff report planning edits) and on Table 4.01 (Page 120 of the staff edits).

The Planning Board has received multiple letters and testimony opposing redevelopment on this site of anything other than a stand-alone fire station. These comments have come from both individuals and municipalities/civic associations, including several neighboring condominium associations, Somerset, Chevy Chase Village, Drummond, the Town of Chevy Chase, and the Citizens Coordinating Committee on Friendship Heights. All of these communications at least implicitly support the green space concept. CCCFH, an umbrella organization of 19 communities, has written to you specifically supporting green space here. We believe the current language in the edited plan accurately reflects the larger community's position as well.

Thank you for considering these comments as you finalize the plan.

Best,  
Naomi

Naomi Spinrad  
Vice President/Development  
Chevy Chase West Neighborhood Association



## MCP-CTRACK

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**From:** Naomi Spinrad <nspinrad68@verizon.net>  
**Sent:** Wednesday, July 13, 2016 7:54 AM  
**To:** MCP-Chair; Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** Wright, Gwen; Kronenberg, Robert; Howerton, Leslye  
**Subject:** In support of Iconic park/green space

Dear Chair Casey, Vice Chair Wells-Harley, Commissioner Dreyfuss, Commissioner Fani-Gonzalez, and Commissioner Presley:

I'm writing as a private citizen in support of Commissioner Wells-Harley's proposal to identify and prioritize an iconic park space in downtown Bethesda, and in particular to build that space around the Montgomery County Farm Women's Cooperative property, parking lot 24, and Elm Street Park.

Planning staff envisioned from the start some level of connectivity between Bethesda Row and the Farm Market, both identified as activity centers. While I believe the Brookfield proposal addresses the issue of concentrating density in areas with transit proximity, creating a park near the Purple Line and the southern Metro entrance helps to balance likely increased density near Metro with reduced development along edges AND saves a historic property for continuing use by the community.

I would also note that plans to date for redevelopment of the Apex building suggest there could be 800 underground parking spaces here. Perhaps there is a way to coordinate parking considered for this site with the requirements of the Parking Lot District so as to retain but relocate current or improved parking capacity from lots 24 (and maybe 10) and PLD income without adding additional traffic and congestion to the Wisconsin Avenue corridor. This might also help in expanding green space into lot 24.

Thank you for your serious consideration of Commissioner Wells-Harley's proposal and ways to implement it.

Sincerely,  
Naomi Spinrad  
Chevy Chase West

## MCP-CTRACK

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**From:** Margaretta McKay <mckay.jill@gmail.com>  
**Sent:** Wednesday, July 13, 2016 9:45 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am a long-time resident of East Bethesda. I moved here in 1993, and although I welcome much of the improvement that has taken place in Bethesda over the years, I am very concerned at the relatively few green and open spaces that have been created or retained. For that reason, I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

The following data are important and should be recognized by all stakeholders in the Bethesda planning process:

- One hundred trees remove 53 tons of carbon dioxide and 430 pounds of other air pollutants per year. (New York State Dept. of Environment.)
- A 1999 report by the US Surgeon General documented that urban park use is connected to decreased stress levels. The longer participants stayed in a park, the less stress they exhibited.
- Tree-filled neighborhoods lower levels of domestic violence and are safer and more sociable. (New York State Dept. of Environment)

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Margaretta Jill McKay  
4401 Highland Avenue,  
Bethesda, MD 20814

**F&H INVESTMENTS L.P.  
5272 River Road Suite 360  
Bethesda, MD 20816  
301-656-7790**

July 6, 2016

*Via E-Mail (MCP-Chair@mncppc-mc.org) & First-Class Mail*

The Honorable Casey Anderson, Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Bethesda Downtown Sector Plan (the "Sector Plan"); Proposed Parks Impact Payment ("PIP")

Dear Chairman Anderson and Members of the Planning Board:

As the owners and operators of automobile dealerships at 7725 and 7735 Wisconsin Avenue (between Cheltenham Drive and Middleton Lane on the east side of Wisconsin Avenue – the "Property") for almost 80 years (currently operating Acura and Nissan dealerships), we have a very deep and personal connection with Downtown Bethesda. Given the uncertain future of the automobile, we recognize a need to continuously evaluate what alternatives exist for future use of our Property. In this vein, we have been involved in the Sector Plan process and are actively engaged in the shaping of the Downtown for the many years to come. Our reason for sending this letter is to provide our position in opposition the proposed PIP as the primary funding source for a new park system serving the Downtown.

Bethesda is ripe for redevelopment and urbanization – in fact, it may be the best location in the region for a vast economic development opportunity. In this regard, we fully support the development of public amenities and urban parks and open and green spaces that will help make the Downtown an incredibly successful place to live, work, shop and play. The economic burden to provide the public amenities and parks cannot, however, be placed almost solely on the backs of new development. Investment in the redevelopment of our downtown is already taxed excessively, with the costs of redevelopment and the level of exactions high in comparison to other competitive locations in the region. The redevelopment itself will provide an incredible boost to the County tax base, but this redevelopment will not occur if unfair and inequitable burdens are put on new development. The costs of infrastructure and amenities that will provide

The Honorable Casey Anderson, Chair  
July 6, 2016  
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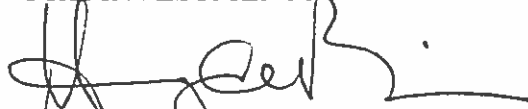
benefit to existing and new residents and businesses have to be spread to all for proper absorption – it is short-sighted and unrealistic to think that new development alone should or will absorb an inequitable share of the costs and burdens.

The PIP proposal, which essentially reads as a government sale of density, is excessive and unreasonable. In truth, as experienced business people with a long-vested interest in the area and exposure to numerous master and sector plans, never have we witnessed an update to comprehensive planning and zoning that doesn't through the natural course of the process add density and opportunity through zoning and land planning that reflects growth and progress. Aside from the unfairness and inequities of new development bearing the brunt of the costs of providing amenities enjoyed by all, the notion in this Sector Plan that additional density above that which has been zoned for over 20 years come at a price (let alone a price of \$25.81 as currently proposed by your Staff) is unprecedented and frankly is a poor zoning and planning precedent to establish.

We ask that you re-think these ideas and have as your collective goal a Sector Plan that will encourage significant redevelopment and investment in our Downtown, not a plan that unfairly and irresponsibly places economic burdens on new development that will serve as disincentive and disregard for the opportunities that are readily available for what should be the County's and region's economic center.

Very truly yours,

**F&H INVESTMENTS L.P.**

A handwritten signature in black ink, appearing to read "Henry A. Bowls", written over a horizontal line.

Henry A. Bowls, General Partner

cc: Members, Montgomery County Planning Board

MCP-Chair

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**From:** Cathy Wolf <wolfc@starpower.net>  
**Sent:** Monday, July 11, 2016 4:18 PM  
**To:** MCP-Chair  
**Subject:** 6801 and 6807 Wisconsin Avenue

RECEIVED  
JUL 12 2016

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

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

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consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Cathryn and Mier Wolf  
7622 Lynn Drive  
Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** Burke, Vince <Vince.Burke@bfsaulco.com>  
**Sent:** Tuesday, July 12, 2016 10:07 AM  
**To:** MCP-Chair  
**Cc:** 'Dalrymple, C Robert - CRD'  
**Subject:** Park Impact Payment  
**Attachments:** Saul PIP Letter 7-12-16.pdf

Please see the attached letter in regard to the Planning Board's proposed Park Impact Payment. We appreciate your consideration. Thank you.

**Vince Burke**  
Vice President  
B. F. Saul Company & Affiliates  
7501 Wisconsin Avenue, Suite 1500E | Bethesda, MD 20814  
Phone: 301.986.6350  
Vince.Burke@bfsaulco.com | [www.bfsaul.com](http://www.bfsaul.com)

**B. F. SAUL CO.**  
*Established 1892*

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# B. F. SAUL COMPANY

7501 Wisconsin Avenue, Suite 1500E, Bethesda, Maryland 20814  
(301) 986-6200

July 12, 2016

Casey Anderson, Chair  
The Maryland-National Capital Park and Planning Commission  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Mr. Anderson,

This letter is in regard to the Planning Board's proposed Park Impact Payment (PIP). The B. F. Saul Company has demonstrated our dedication to developing high quality and attractive buildings and public spaces. We believe creating a vibrant public realm benefits our investments, the community and deserves thorough discussion as part of the Bethesda Sector Plan process. At this time, we are concerned with the direction the Board is taking with its PIP proposal and do not believe it is an appropriate mechanism to achieve the park expansion goals.

In today's competitive environment, the economics of real estate development are tenuous and risk laden. Many of the County's sector plan efforts have demonstrated that great planning does not guarantee immediate development. The investment community must anticipate the cost and risk for entitlement, financing, construction, and leasing over the extended life span of a project including a small margin for error for unexpected events. Placing an undue cost burden on development serves to narrow the margin and reduce the likelihood of projects coming to market.

As Montgomery County's economic engine and a desired destination for attracting investment capital, Bethesda does not need another mark against it in the regional competitive landscape. The County should attempt to foster and encourage growth in Bethesda rather than saddling development projects with exactions that deter investment dollars. Success in attracting investment and the corresponding growth in the tax base should support the general fund and in turn provide necessary capital to develop parks. The benefit of new and improved parks will be shared among all of Bethesda's existing and new residents, workers, and visitors alike and the expense should be shared accordingly, by all in the general fund.

Furthermore, a sector plan process is not the appropriate venue to make complex fiscal policy decisions. There has not been adequate analysis of the anticipated park acquisition and construction cost and their correlation to the proposed PIP fees. The fiscal issues merit further study in order to form a more accurate picture of the park facility needs, cost of improvements and the ongoing operations.



While we completely agree that the Sector Plan should identify strategic locations in Bethesda for urban parks, and that these parks are vital to creating a successful urban environment, we urge you to reconsider the implementation of the PIP funding proposal due to our strong belief it is not the proper venue to secure funds for park expansion. We believe the general fund is a better source of capital, given the benefits of the parks will contribute to everyone's quality of life in Bethesda.

We appreciate your consideration of our thoughts and look forward to continuing our collaborative efforts to make Bethesda and Montgomery County a wonderful place to work, live and play. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "V. C. Burke IV", written over a horizontal line.

**Vincent C. Burke IV**  
Vice President  
B. F. Saul Company & Affiliates

cc: Ms. Gwen Wright  
Mr. Robert Kronenberg  
Ms. Leslye Howerton  
Mr. C. Robert Dalrymple

## MCP-CTRACK

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**From:** Krystyna Malesa <kmalesa@gmail.com>  
**Sent:** Tuesday, July 12, 2016 10:52 AM  
**To:** MCP-Chair  
**Subject:** Fwd:

**From:** Krystyna Malesa <kmalesa@gmail.com>  
**Date:** Tue, Jul 12, 2016 at 10:32 AM

**Subject:** JAFFE project

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential

street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

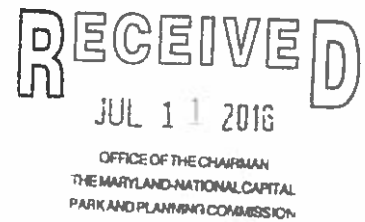
Krystyna Malesa  
4415 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))

**MCP-CTRACK**

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**From:** Jim Ford <jimford188@gmail.com>  
**Sent:** Monday, July 11, 2016 11:05 AM  
**To:** MCP-Chair  
**Cc:** Cecily Baskir  
**Subject:** Board's Treatment of Jaffe Properties in Bethesda



Dear Chairman Anderson and Members of the Planning Board.

I am writing to associate myself with the detailed comments of Cecily Baskir and John Freedman opposing the unjustified density increase proposed in the pending Bethesda Downtown Plan for the West Avenue portions of the Jaffe Properties at 6801 and 6807 Wisconsin Avenue.

Not only has the Board failed to provide any justification for the out-of-scale increase proposed for those properties, it has also proposed granting a unique exception that smacks of favoritism. The Board should withdraw this egregious decision and demonstrate greater concern for the overall impact on adjoining neighborhoods of commercial density increases such as that proposed for the Jaffe properties.

Sincerely,

James E. Ford  
4427 Walsh Street  
Chevy Chase, MD 20815

(P.S., please share this letter with the other members of the Planning Board)

## MCP-CTRACK

---

**From:** Sue Torres <TorresS@mooreassociates.com>  
**Sent:** Monday, July 11, 2016 11:56 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert; hdlhopolsky  
**Subject:** Bethesda Downtown Sector Plan  
**Attachments:** Bethesda Downtown Sector Plan.pdf

From Lloyd Moore:

Please see the attached letter concerning the Bethesda Downtown Sector Plan.

Sincerely,  
Lloyd W. Moore

---

Sue Torres  
Executive Assistant - Office Manager  
Moore&Associates, Inc.  
4350 East West Highway, Suite 500  
Bethesda, MD 20814  
Direct: 301.628.2827  
Main: 301.565.5100  
Cell: 240.832.2809  
FAX: 301.565.9711



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July 7, 2016

The Honorable Casey Anderson, Chair  
The Maryland-National Capital Park and Planning Commission  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: Bethesda Downtown Sector Plan  
Parks Fee

Dear Chairman Anderson,

During Worksession 14 regarding the Bethesda Downtown Sector Plan, Planning Staff put forth Park Amenity Program Alternatives, proposed budgets, and a funding mechanism. However, the proposed implementation policies are at odds with the new vision for Bethesda and should logically be discounted. The proposed Park Fee would be a direct impediment to Bethesda's forward progress.

New commercial development is economically challenged as evidenced by the limited activity over the past eight years. Adding a tax in the face of current financial infeasibility runs the risk of freezing some of the older buildings in their current condition (e.g. properties along Montgomery Avenue). To the extent development is discouraged in Bethesda, it will gravitate to other jurisdictions and thereby forestall implementation of the new Sector Plan.

If the County wishes to pursue the Planning Board's vision for parks, then the traditional capital improvement program funding process should be utilized. This would assure proper open discussion.

Implementation of the new Sector Plan vision should be encouraged, so Bethesda will remain a contemporary, vital and competitive community. Hampering the vision with policies adopted to implement it, would compromise the achievement of community goals. Please eliminate from consideration the "Park Fee".

Thank you for your consideration.

Sincerely,

Lloyd W. Moore

## **MCP-CTRACK**

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**From:** PP- Denise Peel <DPeel@peelproperties.com>  
**Sent:** Monday, July 11, 2016 2:07 PM  
**To:** MCP-Chair  
**Cc:** 'sarobins@lercheary.com'; PP- Scott Peel  
**Subject:** PIP Comment  
**Attachments:** 3150\_001.pdf

Thank you for your consideration!

## PEEL PROPERTIES

July 11, 2016

Dear Chairman Anderson:

This email is in response to your request for public comment on the proposed Park Impact Payment (PIP). We are the representatives of Peel Properties, the owners of a number of properties within the Bethesda Downtown Planning Area. Our attorney, Steven Robins, has been representing us in this process and provided written and oral testimony on our behalf since this master plan process began. We wanted to submit a few comments on the PIP.

It is our understanding that the PIP would be imposed on applicants in the Bethesda Sector Plan area who utilize density from the "pool" in excess of the current zoning (and not density from a priority sending site or from a permitted density transfer between two or more properties). We offer the following comments on the PIP:

- It appears that under the Staff proposal, the majority of the cost of new parks in the Bethesda CBD will be placed on developers. This is despite the Board's directive at its previous work session that such cost burdens should be shared with the users of the park areas and new development. This seems unfair. To our knowledge, never before has the cost of creating something like parks been suggested to be absorbed predominantly by new development. This is especially troubling when the majority of the benefit and enjoyment of the new park areas will be by existing residents and workers. Therefore, shouldn't a large portion of the park acquisition and development burden be borne by the County's general funds, which includes revenue from the tax generated, at least in part, by new development?

- We also have concerns that the cost estimates prepared by the Parks Department Staff, and shared in the work session on June 9, are really inflated. Their list certainly would suggest this is the case.

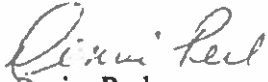
- New development already makes very large contributions to the County: application fees, impact taxes for schools and transportation, BLT fees, building permit fees and MPDU units. Adding yet another government tax of the proposed magnitude of the PIP is burdensome, excessive, and could threaten the future development in downtown Bethesda. Imposing a PIP anywhere near the magnitude suggested by the Staff will add significantly to the per square foot development cost for new development. We are concerned that all of these costs will cause developers to reconsider whether it is economically feasible to develop in Bethesda as compared to Silver Spring, Tysons Corner, Arlington, Alexandria, Washington, D.C. or otherwise. We want to keep Bethesda vibrant and desirable.

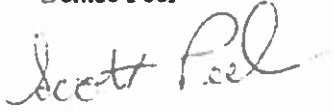


• If there is a PIP, it should be reduced to represent a reasonable amount that does not jeopardize the economic engine that Bethesda has become over the years.

We urge the Planning Board to approach the PIP with these points in mind. If the Board moves forward with the PIP, we would ask that you keep it reasonable, and consider how the County as a whole, through the general fund, can participate in this effort.

Thank you for the opportunity to comment.

  
Denise Peel

  
Scott Peel

## MCP-CTRACK

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**From:** Laurie Haughey <laurie.haughey@gmail.com>  
**Sent:** Thursday, July 07, 2016 9:20 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrch@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** Bethesda Plan

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JUL 08 2016

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

I am horrified at the special treatment the planning board is giving the Jaffe property. I'm not going to go into the issues. You are well aware of the problem and why residents are so rightfully upset.

I will tell you that as a former investigative news producer, I am making it my mission to figure out what's really going on.

Perhaps what makes me saddest of all, is the reaction of my children, who are now young adults. They lived here all their lives and were raised in this house. When they come back home to visit, they see the current construction and congestion and ask us why anybody would want to live here anymore.

It breaks my heart. PLEASE stop breaking hearts.

Laurie Haughey  
4424 Ridge St

## **MCP-CTRACK**

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**From:** Linda Demlo <ldemlo@starpower.net>  
**Sent:** Friday, July 08, 2016 3:05 PM  
**To:** MCP-Chair  
**Cc:** Councilmember Berliner; Councilmember.Elrich@montgomerycountymd.gov; Councilmember.Floreen@montgomerycountymd.gov; Councilmember Office Leventhal's; Councilmember Riemer Hans; Wright, Gwen; Howerton, Leslye; Town Office; Demlo Linda  
**Subject:** Jaffe Properties Decisions and Bethesda Downtown Plan

Dear Chairman Anderson & Members of the Planning Board:

I am writing to express my strong objection to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

Essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

However, on June 30, without providing any rationale, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with the manner in which the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on public estimates provided by Planning Department staff, the market value of your gift exceeds \$1.1 million. This represents money that could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site. I would like to know what makes Mr. Jaffe so special!

These inappropriate June 30, 2016 decisions regarding this property were made (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment. This repeats similar action on October 29, 2015, when the Board previously considered density for the Jaffe property.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles. Again, I repeat, what makes Mr. Jaffe so special?

I strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow, congested residential street. The lots in question have no historic or landmark status, and they are not designated as part of the Wisconsin Avenue Corridor under the plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning. If the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else.

Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

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

## MCP-CTRACK

---

**From:** Dlhopsky, Heather - HXD <HDLhopsky@linowes-law.com>  
**Sent:** Friday, July 08, 2016 3:14 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert  
**Subject:** Bethesda Downtown Sector Plan - Park impact payment  
**Attachments:** Bethesda Downtown Sector Plan 07.08.2016.pdf

Chairman Anderson and Members of the Planning Board,

I am submitting the attached letter on behalf of ZOM Mid-Atlantic for the ongoing worksessions on the Bethesda Downtown Plan, regarding the proposed park impact payment.

Thank you.

Heather

**Heather Dlhopsky**  
Partner

---

**Linowes and Blocher LLP**  
7200 Wisconsin Avenue, Suite 800  
Bethesda, Maryland 20814

Direct: 301.961.5270  
Main: 301.654.0504  
E-mail: [hdlhopsky@linowes-law.com](mailto:hdlhopsky@linowes-law.com)  
LinkedIn: [www.linkedin.com/in/heatherdlhopsky](http://www.linkedin.com/in/heatherdlhopsky)  
Website: [www.linowes-law.com](http://www.linowes-law.com)



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July 8, 2016

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

Re: Bethesda Downtown Plan (the "Sector Plan") – Feedback re: Proposed Park  
Impact Payment

Dear Chairman Anderson and Members of the Planning Board:

I am submitting this letter on behalf of ZOM Mid-Atlantic ("ZOM") regarding the Montgomery County Planning Board's ongoing work sessions on the Sector Plan. This letter specifically addresses the proposed Park Impact Payment that was initially discussed at the Planning Board's June 9<sup>th</sup> work session. The rate that was proposed by Staff at that work session was \$25.81/square foot of density above current zoning (assuming the additional density is purchased from the "pool" that the Planning Board proposes to create rather than purchased directly from another property owner in the plan area). While ZOM is very supportive of new and improved parks and open spaces in Bethesda, as it improves quality of life both for existing residents and employees as well as new members of the community, the concept proposed at the June 9<sup>th</sup> work session is simply the wrong method for funding these parks and open spaces.

Master plans and sector plans, especially those in our down-county areas where additional density is most desired due to transit proximity and existing infrastructure, typically propose increases in density above what is currently permitted. However, in this case, the Planning Board has opted to essentially retain all current zoning so that property owners are forced to purchase the density that would otherwise have been allocated through a master/sector plan and comprehensive rezoning process, in order to raise money for parks and open spaces. This is an unprecedented approach, and frankly one that works at cross-purposes with the County's goal to direct density toward our downtowns and transit proximate areas.

Even if the approach itself were sound, the fee that has been proposed is excessive and an inequitable exaction on new development. This fee assumes that 75% of the cost of acquisition and development of parks and open spaces in Bethesda would fall on new development to fund. Staff identified that the total cost of these desired improvements is \$117 million, which means that \$88 million of this cost would fall on only those developers who utilize the "pool" of density (approximately 3.4 million square feet) that the Planning Board proposes to create under this Sector Plan. Given that the eventual users of these parks and open spaces will be all who live, work, and play in Bethesda, and not simply those users generated by the 3.4 million square feet of "pooled" density, how is it equitable

to require 75% of the cost for these spaces from this small share of the overall development in Bethesda? A more evenhanded solution – one which recognizes that the beneficiaries of these parks and open spaces will be all who spend time in Bethesda – would be to impose an ad valorem tax on all properties within the Sector Plan area, similar to how the urban district tax, mass transit tax, and other ad valorem taxes are applied. This would disperse the costs to all users of the new parks and open spaces and result in a significantly less targeted burden on any one individual group.

If, however, the Planning Board decides to keep in place the system that has been proposed to date, the Park Impact Payment should cover only the costs of park and open space acquisition, and new development should not be required to pay for the cost of the improvements to such spaces. When a property owner dedicates land for parks or open space as part of their redevelopment process, they essentially pay for the cost of acquisition by giving up such area at no cost to the County; such property owner does not also pay for the costs to improve the park or open space.

Further, to the extent that a property owner or developer is subject to the Park Impact Payment, such payment should be offset with a reduction in another exaction to which the redevelopment project would be subject. The most obvious choice would be a reduction in the Building Lot Termination (BLT) requirement. The BLT program is designed to retain low density and open spaces in the County's Agricultural Reserve but, to the extent that new open spaces and parks are badly needed in Bethesda itself, it seems more than logical to keep such funds in the area that will directly benefit rather than sending these funds out of the planning area.

We thank you for your consideration of our comments regarding the proposed Park Impact Payment, and we look forward to continuing to work with Planning Staff, the Planning Board, and eventually the County Council as the Bethesda Downtown Plan makes its way through the review process.

Sincerely,  
ZOM Mid-Atlantic, Inc.



Andrew J. Cretal  
Sr. Vice President

Mr. Casey Anderson, Chair

and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

*David Maguire*  
*Charlie Maguire* 7111 Beechwood DR,  
Chevy Chase, MD 20815



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JUL 07 2016

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

**MCP-Chair**

**From:** Tucker, Marna <MTucker@feldesmantucker.com>  
**Sent:** Tuesday, July 05, 2016 5:37 PM  
**To:** MCP-Chair  
**Cc:** 'Roger Berliner'; 'Mark Elrich'; 'Nancy Floreen'; 'George Leventhal'; 'Hans Riemer';  
Wright, Gwen; Howerton, Leslye; 'Town of Chevy Chase Town Council'  
**Subject:** Jaffe Unjustified Special Treatment  
**Attachments:** 1363382\_1.docx

Marna S. Tucker  
Senior Partner  
Feldesman Tucker Leifer Fidell LLP  
1129 20th Street, NW, Suite 400  
Washington, DC 20036  
T. 202.466.8960  
F. 202.293.8103  
[www.ftlf.com](http://www.ftlf.com)

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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

Dear Chairman Anderson & Members of the Planning Board:

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The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

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is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Marna S. Tucker (3715 Bradley Lane [-mtucker@ftlf.com](mailto:-mtucker@ftlf.com))

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))

**MCP-Chair**

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**From:** Claire Reade <claire.reade@gmail.com>  
**Sent:** Tuesday, July 05, 2016 6:18 PM  
**To:** MCP-Chair  
**Cc:** Roger Berliner; Mark Elrich; Nancy Floreen; George Leventhal; Hans Riemer; Wright, Gwen; Howerton, Leslye; Town of Chevy Chase Town Council  
**Subject:** Objection to treatment of Jaffe properties at 6801 and 6807 Wisconsin Avenue, Bethesda

We are writing to underscore the views expressed in the letter below. It is difficult to understand how the Board made a decision to take steps regarding the properties at 6801 and 6807 Wisconsin Avenue that are inconsistent with the treatment of essentially all other properties in the Bethesda Overlay Zone and that, if we understand the situation correctly, give the business owner a 22,500 square foot windfall worth more than \$1 million. The lack of any expressed explanation or reasonable rationale for this unusual treatment is likewise very troubling.

We would ask you to reverse this decision, and provide concerned residents an opportunity to weigh in on how to move forward appropriately from here.

Sincerely,

Claire Reade and Earl Steinberg  
3913 Leland Street  
Chevy Chase, MD 20815

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Cecily Baskir & John Freedman

4408 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))

Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))

Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))

George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))

Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))

Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))

Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))

Town of Chevy Chase Town Council ([townoffice@townofchevyCHASE.org](mailto:townoffice@townofchevyCHASE.org))

**MCP-Chair**

---

**From:** Gautam Prakash <gautam@monsooncapital.com>  
**Sent:** Tuesday, July 05, 2016 9:32 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrch@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov; George Leventhal; Hans Riemer;  
Wright, Gwen; Howerton, Leslye; Town of Chevy Chase Town Council  
**Subject:** Opposition to the Board's change in zoning for the Jaffe properties (6801 Wisconsin Ave and 6807 Wisconsin Ave)

TO: Mr. Casey Anderson (Chair) and Members of the Montgomery County Planning Board

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

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Thank you for your consideration.

Gautam and Anjali Prakash  
4309 Elm Street  
Chevy Chase, MD 20815

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**Gautam A. Prakash**  
**Managing Director**  
**Monsoon Capital LLC**  
**4720 Montgomery Lane, Suite 410**  
**Bethesda, MD 20814**



**MCP-Chair**

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**From:** GEORGE SCHU <george.schu@gmail.com>  
**Sent:** Tuesday, July 05, 2016 9:35 PM  
**To:** MCP-Chair  
**Cc:** CM Berliner; Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov; Leventhal's Office,  
Councilmember; Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen;  
Howerton, Leslye; Town Office  
**Subject:** Bethesda Downtown Plan

Mr. Casey Anderson, Chair and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

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Thank you for your consideration,

George and Theresa Schu

4306 Stanford St

Chevy Chase, MD 20815

**MCP-Chair**

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**From:** Martin Gold <mgold@mcbeestrategic.com>  
**Sent:** Wednesday, July 06, 2016 10:42 AM  
**To:** MCP-Chair  
**Cc:** Roger Berliner; Mark Elrich; Nancy Floreen; George Leventhal; Hans Riemer; Wright, Gwen; Howerton, Leslye; Town of Chevy Chase Town Council  
**Subject:** objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue.  
**Importance:** High

I am Martin Gold and I reside at 4420 Walsh Street in the Town of Chevy Chase.

I agree with everything stated in the letter from Cecily Baskir & John Freedman, below.

I strongly ask the Planning Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

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

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Thank you for your consideration.

Cecily Baskir & John Freedman  
4408 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))

MARTIN GOLD 4420 WALSH STREET, CHEVY CHASE, MD 20815

**MCP-Chair**

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**From:** Deborah Zarin <deborah.zarin@gmail.com>  
**Sent:** Wednesday, July 06, 2016 10:57 AM  
**To:** MCP-Chair  
**Cc:** Marqusee, Jeffrey A.; Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrch@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
townoffice@townofchevy Chase.org; Howerton, Leslye  
**Subject:** Jaffe properties at 6801 and 6807 Wisconsin

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

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Thank you for your consideration.

Deborah A. Zarin, M.D.  
4402 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
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Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))

**MCP-Chair**

---

**From:** Maree Webster <websterm@stanleyresearch.org>  
**Sent:** Wednesday, July 06, 2016 11:17 AM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** 6801 and 6807 Wisconsin Avenue are currently zoned R-60!!

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

Dear Chairman Anderson & Members of the Planning Board:

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Thank you for your consideration.

Maree J. Webster, PhD  
4425 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner  
Mark Elrich  
Nancy Floreen  
George Leventhal  
Hans Riemer  
Gwen Wright  
Leslye Howerton  
Town of Chevy Chase Town Council



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**MCP-Chair**

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**From:** Katya Marin <katya.a.marin@gmail.com>  
**Sent:** Wednesday, July 06, 2016 1:19 PM  
**To:** councilmember.riemer@montgomerycountymd.gov;  
councilmember.elrich@montgomerycountymd.gov;  
councilmember.floreen@montgomerycountymd.gov;  
councilmember.leventhal@montgomerycountymd.gov; CM Berliner;  
councilmember.hucker@montgomerycountymd.gov;  
councilmember.katz@montgomerycountymd.gov; Nancy Navarro;  
councilmember.rice@montgomerycountymd.gov; ocmemail@montgomerycountymd.gov;  
**Subject:** MCP-Chair; Anderson, Casey  
Bethesda Plan

To the Planning Board and County Council.

I am writing to you with comments on Bethesda Plan currently under review, and the process by which it is being assessed.

### **PARKS IMPACT PAYMENT**

In the worksession last week, Thursday, June 30, there was a great deal of talk about the Parks Impact Payment plan as it relates to additional density requests. Norman Dreyfuss seems particularly concerned about developers' costs, and wants to OFFSET the Parks Impact Payments by lowering other requirements that are imposed on all Bethesda development, essentially making the additional density FREE. Even if one doesn't offset these payments completely, the sentiment is that keeping developer costs down is of greater import than insuring that the community benefits in some way when additional demands are made on its infrastructure. Parks Impact Payments should be made for additional density, without offset, end of story.

The requirements for building in Bethesda are clear. The cost for additional density will also be clear. This will be the cost of building in Bethesda. It is not Mr. Dreyfuss's job, nor the job of the Planning Board, nor the job of the community, to protect developers from the cost of doing business. It is not our job to make their projects profitable. Will these costs make it prohibitively expensive to build in Bethesda? No. There is no reason to give away something for nothing when the entire plan is built on the premise that development in Bethesda will bring with it many benefits to the community.

Mr. Dreyfuss's protests make it difficult to trust him to be impartial. This is of huge concern to residents in the area. This comes after hearing Ms. Presley, at the end of a worksession, suggest to Mr. Anderson that they should tell developers to complain about reductions in height. We in the community have lost faith in the

Planning Board. Many of us feel betrayed, and more than a little concerned about the future of Bethesda when this kind of favoritism is evident.

There was another point at which Mr. Dreyfuss wanted to grant additional height/density if the MDPU's require a project to go above a certain height. MDPU's cannot EEVER require a builder to go above a certain height, unless builders insist on 15% as an exact standard and not as a minimum. MDPU's should not provide a gateway to additional heights when heights are already generous. These are just two examples of how the community is being betrayed exploited, and these in just one work session. It happens quickly, and the community loses more and more at every single worksession. We expect developers to ask for more than they should have; but we also expect the Planning board to be more judicious in their decisions.

## TRAFFIC

In researching the last sector plan, the current plan, and assumptions that are and were made in both, it came to our attention that the traffic numbers being used as a basis for ALL traffic modeling in the plan are somewhat dubious. In fact, numbers cited show that traffic levels have gone down since the last traffic studies. This is incredibly hard to believe (even you must find this dubious), and when we asked how that can be, the response is that it depends on the day – ONE DAY?! – that the study is conducted, and the county can't afford to spend more time conducting studies.

Is that really the case? The County can't afford more traffic studies but the County can afford to proceed with a plan adding millions of square feet of density to an area with moderate to severe traffic you're your own MoCo reports) EIGHT HOURS of EVERY weekday. I don't see how you can afford to make a mistake here. There is no going back from additional development, the damage will be done. I implore you to suspend development in the area until adequate and realistic studies are conducted. Perhaps something more reliable than counting cars for a single day, and assuming unrealistic public transportation usage.

## 1994 VS. 2016

As mentioned, we have been looking at the 1994 Plan. In many ways, it was a smarter and more trustworthy plan. For one, it acknowledged the challenge of increasing the number of students in the Bethesda area – a problem which the current Planning Staff and Planning Board seems happy to ignore. The plan acknowledges that the existing school campuses are – were ALREADY -- subpar by county standards. Not only that, but the Plan outlines in detail the challenges of adding space and/or schools in such an expensive area. The Plan also had a balanced approach to adding green space and amenities to maintain the charm and appeal of Bethesda. The Plan was very cognizant of the fact that this charm could easily be undermined by overdevelopment.

The real issue however, is not how the old plan and new plan differ. The issue is that the only aspects of the plan that were realized were the commercial developments. A plan can be in balance in theory and fall apart when executed poorly. This is what happened with the 1994 plan and it's plain that the outcome of the new plan will be even more catastrophic unless there are controls built in to assure that certain parts of the plan – 110'-290' buildings, thousands more cars, a new metro station – are NOT implemented without the others. If nothing else, please limit development to be in proportion to the parks and walkability that are realized. The plan will only be as good as its execution. This lies in your hands as much as the vision you are hammering out.

Hundreds of residents in the area are spending hours upon hours researching zoning and traffic and writing letters and watching worksessions, all because we have lost faith in you to develop this area sensibly. Many of us object to tall buildings adjacent to our homes, but very few of us object to height and development in general (in "your" CBD). Please work with us.

What we object to is ugly boxy buildings, failing traffic, dangerous intersections, overcrowded schools, and the ongoing loss of trees and green space. You should too. But it's all happening on your watch.

Katya Marin

Fairfield Drive

## **MCP-CTRACK**

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**From:** Hank Bowis <hankbowis@kenwoodmgt.com>  
**Sent:** Wednesday, July 06, 2016 7:59 PM  
**To:** MCP-Chair  
**Cc:** Dalrymple, C Robert - CRD; John Bowis  
**Subject:** Bethesda Sector Plan  
**Attachments:** 2016\_07\_06\_16\_53\_59.pdf

The Honorable Casey Anderson, Chair

Please see attached letter concerning the PIP proposal.

Henry A. Bowis  
F & H Investments  
301 656 7790

**F&H INVESTMENTS L.P.  
5272 River Road Suite 360  
Bethesda, MD 20816  
301-656-7790**

July 6, 2016

*Via E-Mail (MCP-Chair@mncppc-mc.org) & First-Class Mail*

The Honorable Casey Anderson, Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Bethesda Downtown Sector Plan (the "Sector Plan"); Proposed Parks Impact Payment ("PIP")

Dear Chairman Anderson and Members of the Planning Board:

As the owners and operators of automobile dealerships at 7725 and 7735 Wisconsin Avenue (between Cheltenham Drive and Middleton Lane on the east side of Wisconsin Avenue – the "Property") for almost 80 years (currently operating Acura and Nissan dealerships), we have a very deep and personal connection with Downtown Bethesda. Given the uncertain future of the automobile, we recognize a need to continuously evaluate what alternatives exist for future use of our Property. In this vein, we have been involved in the Sector Plan process and are actively engaged in the shaping of the Downtown for the many years to come. Our reason for sending this letter is to provide our position in opposition the proposed PIP as the primary funding source for a new park system serving the Downtown.

Bethesda is ripe for redevelopment and urbanization – in fact, it may be the best location in the region for a vast economic development opportunity. In this regard, we fully support the development of public amenities and urban parks and open and green spaces that will help make the Downtown an incredibly successful place to live, work, shop and play. The economic burden to provide the public amenities and parks cannot, however, be placed almost solely on the backs of new development. Investment in the redevelopment of our downtown is already taxed excessively, with the costs of redevelopment and the level of exactions high in comparison to other competitive locations in the region. The redevelopment itself will provide an incredible boost to the County tax base, but this redevelopment will not occur if unfair and inequitable burdens are put on new development. The costs of infrastructure and amenities that will provide

The Honorable Casey Anderson, Chair  
July 6, 2016  
Page 2

benefit to existing and new residents and businesses have to be spread to all for proper absorption – it is short-sighted and unrealistic to think that new development alone should or will absorb an inequitable share of the costs and burdens.

The PIP proposal, which essentially reads as a government sale of density, is excessive and unreasonable. In truth, as experienced business people with a long-vested interest in the area and exposure to numerous master and sector plans, never have we witnessed an update to comprehensive planning and zoning that doesn't through the natural course of the process add density and opportunity through zoning and land planning that reflects growth and progress. Aside from the unfairness and inequities of new development bearing the brunt of the costs of providing amenities enjoyed by all, the notion in this Sector Plan that additional density above that which has been zoned for over 20 years come at a price (let alone a price of \$25.81 as currently proposed by your Staff) is unprecedented and frankly is a poor zoning and planning precedent to establish.

We ask that you re-think these ideas and have as your collective goal a Sector Plan that will encourage significant redevelopment and investment in our Downtown, not a plan that unfairly and irresponsibly places economic burdens on new development that will serve as disincentive and disregard for the opportunities that are readily available for what should be the County's and region's economic center.

Very truly yours.

**F&H INVESTMENTS L.P.**



Henry A. Bowis, General Partner

cc: Members, Montgomery County Planning Board

## MCP-CTRACK

---

**From:** JulietH@aol.com  
**Sent:** Wednesday, July 06, 2016 10:18 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** (no subject)

Mr. Casey Anderson, Chair

and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60. I am very disappointed in the Board. Your decisions defy all logic, especially the Jaffe Building near a church and bordering a lot of homes in Chevy Chase. It makes no sense and will destroy the character of our neighborhood. I am considering moving out of Maryland with a lot of my tax money if this goes through. That project should be completely canceled. We will all recommend an investigation if this goes through.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned

residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Cecily Baskir & John Freedman

4408 Ridge St., Chevy Chase, MD 20815

Cc:



## **MCP-CTRACK**

---

**From:** Michael Knable <mknable@clearviewcommunities.org>  
**Sent:** Thursday, July 07, 2016 7:36 AM  
**To:** MCP-Chair  
**Cc:** Roger Berliner; Mark Elrich; Nancy Floreen; George Leventhal; Hans Riemer; Wright, Gwen; Howerton, Leslye; Town of Chevy Chase Town Council; Maree Webster  
**Subject:** Development plan for Bethesda near West Avenue

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

Dear Chairman Anderson & Members of the Planning Board:

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Thank you for your consideration.

Michael Knable and Maree Webster  
4425 Ridge Street  
Chevy Chase, MD 20815

**\* Confidentiality Notice \*** This electronic message may contain confidential and legally protected information, intended only for the use of the individual or entity named in the message header. The authorized recipient of this information is prohibited from disclosing this information to any other party and is required to delete the electronic message after its stated need has been fulfilled. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or action taken in reliance on the contents of this electronic message and/or any attachments is strictly prohibited. If you have received this electronic message in error, please notify the sender immediately to arrange for your electronic email address to be removed from the sender's personal address book and/or distribution list.

**MCP-Chair**

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**From:** John O'Beirne <jfo@farmwomensmarket.com>  
**Sent:** Monday, July 04, 2016 1:02 PM  
**To:** MCP-Chair  
**Subject:** Re; The Farm Women's Market- Set the Record straight..

RECEIVED  
JUL 05 2016

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

Mr. Anderson,

I appreciate your negative comments of the Farm Women's Market at last Thursday evening's Planning Board meeting. It was most enlightening. I came on-board to help the Farm Women's Market Thanksgiving of 2013 following the car crash to the rear of the Market building. I oversaw the repair and subsequent insurance claims associated with the damages and stayed on to help the Market improve the overall Market experience. We have a long way to go!

Nevertheless, many things have improved. Before, I arrived, the Market had no Social Media outreach, email list or a decent website. We now have those tools and continue to build on them. When I came to the Market, the grounds were frequently a mess. You may notice they have improved. We have begun the process of improving our signage and aesthetic appearance with a better Wisc. Ave. entrance-way and adding greenery and mulch to our back hillside to reduce soil-runoff. However, we have been impeded beautifying other parts of the grounds by recent Traffic Signal boxes and roadway improvements. We have made some efforts to improve our Willow Lane side. But, because of impending Purple Line re-routing of the CCT to Willow Lane and subsequent re-configuring of the road (Delayed, for the 3rd time till 2017) plus the addition of the Twitter Bus Pick-up/Drop off on Willow, we have been reluctant to invest in landscaping only to have the County dig it up.

Our historic building is in need of many improvements, most of all exterior painting and new awnings. Bids have been taken for this improvement. With regard to the Interior, it is "eclectic" to be kind. There are roughly 26 small businesses operating inside the Market building; each with it's own personality and unique appearance. Some, I would love to see disappear. Others are wonderful and reflect the historic nature of our Market.

With regard to "Management", our Market is as much a family institution (going back several generations) as it is a business. And, particularly unique in that it was founded by "Women" in an age when women were best "kept at home" as the saying went. The Farm Women's Market represents more than just an old building that needs paint. Many area businesses got their start at the FWM. It has been an incubator for a number of success stories, particularly women-owned businesses and continues to provide affordable space for budding entrepreneurs. The vast majority who "shop" in our Market enjoy it's "quirkiness" and personality. If you want pretty, shop somewhere else. Bill Marriott doesn't mind, John Roberts doesn't mind, Kevin Plank doesn't mind, Cokie Roberts doesn't mind. Should I go on?

No, we're not as pretty and polished as Union Market in DC. Or, have the benefit of using public space with little or no maintenance or utility costs like the Central Farm Markets. But for nearly nine decades, we have been a meeting place and integral part of the community for generations of families. Supreme Court Justices, Presidential families, Business Leaders, Diplomats and notable Media have enjoyed shopping alongside Teachers, Plumbers, Gardeners and ordinary folk for many years and continue this tradition.

To expect us to improve the Market in two or three years is unreasonable. But, we are moving in the right direction. To deny the value in greater FAR's for the benefit of the Market because of your own aesthetic prejudice (ie Hot Dog Stands), is unfair. To assume Public ownership would do a better job, is speculation.

Nevertheless, thank you for your thoughts via Thursday's public meeting.

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Please be advised, these comments are my own and may or may not reflect the opinion of our Board of Directors. I merely wanted to set the record straight- We are making efforts despite the proliferation of Farmer's Markets, CSA's and Rooftop Gardens that face little to no regulation from the County.

Regards,

John

--



John O'Beirne  
Bethesda Farm Women's Market  
7155 Wisconsin Ave.  
Bethesda, Maryland 20814  
[www.farmwomensmarket.com](http://www.farmwomensmarket.com)

**MCP-Chair**

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**From:** Andy Leon <andyleon2006@earthlink.net>  
**Sent:** Tuesday, July 05, 2016 11:51 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals. We cannot fund these improvements unless we tap developers who stand to benefit regardless. The neighborhood should not be short-changed.

Thank you for your consideration,

# Coalition of Bethesda Area Residents

Local residents advocating for a vibrant downtown supported by livable communities.

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## CBAR comments on PIP and Open Space PSS Proposals

### In Archive

- [June 2016](#)
- [May 2016](#)
- [March 2016](#)
- [February 2016](#)

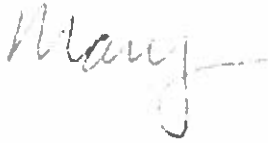
Posted on June 28, 2016 by Mary Flynn — No Comments ↓

I submitted the following letter on Tuesday, June 28 to Mr. Casey Anderson, Chairman of the Planning Board, and the Planning Board Commissioners. The issue of the Parks Impact Payment will be revisited by the Planning Board at Worksession #16 on Thursday, June 30.

As of June 24 the Planning Staff have received three letters *opposing* the Staff proposal and/or suggesting a *much lower contribution by the developer community*.

**To express your support for equitable consideration of developers, property owners, and community interests,** please [click here](#) to send an email to the Planning Board. Edit the message however you wish. Be sure to sign the message with your full name!

Until next time,



Mary

Dear Chairman Anderson and Vice-Chair Wells-Harley, and Commissioners Dreyfuss, Fani-Gonzalez, and Presley:

I am writing to support several staff recommendations that were introduced at Worksession 14 (BDP\_worksession 14\_060916combined.pdf) to incorporate high quality, open green space into the Bethesda Downtown Plan, which is necessary to grow Bethesda into a successful and desirable city. I am especially supportive of most recommendations set forth in the **Parks Impact Payment and Priority Sending Site** proposals

I am also encouraged that the Board is evaluating options that would allow County-owned **public parking lots** to be converted in whole or in part to parks. I want to emphasize the absence of active recreational spaces in downtown Bethesda, and contrast it with our projected population and the County-wide lack of transit-oriented recreation facilities. Converting publicly owned parking lots into parks, as opposed to selling private building development rights on this land, is a logical way to boost the extremely low percentage of public open space in Bethesda. *I am working with area residents to refine our collective understanding of the complex issues surrounding the County-owned public parking lots, and will follow up with a separate letter.*

As with previous letters, please note that while I am the only signatory, I am copying local community leaders as a courtesy. I ask that any responses be directed to all recipients.

**Parks Impact Payment (PIP): Necessary**

The Staff recommendation for combining a Parks Impact Payment with Priority Sending Site incentives is the only proposal thus far that has any promise of fulfilling the Parks and Open Space goals (section 1.3.6). Bethesda needs more dedicated park space to bring the downtown area into balance as density increases. Importantly, parks will be needed sooner than later to counter the loss of mature shade trees as construction begins for the Purple Line along the Capital Crescent trail, for the expansion of B-CC High School, and for all other construction throughout the plan area. As planning Staff learned through the public comments process, the greater Bethesda area community values green space as a top priority.

#### PIP Pricing Methodology: Equitable

I support the Staff's pricing methodology for calculating the Parks Impact Payment as recommended on slide 29:

$$\frac{\text{Moderate Cost Estimate} * 75\% \text{ Proportion PIP Funding}}{\text{Available BOZ Density}}$$

The three parameters are supportable for the following reasons.

- |                              |  |
|------------------------------|--|
| Moderate Cost Estimate       | <ul style="list-style-type: none"><li>• With so little land available, small urban parks need to be high quality areas. It is important that public spaces are built with public enjoyment and safety in mind.</li><li>• The moderate estimate allows some flexibility in the plan. For example, less expensive parks can complement and link to more expensive, multi-use spaces.</li></ul> |
| 75% Proportional PIP Funding | <ul style="list-style-type: none"><li>• Urban buildings that are close to beautiful public spaces are in higher demand, and thus more profitable. Developers bear no risk from contributing to the PIP pool, and will</li></ul>  |



earn financial rewards simply by proximity. It is appropriate that those who stand to profit the most should invest the most.

- Montgomery County taxpayers should pay no more than 25% of the total bill, as those outside the downtown area will not enjoy the same level of benefit as local residents and businesses.

Available  
BOZ  
Density

- The Available BOZ (Bethesda Overlay Zone) Density is an appropriate denominator because it recognizes that the increased need for public park space is a consequence of increased density.
- Linking the Parks Impact Payment with available density is also consistent with the Plan Framework presented in section 1.2.2 of the Staff Draft: *"With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development."*

- 2. Optional Method Public Benefits in the CR zone:**  
Public benefits must be provided that enhance or contribute to the objectives of the zone and the goals of this Sector Plan. **With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development.**

I also note that the Parks Impact Payment proposal is a good and fair deal for developers in that it makes incentive (bonus) density accessible to *all* eligible property owners at nearly *half* the cost of what can be obtained through density averaging under the 2014 Zoning Ordinance, Optional Development method (division 4.5.4). (See the next section regarding eligibility and the edges.)

**Incentives for Open Space Priority Sending Sites:  
Necessary and Equitable**

The Parks Impact Payment fund will accumulate money and sit unused until land is acquired. In order to compensate and encourage property owners of designated Open Space Priority Sending Sites to convert their land to public parks, I support the **Priority Sending Sites Working Draft Incentives and Staff Recommendation for additional incentives** (slide 31):

- Lift the 1/4-mile restriction for incentive density averaging

IMPORTANT NOTE: Density from any priority sending site (regardless of its designation as Open Space, Landmark, or Affordable Housing) should be transferred only into the High Performance Area (see Figure 2.18). Further, design guidelines should define additional "edge" areas and make clear that incentive density from any source can never be imported into edge areas. This is necessary to fulfill the Plan goal of protecting neighboring communities from excessive development.

- Eliminate the requirement for common sketch and site plans
- Remove the BLT (Building Lot Termination) requirement for priority sending site density
- Keep the MPDU requirement for mapped density in the Bethesda Downtown Plan at 15%, and reduce the MPDU requirement for PSS incentive density to the County's lower level of 12.5%
- Remove the Park Amenity Payment (the "PIP")

Note that slide 32 lists suggestions that Staff evaluated and explicitly do not recommend. I agree that these suggestions should not be approved by the Board, as they do not treat builders, property owners, and the community equitably.

In contrast, the current Staff proposal benefits all stakeholders:

- **Builders** who wish to exceed their mapped FAR will gain significant value from acquiring incentive density from a Priority Sending Site (see incentives above).
- Because their incentive density offers much greater value than the alternatives, **Priority Sending Site property owners** can negotiate higher prices and thus receive necessary and appropriate financial rewards for extinguishing their development rights
- With the above incentives to private property owners, Open Space Priority Sending Sites have a much greater chance of being converted from private land to **public parks** early in the sector development process. Additional parks are needed sooner than later to help relieve **area residents** from the stresses of ongoing construction and to attract customers to **local businesses**.

#### Conclusion

Only 2.2% (9.9 acres) of the 451 total acres in the Bethesda Downtown Plan area is currently dedicated to open space. Planning Staff propose an additional 12.3 acres, which, if fully implemented, still amounts to **only 4.9%** of the total area. This number is substantially less than the green space in successful and desirable cities. For example, green space occupies 51% of Vienna, nearly 40% of London and almost 20% in New York City and Washington DC. Bethesda is far behind, and risks becoming increasingly less competitive compared to neighboring jurisdictions. The only way to get ahead is with deliberate and smart urban planning that takes a holistic view of how cities become desirable.

To summarize, the **Parks Impact Payment** and **Priority Sending Site** incentives are necessary, balanced, and consistent with Plan goals.

Respectfully,

Mary M. Flynn  
Founder, Coalition of Bethesda Area Residents  
4114 Blackthorn St, Chevy Chase

CC:

- Montgomery County Planning Department: Gwen Wright, Planning Director
- East Bethesda Citizens Association: Lisa Volpe McCabe, president
- Town of Chevy Chase: Scott Fosler, mayor
- Chevy Chase West Neighborhood Association: Naomi Spinrad, vice president
- Sacks Neighborhood Association: Cristina Echavarren, president
- Edgemoor Citizens Association: Judy Gilbert Levey, president



#### About Mary Flynn

Mary Flynn is a resident of the Town of Chevy Chase and the founder of CBAR.

◀ Prepare Now

Developers: Asked to do too much, or too little? ▶

Posted in Uncategorized

## Leave a Reply

Your email address will not be published. Required fields are marked \*

Comment

## **MCP-CTRACK**

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**From:** Cecily Baskir <cebaskir@verizon.net>  
**Sent:** Tuesday, July 05, 2016 12:34 PM  
**To:** MCP-Chair  
**Cc:** Wright, Gwen; Howerton, Leslye; Councilmember.Berliner@montgomerycountymd.gov; Councilmember.Elrich@montgomerycountymd.gov; Councilmember.Floreen@montgomerycountymd.gov; Councilmember.Leventhal@montgomerycountymd.gov; Councilmember.Riemer@montgomerycountymd.gov; Town Office; johnafreedman@gmail.com  
**Subject:** Comments on Bethesda Downtown Plan - Jaffe properties

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

Dear Chairman Anderson & Members of the Planning Board:

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Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

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Thank you for your consideration.

Cecily Baskir & John Freedman  
4408 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmcmber.Floreen@montgomerycountymd.gov](mailto:Councilmcmber.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevy Chase.org](mailto:townoffice@townofchevy Chase.org))

## **MCP-CTRACK**

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**From:** Michele - hotmail <michele.johnston1@hotmail.com>  
**Sent:** Tuesday, July 05, 2016 12:45 PM  
**To:** MCP-Chair  
**Subject:** Bethesda West Ave Development

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

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The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and

consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Cecily Baskir & John Freedman  
4408 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))



## **MCP-CTRACK**

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**From:** RAY JOHNSTON <ray.johnston@hotmail.com>  
**Sent:** Tuesday, July 05, 2016 12:46 PM  
**To:** MCP-Chair  
**Subject:** Bethesda West Ave Development

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and

consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Cecily Baskir & John Freedman  
4408 Ridge St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevyCHASE.org](mailto:townoffice@townofchevyCHASE.org))

## MCP-CTRACK

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**From:** Jane E West <janeellenwest@gmail.com>  
**Sent:** Tuesday, July 05, 2016 12:54 PM  
**To:** MCP-Chair  
**Cc:** udubalum@aol.com; Councilmember.berliner@montgomerycountymd.gov;  
councilmember.Elrich@montgomerycountymd.gov;  
councilmember.Floreen@montgomerycountymd.gov; 'George';  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** Objections to building plans for West Ave in Chevy Chase

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60. In addition, these properties border our street, Walsh Street, and are visible from our home.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

We depend on you to act in the best interest of our community and our county. We depend on you to act with integrity and with all due consideration to the voices of constituents and the full impact of your decisions on all aspects of our community – traffic, congestion, environment, schools, density, desirability etc. We do not believe that this has occurred and we urge you to reconsider.

We would be happy to talk with you. We can be reached via email [janeellenwest@gmail.com](mailto:janeellenwest@gmail.com).

Thank you for your consideration.

Sincerely,

Dr. Jane E. West

Dr. Stanley Mayer

4425 Walsh Street, Chevy Chase

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevyCHASE.org](mailto:townoffice@townofchevyCHASE.org))

## MCP-CTRACK

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**From:** Judith McGuire <judithsmcguire@gmail.com>  
**Sent:** Tuesday, July 05, 2016 1:09 PM  
**To:** MCP-Chair  
**Subject:** No upzoning for the Jaffe property in Bethesda

Dear County Planning Board,

Mr. Casey Anderson, Chair

and Members of the County Planning Board

Montgomery County Planning Board

8787 Georgia Avenue

Silver Spring, Maryland 20910

Dear Chairman Anderson & Members of the Planning Board:

I endorse the letter sent by Cecily Baskir and John Freedman which follows. There is absolutely not excuse for your making a special deal over the Jaffe property, especially because it is so far from the Metro and because it is right next to a dangerously overstressed intersection that will be further stressed by this development. There is no excuse for giving them special favors.

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Judith McGuire  
4003 Rosemary St.  
Chevy Chase, MD 20815

## MCP-CTRACK

---

**From:** james bailey <jj5bailey7@verizon.net>  
**Sent:** Tuesday, July 05, 2016 1:52 PM  
**To:** MCP-Chair  
**Cc:** councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** Jaffe properties 6801 and 6807 Wisconsin Avenue  
**Attachments:** 6801 wisconsin ave, Bethesda, MD - MapQuest.pdf; ATT00001.htm

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area (see attached) and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as

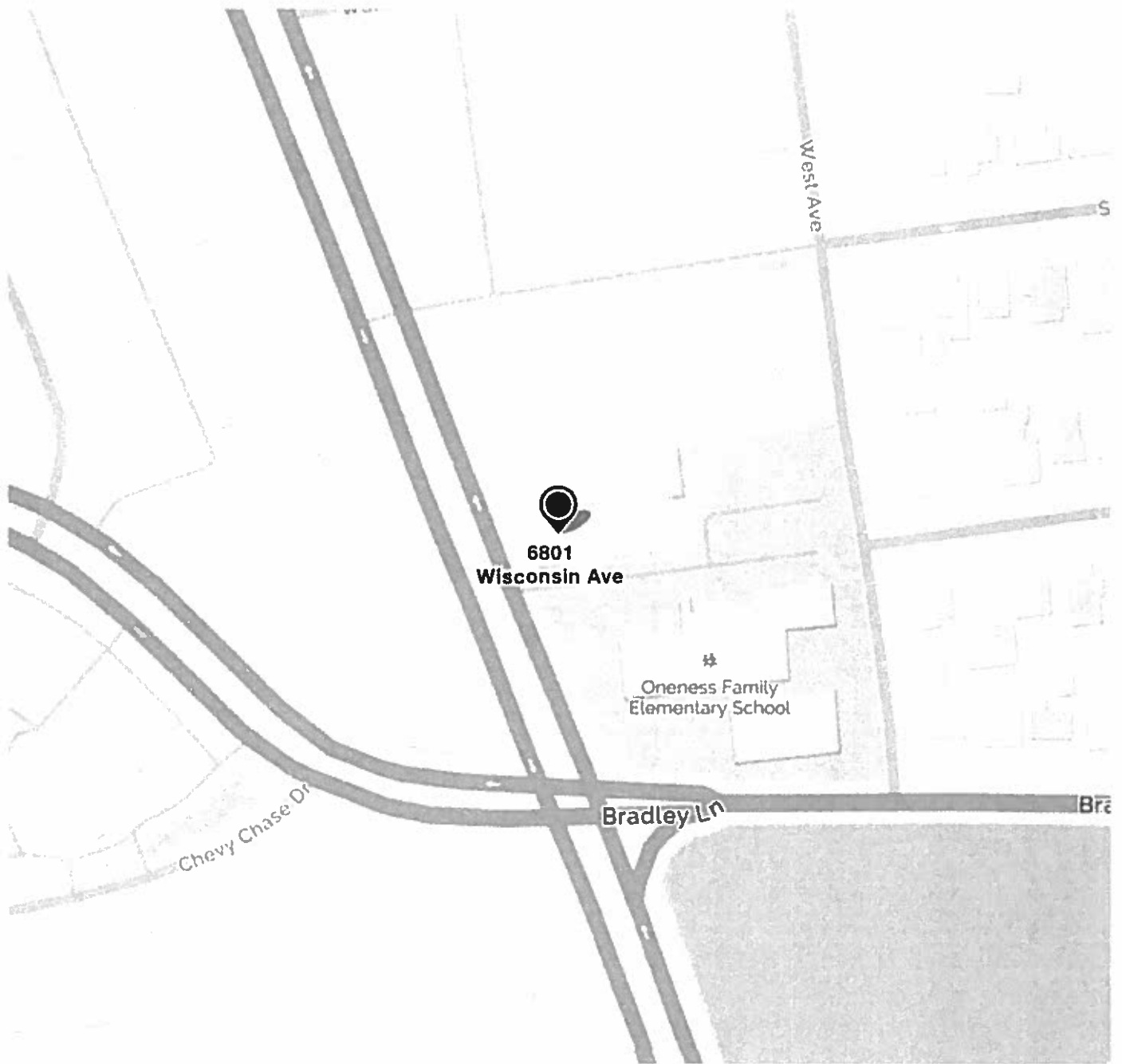
Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thanks kindly for your attention in this matter.

James and Mary Bailey  
4309 Rosemary St., Chevy Chase, MD 20815





6801  
Wisconsin Ave

\*  
Oneness Family  
Elementary School

Chevy Chase Dr

Bradley Ln

West Ave

Brä

## MCP-CTRACK

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**From:** Carolyn & Stephen Bou <cvbandsab@aol.com>  
**Sent:** Tuesday, July 05, 2016 2:27 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** 6801 and 6807 Wisconsin Avenue

Dear Chairman Anderson & Members of the Planning Board:

We have been residents of the Town of Chevy Chase since 1985. Along with our neighbors, we are extremely concerned with plans for encroachment upon our neighborhood by high rise buildings and the elimination of buffer zones that currently protect our residential community. *We do not want to live in the shadow of what looks to become like Crystal City, Virginia.* We especially object to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, *the market value of your gift to Mr. Jaffe exceeds \$1.1 million*, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

The Board made its June 30 decision regarding this property (i) *with no notice to concerned residents or the affected community* and (ii) *without allowing representatives of the affected community to comment.* In addition, the Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so

sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Sincerely,

Carolyn and Stephen Bou  
7000 Maple Avenue Chevy Chase, MD 20815

## **MCP-CTRACK**

---

**From:** Fred Morse <fredmorse@maienergy.com>  
**Sent:** Tuesday, July 05, 2016 2:45 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Ieventhal@montgomerycountymd.gov;  
councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevy Chase.org  
**Subject:** Zoning Matter

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Fred Morse and Sheila Blum  
6904 Ridgewood Avenue, Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevyCHASE.org](mailto:townoffice@townofchevyCHASE.org))

**Frederick H. Morse**  
President  
Morse Associates, Inc.  
6904 Ridgewood Avenue  
Chevy Chase, MD 20815  
cell phone 202-276-0518

## **MCP-CTRACK**

---

**From:** John L. Kolakowski <jlk036@yahoo.com>  
**Sent:** Tuesday, July 05, 2016 2:53 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov;  
Councilmember.Floreen@montgomerycountymd.gov;  
Councilmember.Leventhal@montgomerycountymd.gov;  
Councilmember.Riemer@montgomerycountymd.gov; Wright, Gwen; Howerton, Leslye;  
townoffice@townofchevychase.org  
**Subject:** Jaffe properties at 6801 and 6807 Wisconsin Avenue

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

Dear Chairman Anderson & Members of the Planning Board:

We write to express our objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

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The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

John and Jill Kolakowski  
4115 Aspen St., Chevy Chase, MD 20815

Cc: Roger Berliner ([Councilmember.Berliner@montgomerycountymd.gov](mailto:Councilmember.Berliner@montgomerycountymd.gov))  
Mark Elrich ([Councilmember.Elrich@montgomerycountymd.gov](mailto:Councilmember.Elrich@montgomerycountymd.gov))  
Nancy Floreen ([Councilmember.Floreen@montgomerycountymd.gov](mailto:Councilmember.Floreen@montgomerycountymd.gov))  
George Leventhal ([Councilmember.Leventhal@montgomerycountymd.gov](mailto:Councilmember.Leventhal@montgomerycountymd.gov))  
Hans Riemer ([Councilmember.Riemer@montgomerycountymd.gov](mailto:Councilmember.Riemer@montgomerycountymd.gov))  
Gwen Wright ([gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org))  
Leslye Howerton ([leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org))  
Town of Chevy Chase Town Council ([townoffice@townofchevychase.org](mailto:townoffice@townofchevychase.org))

## MCP-CTRACK

---

**From:** Levitt, David (CIV) <David.Levitt@usdoj.gov>  
**Sent:** Tuesday, July 05, 2016 3:30 PM  
**To:** MCP-Chair  
**Cc:** cebaskir@verizon.net; bslevitt@gmail.com  
**Subject:** Special Consideration For Jaffe Properties At 6801 and 6807 Wisconsin Avenue

Hi Chairman Anderson,

We have read with interest the letter of Cecily Baskir and John Freedman arguing that, although all other property owners in the Bethesda Sector Plan will have to purchase excess density from a common pool, the recommendation of the Planning Board to the County Council will be that the Jaffe properties located at 6801 and 6807 Wisconsin Avenue be zoned for extra density automatically. This would free these properties from the need to purchase extra density from the pool, and save the developer the cost of purchase. The letter from Ms. Baskir and Mr. Freedman also states that the Planning Board's recommendation is silent concerning why the Jaffe properties are singled out for special treatment.

We do not know the specific facts concerning these properties because we have focused on assisting citizen groups to limit densities in general, rather than the recommendations concerning particular parcels. However, if what Ms. Baskir and Mr. Freedman say is accurate, we believe that, to avoid the appearance of impropriety and serve the public interest, the Planning Board must clarify why its recommendation to the County Council will be to offer special treatment to the Jaffe properties. We think such special favors resemble "crony capitalism," and where a "give away" like this involves expense to the remainder of the community, must be avoided as an aspect of "good government." Thus, we encourage the Planning Board to reconsider its recommendation in this regard, and either rescind the special treatment or at least explain why these particular properties apparently are obtaining special treatment.

Thanks for considering this email.

Sincerely yours,

David and Barbara Levitt  
7100 Meadow Lane  
Chevy Chase, Maryland 20815  
(301) 656-9258



## MCP-CTRACK

---

**From:** Lauren Boccardi <laurenboccardi@hotmail.com>  
**Sent:** Tuesday, July 05, 2016 3:36 PM  
**To:** MCP-Chair  
**Cc:** Councilmember.Berliner@montgomerycountymd.gov;  
Councilmember.Elrich@montgomerycountymd.gov; Nancy Floreen; George Leventhal;  
Hans Riemer; Wright, Gwen; Howerton, Leslye; Town of Chevy Chase Town Council; Paul Pavlica  
**Subject:** June 30 Planning Board vote on Jaffe properties

Dear Chairman Anderson & Members of the Planning Board:

We write to express our strong objections to the Board's June 30, 2016 decision to increase the mapped density for the West Avenue portions of the Jaffe properties at 6801 and 6807 Wisconsin Avenue. These properties are currently zoned R-60.

As decided by the Board, essentially all other properties in the Bethesda Overlay Zone will retain their current density or its equivalent, and any additional density must be purchased from the pool or a priority sending site or acquired by density averaging. According to the Board's decisions, R-60 properties in the Plan will convert to CRT 0.5.

On June 30, however, without providing any reasoning, the Board voted to convert Mr. Jaffe's lots (and the adjacent one) from R-60 to CR 1.5, instead of CRT 0.5. In addition to being inconsistent with how the Board is treating other R-60 zoned property in the Plan, the Board is giving Mr. Jaffe a 22,500 square foot windfall. Based on the public estimates released by the Planning Department staff, the market value of your gift exceeds \$1.1 million, which represents money which could have gone to the acquisition of parkland through the Park Improvement Fee or could have been provided to a valued community organization designated as a Priority Sending Site.

As also happened on October 29, 2015, when the Board previously considered density for the Jaffe property, the Board on June 30, 2016 inappropriately made decisions regarding this property (i) with no notice to concerned residents or the affected community and (ii) without allowing representatives of the affected community to comment.

The Board provided no justification for its special treatment of the Jaffe properties, nor is there any reasonable justification consistent with the Plan's principles.

We strongly urge the Board to reconsider its decision to give Mr. Jaffe special treatment. His property lies at two edges of the Plan area and is immediately adjacent to single-family homes, across a narrow residential street. The lots in question have no historic or landmark status, and they are not designated as Priority Sending Sites. The lots are not on Wisconsin Avenue and are not designated as part of the Wisconsin Avenue Corridor under the Plan.

The R-60 zoning provided under the 1994 Plan has served an important role in maintaining the balance between development on Wisconsin Avenue and the single-family neighborhoods surrounding Bethesda by providing a buffer, as well as important protections in the zoning code that limit the intensity of building near residential neighborhoods. We do not believe the Board has made the case to convert these lots to CR zoning, but if the Board does wish to convert the R-60 zone along the Eastern Greenway edges, it should do so sensitively and consistently. There is no reason to treat these particular property owners differently than you are treating everyone else. Please reconsider your action and rescind your windfall gift to Mr. Jaffe.

Thank you for your consideration.

Lauren Boccardi & Paul Pavlica  
Ridge Street, Chevy Chase, MD

## MCP-CTRACK

---

**From:** Tim Eden <timeden@starrcapital.com>  
**Sent:** Thursday, June 30, 2016 11:15 AM  
**To:** MCP-Chair; Kronenberg, Robert; Howerton, Leslye  
**Subject:** Park Fee  
**Attachments:** Park Fee Letter June 2016.pdf

Please see attached.

Tim Eden  
Starr Capital LLC  
4800 Hampden Lane  
Suite 200  
Bethesda, MD 20814  
240-842-1388 o  
240-338-4836 c



June 20, 2016

The Honorable Casey Anderson, Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

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

Chairman Anderson:

We are writing to provide comment on the proposed park fee. While we laud the efforts to establish a funding mechanism for land acquisition and park development, we disagree with the proposed funding plan.

1. One of the Sector Plan's prime objectives is economic development. An additional 3.2 million square feet of height and density is being allocated to encourage economically feasible construction. This proposal to sell that incremental density undermines that stated incentive to the private sector by driving the cost of development up, not down. It also burdens only new construction with the cost of park improvements when the benefits will accrue to the entire community whose property values are expected to increase when the Sector Plan is built out.
2. The proposal would require 100% of the 8.5 million square feet to be built in a reasonable timeframe (the existing unused FAR plus the new 3.2 million) which is unlikely given historical development patterns. Thus, the County's fund raising goal would have uncertainty that would potentially delay Park development.
3. The proposed strategy presumes that the County will administer park development when the private sector is better equipped to construct parks in conjunction with their development. Most of the parks identified by Staff are planned as part of new private sector construction, so they could be funded by private sector or earmarked as a public benefit by other projects.

We would propose an alternative strategy for the park fund that would provide certainty of execution and a fair distribution of payment and benefit. The fund would be established by 2 sources: 1) a fee on new construction and 2) an ad valorem tax on the Bethesda CBD to

support a tax exempt bond issue. These two sources are summarized as follows would raise \$100 million.

**1. Bond Issue**

Since the park fund will be established to improve the Bethesda public realm, it will benefit all property owners and should be primarily funded through a self-liquidating bond issue:

Existing property base	26,500,000 sf
Estimated Assessed Value psf	\$250 sf
Estimated assessment	\$6.6 billion
Additional annual tax	.05% or \$3,300,000 for debt service
30 year Bond issue at 2.35%	\$75,000,000

For example, a property valued at \$1,000,000 would pay an additional \$500 in annual property taxes.

**2. Fee on new construction**

New construction	8.4 million
Park Fee psf	\$3.00
Total Park Fee revenue	\$25,000,000

New construction projects would also be eligible for a credit against this fee for park improvements made on site or offsite that provide public benefit.

Fees could be used to retire debt if budget allowed.

Thank you for your consideration.

Timothy S. Eden  
Starr Capital LLC

Cc: Members of the Board  
Leslye Howerton  
Robert Kronenberg  
Gwen Wright



**MCP-Chair**

---

**From:** Doshi, Saumil <saumil.doshi@Howard.edu>  
**Sent:** Wednesday, June 29, 2016 8:24 PM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Saumil Doshi  
4509 S Chelsea Ln  
Bethesda MD 20814

# Coalition of Bethesda Area Residents

Local residents advocating for a vibrant downtown supported by livable communities

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## CBAR comments on PIP and Open Space PSS Proposals

### In Archive

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- [May 2016](#)
- [March 2016](#)
- [February 2016](#)

Posted on June 28, 2016 by Mary Flynn — No Comments ↓

I submitted the following letter on Tuesday, June 28 to Mr. Casey Anderson, Chairman of the Planning Board, and the Planning Board Commissioners. The issue of the Parks Impact Payment will be revisited by the Planning Board at Worksession #16 on Thursday, June 30.

As of June 24 the Planning Staff have received three letters *opposing* the Staff proposal and/or suggesting a *much lower contribution by the developer community*.

**To express your support for equitable consideration of developers, property owners, and community interests, please click here to send an email to the Planning Board. Edit the message however you wish. Be sure to sign the message with your full name!**

Until next time,



Mary

Dear Chairman Anderson and Vice-Chair Wells-Harley, and Commissioners Dreyfuss, Fani-Gonzalez, and Presley:

I am writing to support several staff recommendations that were introduced at Worksession 14 (BDP\_worksession 14\_060916combined.pdf) to incorporate high quality, open green space into the Bethesda Downtown Plan, which is necessary to grow Bethesda into a successful and desirable city. I am especially supportive of most recommendations set forth in the **Parks Impact Payment and Priority Sending Site** proposals.

I am also encouraged that the Board is evaluating options that would allow County-owned public parking lots to be converted in whole or in part to parks. I want to emphasize the absence of active recreational spaces in downtown Bethesda, and contrast it with our projected population and the County-wide lack of transit-oriented recreation facilities. Converting publicly owned parking lots into parks, as opposed to selling private building development rights on this land, is a logical way to boost the extremely low percentage of public open space in Bethesda. *I am working with area residents to refine our collective understanding of the complex issues surrounding the County-owned public parking lots, and will follow up with a separate letter.*

As with previous letters, please note that while I am the only signatory, I am copying local community leaders as a courtesy. I ask that any responses be directed to all recipients.

**Parks Impact Payment (PIP): Necessary**



The Staff recommendation for combining a Parks Impact Payment with Priority Sending Site incentives is the only proposal thus far that has any promise of fulfilling the Parks and Open Space goals (section 1.3.6). Bethesda needs more dedicated park space to bring the downtown area into balance as density increases. Importantly, parks will be needed sooner than later to counter the loss of mature shade trees as construction begins for the Purple Line along the Capital Crescent trail, for the expansion of B-CC High School, and for all other construction throughout the plan area. As planning Staff learned through the public comments process, the greater Bethesda area community values green space as a top priority.

**PIP Pricing Methodology: Equitable**

I support the Staff’s pricing methodology for calculating the Parks Impact Payment as recommended on slide 29:

$$\frac{\text{Moderate Cost Estimate} * 75\% \text{ Proportion PIP Funding}}{\text{Available BOZ Density}}$$

The three parameters are supportable for the following reasons.

- |                              |   |
|------------------------------|---|
| Moderate Cost Estimate       | <ul style="list-style-type: none"> <li>• With so little land available, small urban parks need to be high quality areas. It is important that public spaces are built with public enjoyment and safety in mind.</li> <li>• The moderate estimate allows some flexibility in the plan. For example, less expensive parks can complement and link to more expensive, multi-use spaces.</li> </ul> |
| 75% Proportional PIP Funding | <ul style="list-style-type: none"> <li>• Urban buildings that are close to beautiful public spaces are in higher demand, and thus more profitable. Developers bear no risk from contributing to the PIP pool, and will</li> </ul>   |

earn financial rewards simply by proximity. It is appropriate that those who stand to profit the most should invest the most.

- Montgomery County taxpayers should pay no more than 25% of the total bill, as those outside the downtown area will not enjoy the same level of benefit as local residents and businesses.

Available  
BOZ  
Density

- The Available BOZ (Bethesda Overlay Zone) Density is an appropriate denominator because it recognizes that the increased need for public park space is a consequence of increased density.
- Linking the Parks Impact Payment with available density is also consistent with the Plan Framework presented in section 1.2.2 of the Staff Draft: *"With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development."*

**2. Optional Method Public Benefits in the CR zone:**

Public benefits must be provided that enhance or contribute to the objectives of the zone and the goals of this Sector Plan. *With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development.*

I also note that the Parks Impact Payment proposal is a good and fair deal for developers in that it makes incentive (bonus) density accessible to *all* eligible property owners at nearly *half* the cost of what can be obtained through density averaging under the 2014 Zoning Ordinance, Optional Development method (division 4.5.4). (See the next section regarding eligibility and the edges.)

**Incentives for Open Space Priority Sending Sites:  
Necessary and Equitable**

The Parks Impact Payment fund will accumulate money and sit unused until land is acquired. In order to compensate and encourage property owners of designated Open Space Priority Sending Sites to convert their land to public parks, I support the **Priority Sending Sites Working Draft Incentives and Staff Recommendation for additional incentives** (slide 31):

- Lift the 1/4-mile restriction for incentive density averaging

IMPORTANT NOTE: Density from any priority sending site (regardless of its designation as Open Space, Landmark, or Affordable Housing) should be transferred only into the High Performance Area (see Figure 2.18). Further, design guidelines should define additional "edge" areas and make clear that incentive density from any source can never be imported into edge areas. This is necessary to fulfill the Plan goal of protecting neighboring communities from excessive development.

- Eliminate the requirement for common sketch and site plans
- Remove the BLT (Building Lot Termination) requirement for priority sending site density
- Keep the MPDU requirement for mapped density in the Bethesda Downtown Plan at 15%, and reduce the MPDU requirement for PSS incentive density to the County's lower level of 12.5%
- Remove the Park Amenity Payment (the "PIP")

Note that slide 32 lists suggestions that Staff evaluated and explicitly do not recommend. I agree that these suggestions should not be approved by the Board, as they do not treat builders, property owners, and the community equitably.

In contrast, the current Staff proposal benefits all stakeholders:

- **Builders** who wish to exceed their mapped FAR will gain significant value from acquiring incentive density from a Priority Sending Site (see incentives above).
- Because their incentive density offers much greater value than the alternatives, **Priority Sending Site property owners** can negotiate higher prices and thus receive necessary and appropriate financial rewards for extinguishing their development rights.
- With the above incentives to private property owners, Open Space Priority Sending Sites have a much greater chance of being converted from private land to **public parks** early in the sector development process. Additional parks are needed sooner than later to help relieve **area residents** from the stresses of ongoing construction and to attract customers to **local businesses**.

### Conclusion

Only 2.2% (9.9 acres) of the 451 total acres in the Bethesda Downtown Plan area is currently dedicated to open space. Planning Staff propose an additional 12.3 acres, which, if fully implemented, still amounts to **only 4.9%** of the total area. This number is substantially less than the green space in successful and desirable cities. For example, green space occupies 51% of Vienna, nearly 40% of London and almost 20% in New York City and Washington DC. Bethesda is far behind, and risks becoming increasingly less competitive compared to neighboring jurisdictions. The only way to get ahead is with deliberate and smart urban planning that takes a holistic view of how cities become desirable.

To summarize, the **Parks Impact Payment** and **Priority Sending Site** incentives are necessary, balanced, and consistent with Plan goals.

Respectfully,

Mary M. Flynn  
Founder, Coalition of Bethesda Area Residents  
4114 Blackthorn St, Chevy Chase

CC:

- Montgomery County Planning Department: Gwen Wright, Planning Director
- East Bethesda Citizens Association: Lisa Volpe McCabe, president
- Town of Chevy Chase: Scott Fosler, mayor
- Chevy Chase West Neighborhood Association: Naomi Spinrad, vice president
- Sacks Neighborhood Association: Cristina Echavarren, president
- Edgemoor Citizens Association: Judy Gilbert Levey, president



#### About Mary Flynn

Mary Flynn is a resident of the Town of Chevy Chase and the founder of CBAR.

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Developers: Asked to do too much, or too little? ▶

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## Leave a Reply

Your email address will not be published. Required fields are marked \*

Comment

**MCP-Chair**

---

**From:** Neil Doherty <neiljd@verizon.net>  
**Sent:** Thursday, June 30, 2016 5:40 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

Members of the Board,

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Neil Doherty  
Chevy Chase, MD

**MCP-Chair**

---

**From:** Russ Powell <rcpowell02@gmail.com>  
**Sent:** Thursday, June 30, 2016 7:04 AM  
**To:** Anderson, Casey; +marye.wells-harley@mncppc-mc.org; +norman.dreyfuss@mncppc-mc.org; +natali.fani-gonzalez@mncppc-mc.org; Presley, Amy  
**Cc:** MCP-Chair; +Gwen.Wright@mncppc-mc.org; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,  
Russ Powell  
4404 Ridge Street  
Chevy Chase

## MCP-CTRACK

---

**From:** John L. Kolakowski <jlk036@yahoo.com>  
**Sent:** Thursday, June 30, 2016 10:30 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,  
John Kolakowski  
4115 Aspen St.  
Chevy Chase, MD 20815



## **MCP-CTRACK**

---

**From:** Naomi Spinrad <nspinrad68@verizon.net>  
**Sent:** Wednesday, June 29, 2016 3:00 PM  
**To:** MCP-Chair; Howerton, Leslye; Kronenberg, Robert; Wright, Gwen  
**Subject:** Bethesda/BFD plan edits  
**Attachments:** Letter to Chairman Anderson 2016-06-28.pdf; ATT00001.txt

Dear Planning Board Members, Leslye, Robert, and Gwen,

In regard to the attached June 28 letter from the Bethesda Fire Department: if either the zoning for the property or the plan language is open to the public for discussion at Thursday's work session, I would appreciate the opportunity to participate in any discussion on behalf of the Chevy Chase West Neighborhood Association.

For the record CCW opposes any changes to the height or density in the floating zone as well as any of the changes in the plan wording that BFD proposes in the attached letter.

Thank you again for your continuing attention to this piece of the plan, and for the time and energy you're all devoting to this important effort.

Best,  
Naomi

Naomi Spinrad  
Vice President  
Chevy Chase West Neighborhood Association



June 28, 2016

Mr. Casey Anderson, Planning Board Chair  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Bethesda Fire Department Inc.  
6600 Wisconsin Avenue

Dear Chair Anderson:

Bethesda Fire Department, Inc. ("BFD") through its representative, Bob Stoddard, has been trying to work with staff on the appropriate text language related to our Property's designation as a floating zone and language related to the current and future use of the vacant parcel adjacent to the existing fire station.

When the floating zone concept was agreed to on February 4, 2016, there was no specific discussion on the density or height to be indicated in the text. After the proposed density and height appeared in a staff report, Bob Stoddard and Nat Finkelstein met with staff members on March 9, 2016 to discuss this proposed height and density and its future limitations. At that point, staff agreed to bring up our discussion with the Board for direction. To the best of our knowledge, this discussion did not occur. Nor has there been any detailed planning effort to determine an appropriate density or building height for this site.

As you are probably aware, the Montgomery County Zoning Ordinance Section 5.3.5.A.1 states "*If a Floating Zone is recommended in a master plan, density must not exceed that recommendation*" and Section 5.3.5.B.1 states "*If a Floating zone is recommended in a master plan, height must not exceed that recommendation*". It is therefore our interpretation that if we came up with a plan that was acceptable to the community but exceeded either the density or height of the floating zone recommendation in the Downtown Bethesda Plan, it could not be approved by any process. This is far more restrictive than if the Bethesda Downtown Plan designated this property with a CR designation that could be changed through the Local Map Amendment process.

Therefore, we request that instead of the floating zone recommendation of CR 1.5, C-1.5, R-1.5, H-70 in the revised text draft dated June 24, 2016, the Board increase this to CR 2.0, C-0.25, R-2.0, H-75 thereby allowing for some flexibility for a plan that does not exist today. Please keep in mind that when or if a plan is proposed in the future significant community input during the approval process is required in a floating zone,

6600 Wisconsin Avenue  
Bethesda, MD 20815



and all rezoning proposals must be carefully considered by the Planning Board and approved by the County Council.

BFD is also concerned that the language related to the vacant parcel could be misinterpreted in the future. We are therefore requesting that language be added in Section 3.3.3.A (last bullet on pages 102-103 of the staff report edits) indicating that full redevelopment may be a future option or that the options are clearly not limited to the two indicated. This language should also be reflected or referred to in Section 2.7 (Parks and open space), Section 2.7.3.C.2 (Page 65 of the staff report planning edits) and on Table 4.01 (Page 120 of the staff edits).

Bethesda Fire Department Inc. thanks both the planning staff and board for listening to our concerns during this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Davies".

Grant Davies; Chair, Land Use Committee

Cc: Leslye Howerton  
Gwen Wright  
Robert Kronenberg

RECEIVED  
0788  
JUL 29 2016

**MCP-CTRACK**

**From:** Mary Flynn - CBAR <mary@cbar.info>  
**Sent:** Wednesday, June 29, 2016 9:50 AM  
**To:** MCP-Chair; Wright, Gwen; Howerton, Leslye; Kronenberg, Robert; Anderson, Casey  
**Subject:** Density Averaging Options under the Bethesda Downtown Plan (draft)  
**Attachments:** DensityAveragingOptions (6).pdf

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

Dear Chairman Anderson, Director Wright, Mr. Kronenberg and Ms. Howerton:

I assembled the attached chart to understand how property owners can exceed mapped density and height limits.

I ask that:

1. The chart be reviewed and updated for accuracy, with particular attention to the items <in blue, and surrounded by angled brackets>.
2. The chart be added to the public record.

Please feel free to use or re-purpose this chart in whole or part. I believe that with accurate and accessible information, developers, property owners, Bethesda area residents, and County officials can engage in more constructive dialog, and together we can build a beautiful, sustainable, and prosperous Bethesda.

Regards,

Mary M. Flynn  
Founder, Coalition of Bethesda Area Residents  
(650) 450-9025

Density Averaging Options  Bethesda Downtown Plan DRAFT for Review Ver. 6 - Prepared by CBAR	Standard ("by right") Method	Optional Method		
		Density Averaging	Bethesda Overlay Zone (BOZ)	
			Shared Density Pool	Priority Sending Site
Total Square Feet: 23.6M ("On the ground")	4.2 Million mapped to property owners (Unused from 1994+ plans)	3.4 Million In shared density pool	1.2 Million Mapped to sending sites	
Exceed mapped height?	No	Yes, for properties in the High Performance Area (HPA) And that exceed <MPDU minimums for bonus height (below)> (ref. 4.7.3.D.6.C)		
• <MPDU minimums for bonus height>	12.5%	<15%>	<12.5%>	
Exceed mapped FAR?	Limited (ref. 4.5.2.B)	Yes (ref 4.5.2.B, slide 30)	Yes (slides 4, 30)	Yes (slides 30, 32-33)
• Estimated \$ per square foot of incentive FAR	n/a	\$43-47 (current market price)	\$25.81 (set by PIP)	\$35-41 (see slide 30)
• Requirements for incentive density/FAR	n/a	Sending and receiving sites must be within ¼ mile of each other  Common sketch and site plans  <12.5% MPDUs>	Park Impact Payment  <15% MPDUs>  Design Review Panel	<15% MPDUs on mapped density>  <12.5% MPDUs on incentive density>
• Incentives or distinctions for incentive density/FAR	n/a	—	Any property in BOZ	Any property in BOZ  Remove common sketch and site plan requirements  Remove BLT for priority sending site density
• Public Benefits Points	n/a	Zone CRT: 75+   Zone CR: 150+ (ref: Division 4.7)		

## MCP-CTRACK

---

**From:** Betsy Johnson <betsy\_johnson@comcast.net>  
**Sent:** Wednesday, June 29, 2016 10:35 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I have written previously about the need we have in Bethesda for more open space. And I am fully supportive of comments submitted by my neighbor, Mary Flynn: "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>). The Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals. Your staff got it mostly right in urging for more green space. So, at this point I would urge the planning board to make setting aside green space a priority above all other priorities. If we proceed in the direction we're going, Bethesda will be a concrete island - and not a pleasant place in which to live.

Thank you for your consideration,

Betsy Johnson  
4413 Ridge St.  
Chevy Chase, MD 20815

## MCP-CTRACK

---

**From:** Barbara McCall <mccall@capitaledge.com>  
**Sent:** Wednesday, June 29, 2016 10:46 AM  
**To:** MCP-Chair  
**Subject:** Fwd: Comments on "Planning Board Edits to the Public Hearing Draft"

Begin forwarded message:

**From:** Barbara McCall <mccall@capitaledge.com>  
**Subject:** Comments on "Planning Board Edits to the Public Hearing Draft"  
**Date:** June 28, 2016 at 1:38:00 PM EDT  
**To:** Chair Casey Anderson <Casey.Anderson@mncppc-mc.org>  
**Cc:** Gwen Wright <gwen.wright@montgomeryplanning.org>, "Howerton, Leslye" <Leslye.Howerton@montgomeryplanning.org>

Dear Chairman Anderson:

On behalf of the 4720 Chevy Chase Dr, Bradley House, and Kenwood Forest Condo Associations, I urge you to reconsider the decision to extend Strathmore Ave as a vehicular street from Bradley Blvd to Chevy Chase Dr. and add this extension to the list of Arterial Business District streets. This decision is included in the "Planning Board Edits to the Public Hearing Draft" on pages 33 and 101.

I do not recall and my notes do not indicate this action being taken by the Planning Board or even discussed during the Work Sessions on the Bethesda Downtown Plan. During the consideration of South Bethesda zoning issues Aldon Properties presented a plan that included the realignment of Strathmore Ave, but they were instructed to discuss their plan with area residents. Following that meeting I indicated to you in writing that the neighborhood groups did not support that plan. The staff draft showed a potential street on one map, but it did not discuss a proposed 60 foot right of way or incorporation into the Business District street plan. It was described as a mid-block connector. **Since last June we have supported the continuation of Stratmore between Bradley Blvd and Chevy Chase Dr as a bicycling/pedestrian path to improve access to Norwood Park.** As you know, we have also stressed that our area is residential in nature and Bradley Blvd should be the boundary of intensive commercial activity—an idea which the Planning Board agreed to.

The extension of Strathmore Ave. as a vehicular street is unworkable. It would create an unsafe bypass of the Bradley Blvd/Wisconsin Ave Intersection (identified in the Plan as the area's most congested intersection) on narrow residential streets. The creation of a bike and pedestrian path would allow safer access by directing such traffic away from unidentified routes through parking lots to Norwood Park, the North Bethesda Trail, and the Capital Crescent Trail. It could connect with the path through the Cokinos property. Creating a bike and pedestrian path is far more supportive of the goals of the Bethesda Downtown Plan than adding another street. We urge you to change the extension of Strathmore Ave.

We have one other matter to bring to the your attention. On page 114, the Edits document indicates that "Surface Parking is not allowed on Priority Sending Sites." It is not clear from the narrative if this requirement comes into play at the time of designation of a Priority Sending Site (adoption by the County Council), the decision to transfer density by the property owner, or the redevelopment of the property. If it is applied at the time of the Plan's adoption to the HOC Affordable Housing Sending Site, it would have a very negative effect on our already acute parking problems in South Bethesda. The current HOC surface lot does not provide parking for all of the building residents who want it. Eliminating it would create havoc. We could support this requirement if it is applied at the time the property is redeveloped.

The "Edits" demonstrates the extensive work which the Planning Board has undertaken to develop a thoughtful and progressive plan to guide Bethesda's growth and development. You have labored to respect the concerns of area residents. Our Associations are grateful for the decisions you have made regarding Fire Stations 6. I am particularly appreciative of the open process which you established as Chair. While that process took more time and complicated your efforts it helped to strengthen the plan.

Cordially,

Barbara T. McCall



## MCP-CTRACK

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**From:** Kristen Lindberg <kmlindberg@gmail.com>  
**Sent:** Wednesday, June 29, 2016 10:46 AM  
**To:** MCP-Chair; Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy; MCP-InfoCounter  
**Cc:** CM Berliner  
**Subject:** Bethesda Downtown Sector Plan - June 24 version

Dear Planning Board Members -

As a resident of Bethesda, I went carefully through the June 24 version of the Bethesda Downtown Sector Plan. I see so many problems that they are almost too numerous to write down. The major problem with this report is that it relies on a set of assumptions about what Bethesda is like now and the challenges it faces that are patently and demonstrably untrue. Putting a whole lot of density and very little green space on top of what's already there now is going to lead to a community that is full of very frustrated, unhappy people who only want to leave.

If that is your goal, then I commend you. If it's not, please visit Bethesda. Please come in a car during the three hours of rush hour in the morning or the three hours in the afternoon. It's clear that none of you live here. If you did, you'd be enraged that our challenges aren't reflected in this report, and that the plans will do nothing but exacerbate those challenges. You'd see this plan for what it is - an attempt to use Bethesda as a cash cow for the rest of the county, with no care for quality of life of Bethesda residents.

And yes, I'm upset. Daily living here is not what we envisioned when we left DC 5 years ago to find a suburban home in a vibrant community with good schools. The traffic is paralyzing, the schools getting overcrowded and worse by the year, the red line impossible to rely on for a daily commute, the roads dangerous for me and my kids to bike on. Your report reflects none of this and only wants to add to Bethesda's woes. Please rethink, for both the sake of Bethesda residents and the sake of the county. Bethesda is already being held up as the next giant urban planning mistake. Even if you don't give a hoot about Bethesda residents, don't let your reputation be ruined when it's linked to this disaster of a plan.

I've gone through the whole plan and am listing the most blatant mistakes or problems. I didn't get them all - I don't have the time - but I'd appreciate your attention to them before making any more decisions.

Thank you,

Kristen Lindberg  
4401 Gladwyne Dr.  
Bethesda, MD 20814

- On p. 3. B. Challenges, why is traffic not listed as a major challenge? As a Bethesda resident, I can tell you that traffic patterns drive my life in ways that were previously unimaginable to me. I know I can't leave my house by car for about 6 hours every weekday. I know it can often take me more than 20 minutes if I dare to try to drive the mile into town. Traffic is a huge problem that needs to be on this list. What will the residents of thousands of new housing units do to traffic? Seems obvious.

- On p. 3.B. Challenges, why is school overcrowding not listed as a major challenge? Bethesda Elementary and Bethesda Chevy Chase High School were previously listed as ill-suited for expansion and yet BE was just

expanded and BCC is about to be expanded. After its expansion, BE is already overcrowded and the quality of the school is suffering. What will the residents of ~8500 new housing units do to school overcrowding? And don't tell us that nobody in those new giant apartment buildings will have school-age children. That is just not true.

- On p. 3. B. Challenges, why is lack of safe biking and pedestrian infrastructure not listed as a major challenge? As frequent bikers and pedestrians (see above about the paralyzing traffic), my family and I frequently have close calls because of the utter lack of safe biking and pedestrian infrastructure. This will only be exacerbated by the plan, which will put more (and ever more impatient) motorists on the roads.
- On p. 3. B. Challenges, why is the poor quality of public transportation not listed as a major challenge? Those of us who take the red line know what a challenge this is and how the failure of the metro to provide reliable, safe service influences our lives.
- On p. 3. B. Challenges, why is terrible air quality not listed as a major challenge? Has anyone looked into this or measured the quality of our air, given the horrible traffic problems and given that Bethesda is surrounded by roads and highways that are very congested and well over their intended capacities?
- On p. 3-4, there is an emphasis on new parks and green spaces. However, those of us who have looked at this plan don't see any *significant, usable, sizeable* new green spaces and parks. Please point me to them if I'm missing them. A 1/2 acre parcel described as something like a "significant gathering spot" for the community is laughable.
- On p. 4 it is stated that the aim of the plan is "not to radically transform the community." This plan *will* radically transform the community and not in a positive way - instead it will radically transform the community by making existing problems and challenges drastically worse.
- Starting on p. 15, in the Urban Ecosystems section, there is no mention of air quality. Has this been considered at all? It seems to me that it is a huge problem that is not being accounted for at all - either as a problem or in designing solutions.
- The increased building heights emphasized throughout the plan (e.g., pp. 18-19) are insane. There should be very few very additional tall buildings in Bethesda - and no new buildings should be allowed to be higher than our existing skyscrapers. They take away sunlight and environmental quality, create canyons with no light, lead to overcrowding, and are unattractive in this suburban environment. They are particularly inappropriate at the edges of neighborhoods of single family homes, such as East Bethesda. If you'd cut all proposed building heights in half, I'd perhaps be convinced that you actually care about quality of life in Bethesda, rather than just about raising tax revenue to be used elsewhere in the county.
- If you don't adopt sane assumptions and change the recommendations to match the existing landscape, Bethesda is going to see a huge flight of population within the next decade. Already people are unhappy with the conditions. When you make them worse, people will leave. Nobody will want to live in the thousands of new apartments, nobody will want to live just outside the downtown area, and nobody will want to send their children to the schools. There is already grumbling within Bethesda about what is going on, and my friends don't want to visit us. It has a reputation as a very difficult place to live or visit, and that is accurate. Thus statements such as the following, on p. 21, will turn out to be blatantly untrue:  
"With the County having only approximately 19 percent unconstrained land available for development, urban centers such as Bethesda, where infrastructure already supports schools, roads and mass transit, **are expected to flourish** to accommodate new residents and resulting residential and non-residential uses."
- On p. 23, it states: "The Plan estimates an ultimate build-out over the next 20 years of approximately 8,355 additional units." *I don't even know where to start - this is insane.*

- On p. 30 it states: "In the 2012 SSP year 2040 TPAR analysis, the Bethesda Chevy Chase Policy Area is shown to be adequate for the roadway test. Given that the Bethesda Downtown Sector Plan area is a small subset of a much larger policy area, the transportation network is considered to be in balance with the land use and densities proposed by the Sector Plan." This is demonstrably untrue. Please come drive through Bethesda any evening between 4:00 and 7:00. In particular, try to drive on Arlington Road, Woodmont Ave, Rockville Pike (Wisconsin Ave), or Jones Bridge Road. It's impossible. There's no way the "transportation network is . . . in balance with the land use and densities proposed by the Sector Plan." The transportation network is *already inadequate*, even before all this building commences.

- On p. 30-31, why is the intersection of Jones Bridge Road and Rockville Pike (Wisconsin Ave) not listed as exceeding the congestion standard. Has it been studied?

- On p. 37, the plan states, in footnote 2:

"All roads in the Sector Plan area should be designed for shared use by motor vehicles and bicycles and are designated as shared roadways unless another higher quality bicycle facility is provided (e.g. bike lanes). These shared roadways are called out for wayfinding purposes. This sector plan recommends amending the practice of implementing shared roadways on wide travel lanes; Bicycles should operate on-road as vehicles where the prevailing roadway operation is characterized by low vehicular speed and volume." (see also pp. 38-40)

Bicycles need their own, protected lanes in Bethesda. The traffic is way too insane, and drivers way too frustrated, not to protect bikers from the more dangerous vehicles on the road. It's already dangerous - I've already had many near-misses (with my children on my bike with me). Please please please provide for protected bike infrastructure. Since you're going to make it even more impossible to use a car in Bethesda than it already is, the least you can do is provide bikers with a safe way to get around!

- p. 57 - Please do not allow any buildings higher than 200 feet in Bethesda. If you cap the heights where they were capped before, or lower, the effects of this massive building plan will be slightly lessened (which would clearly be a good thing). Also, do not allow tall buildings on the edges of cohesive, single-family home communities, such as East Bethesda. East Bethesda is not designed to absorb more residents and traffic than it already has. The character of our neighborhood will suffer, as will home values. People are already considering leaving because of the traffic and school overcrowding, lack of green space. Don't exacerbate these problems.

- pp. 65-66: "Old Georgetown Road Neighborhood Green Urban Park Vision: This park is envisioned as a heavily landscaped, shady, green living room. This park will be a signature moment in the Bethesda landscape and act a wayfinding and placemaking space. Recommended size: 0.3 acres. The proposed site consists of the current Shell gas station at Woodmont Avenue and Old Georgetown Road, and the adjacent single-family homes to the southwest. Purpose: This site, one of the most visible intersections in Bethesda, is a transition between the Woodmont Triangle District and the Metro Core. This park will provide a green respite for residents, a 66 lunch space for employees and a destination for visitors. This park would act as a formal, passive green space featuring trees, bushes and elegant fencing and paving. Straus Park in New York City is an example of the type of park envisioned here."

Isn't this where the TD Bank was just built? If so, this is an outright lie.

- pp. 66-67 talks about the parks called "eastern greenway neighborhood greens." these parks already exist and are completely neglected. people sit in them to drink and smoke, so taking young children to them feels like a bad idea. will they be improved? i'm all for a dog park near Highland Avenue - that would be great!

- pp. 73-74 talk about schools. You need a plan for a new elementary school. Bethesda Elementary is already getting overcrowded, despite its addition, which was just finished a year ago. My daughter entered kindergarten last Fall. There were 5(!) kindergarten classes, up from 3 the year before. That kind of growth is completely

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unsustainable. Plans for an entirely new elementary school need to be developed *now*, alongside development of the plan for the 8500 additional units. Otherwise kids, and their parents, will be stuck in crowded schools with declining quality and they will start voting with their feet and moving out of the county.

## MCP-CTRACK

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**From:** Grace Palladino <palladin20814@yahoo.com>  
**Sent:** Wednesday, June 29, 2016 11:05 AM  
**To:** Anderson, Casey; %20marye.wells-harley@mncppc-mc.org; %  
20norman.dreyfuss@mncppc-mc.org; %20natali.fani-gonzalez@mncppc-mc.org;  
Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

We write to express support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals. As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" <<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>> the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals. Thank you for your consideration.

Grace Palladino and Brad Piepmeier  
4524 N. Chelsea Lane  
Bethesda, MD 20814

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## MCP-CTRACK

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**From:** Tom Bonner <tibonner@verizon.net>  
**Sent:** Wednesday, June 29, 2016 11:26 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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Thank you for your consideration,

Tom Bonner  
6918 Maple Avenue  
Chevy Chase, MD 20815

## **MCP-CTRACK**

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**From:** Gretchen Bonner <gkbonner@verizon.net>  
**Sent:** Wednesday, June 29, 2016 11:26 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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Thank you for your consideration,

Gretchen Bonner  
6918 Maple Avenue  
Chevy Chase, MD 20815

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## MCP-CTRACK

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**From:** Dlhopsky, Heather - HXD <HDLhopsky@linowes-law.com>  
**Sent:** Wednesday, June 29, 2016 11:53 AM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert  
**Subject:** Bethesda Downtown Plan - Letter on Behalf of St. John's Episcopal Church re: Priority Sending Sites  
**Attachments:** 201606291144.pdf

Chairman Anderson and Members of the Planning Board,

In followup to discussion at your June 23rd worksession regarding Priority Sending Sites, attached please find my letter on behalf of St. John's Episcopal Church. I will also be at tomorrow's worksession on the Plan, should you have any questions regarding this.

Thank you.

Heather

Heather Dlhopsky  
Partner

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Linowes and Blocher LLP  
7200 Wisconsin Avenue, Suite 800  
Bethesda, Maryland 20814

Direct: 301.961.5270  
Main: 301.654.0504  
E-mail: [hdlhopsky@linowes-law.com](mailto:hdlhopsky@linowes-law.com)  
LinkedIn: [www.linkedin.com/in/heatherdlhopsky](http://www.linkedin.com/in/heatherdlhopsky)  
Website: [www.linowes-law.com](http://www.linowes-law.com)

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

June 29, 2016

Heather Dlhopsky  
301.961.5270  
hdlhopsky@linowes-law.com

**VIA EMAIL AND HAND DELIVERY**

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

Re: St. John's Episcopal Church, Norwood Parish – 6701 Wisconsin Avenue and 6700 West Avenue, Bethesda (the "Property") – Supplemental Letter Regarding the Bethesda Downtown Plan (the "Sector Plan")

Dear Chairman Anderson and Members of the Planning Board:

On behalf of St. John's Episcopal Church, Norwood Parish ("St. John's"), owner of the Property located at the corner of Wisconsin Avenue and Bradley Lane in Bethesda, we are submitting this letter into the record for the Montgomery County Planning Board's (the "Planning Board") ongoing worksessions on the May 2015 Public Hearing Draft (the "Public Hearing Draft") of the Sector Plan. This letter is in response to the Planning Board's discussion at their most recent June 23<sup>rd</sup> worksession regarding Priority Sending Sites ("PSS"), and specifically the Board's decision to require that development rights on PSS be extinguished before the approval of any plan that uses such PSS density in a density averaging scheme. This decision by the Planning Board means that St. John's could not transfer any of its density via the PSS provisions if it wanted to keep even one square-foot of density for itself above the square footage of its existing improvements. If St. John's wanted to retain some modest additional square footage for itself to accommodate future improvements to its Property above the exact square footage existing on the Property today, it would be barred from using the PSS provisions. For the reasons explained below, St. John's requests that for Landmark PSS<sup>1</sup>, such sites be allowed to retain 25% of their

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<sup>1</sup> We are assuming that St. John's is considered a Landmark PSS, as the text of the Public Hearing Draft on page 140 (and "Draft Revisions", defined below, on page 113), identifies only three types of PSS and "Landmark" PSS is the only type of PSS that would apply to St. John's. That said, Figure 4.01 (Proposed Priority Sending Sites) on page 141 of the Public Hearing Draft identifies a "Community Resources" PSS. While this category would seem more applicable to St. John's, "Community Resources" PSS is not identified in the actual text of either the Public Hearing Draft or Draft Revisions, and thus we are assuming that St. John's is considered a Landmark PSS.

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Mr. Casey Anderson, Chair,  
and Members of the Planning Board  
June 29, 2016  
Page 2

remaining density above the square footage of existing improvements (in other words, to retain 25% of the density that would be available to send through the PSS provisions) and still utilize the PSS provisions in order to transfer their remaining density.

The Planning Board neglected in their June 23<sup>rd</sup> decision to recognize that the Public Hearing Draft identifies three different types of PSS – Open Space PSS, Landmark PSS, and Affordable Housing PSS – each of which should be treated differently with respect to the requirement to extinguish development rights. While it certainly makes sense with respect to Open Space PSS to require that all development rights be extinguished (both the Public Hearing Draft and the Draft Revisions to the Sector Plan (the “Draft Revisions,” dated June 24, 2016) state that “[t]his rule will discourage a property owner from transferring partial density, which might prolong the status quo at a site where the goal of this Plan is to extinguish development density altogether”<sup>2</sup>), the goal for Landmark PSS (and, for that matter, Affordable Housing PSS) was never to extinguish development density altogether. In fact, both the Public Hearing Draft and the Draft Revisions recognize that Landmark PSS could retain development rights associated with an existing structure, which clearly intends that all development rights would not be extinguished.<sup>3</sup> Further, the stated goal with respect to Landmark PSS is to facilitate protection of significant landmarks.<sup>4</sup> A landmark like St. John’s is best protected when it has the right to make modest improvements that may also have the effect of increasing the square footage of development on the Property. The Planning Board’s decision with respect to extinguishment of all development rights on PSS – without recognizing that each of the three types of PSS are and should be treated differently – is antithetical to the Sector Plan’s stated goals.<sup>5</sup>

There is no reason that a Landmark PSS like St. John’s should not be able to both retain some modest improvement/expansion rights while also utilizing the PSS provisions. If the Planning Board enacts this provision, it discourages a site like St. John’s from continuing to upgrade and improve its facilities, which was surely not the Planning Board’s intended result when it treated each of the three very different types of PSS the same with respect to extinguishment of development density. For these reasons, we request that the Planning Board revisit this decision with respect to Landmark PSS, and allow for a Landmark PSS to retain 25% of the density that

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<sup>2</sup> Page 142 of the Public Hearing Draft and Page 114 of the Draft Revisions.

<sup>3</sup> Id.

<sup>4</sup> Page 140 of the Public Hearing draft and Page 113 of the Draft Revisions.

<sup>5</sup> St. John’s is also concerned about the Planning Board’s decision that no surface parking lot may be allowed on a PSS site. While there is no surface parking on the Property today, there may come a time that it would be desirable to have several ADA accessible spaces on-site, and enactment of this provision would preclude such a possibility.

Mr. Casey Anderson, Chair,  
and Members of the Planning Board  
June 29, 2016  
Page 3

would be available to send through the PSS provisions on-site while still utilizing the PSS provisions in order to transfer the remaining density.

Thank you for your consideration of these comments. We look forward to continuing to work with the Planning Board and its Staff throughout the remainder of this Sector Plan process. If you have any questions or require any additional information at this time, please do not hesitate to contact us.

Very truly yours,

**LINOWES AND BLOCHER LLP**



Heather Dlhopsky

cc: Ms. Leslye Howerton, M-NCPPC  
Mr. Robert Kronenberg, M-NCPPC  
Ms. Anne Derse  
Mr. AJ Jackson  
Mr. Bradley Kennedy  
Mr. Alex Schmandt  
Ms. Suzanne Welch

## **MCP-CTRACK**

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**From:** Christina Files <anglofiles1@gmail.com>  
**Sent:** Wednesday, June 29, 2016 2:06 PM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Christina Files, Richard English  
7212 Chevy Chase MD 20815

Sent from my iPhone

RECEIVED  
0785  
JUL 29 2016

**MCP-CTRACK**

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

**From:** Virginia <vrceaser@yahoo.com>  
**Sent:** Tuesday, June 28, 2016 11:05 PM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
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Thank you for your consideration,

Sent from my iPhone

## MCP-CTRACK

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**From:** mdohlie <mdohlie@gmail.com>  
**Sent:** Wednesday, June 29, 2016 12:11 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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Equally important, I support converting public parking lots to parks. Bethesda can only be a good and healthy place to live and work if we plan for parks for active recreation - and in this respect, the proposed sector plan is poor; Bethesda residents have one of the lowest per capita levels of park land in Montgomery County. The parks proposed are few - and too small for active recreation for a growing population.

Thank you for your consideration,

Maj-Britt Dohlie

Sent from my iPhone

## MCP-CTRACK

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**From:** Mary Connelly <connellydoherty@verizon.net>  
**Sent:** Wednesday, June 29, 2016 4:51 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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Thank you for your consideration,

Mary Connelly

## MCP-CTRACK

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**From:** Sheila Blum <sheilablum2@gmail.com>  
**Sent:** Wednesday, June 29, 2016 6:21 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

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Thank you for your consideration,  
Sheila Blum  
Resident, Town of Chevy Chase



## MCP-CTRACK

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**From:** Julie Stanish <jastanish@hotmail.com>  
**Sent:** Wednesday, June 29, 2016 6:48 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Julie Stanish  
Elm street  
Chevy Chase

Sent from my iPod

## MCP-CTRACK

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**From:** jeshorett <jeshorett@verizon.net>  
**Sent:** Wednesday, June 29, 2016 7:11 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

Good morning

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,  
Dr. Jean Shorett  
7107 Oakridge Ave  
Chevy Chase, Md 20815

## MCP-CTRACK

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**From:** Georgia Guhin <gbguhin@gmail.com>  
**Sent:** Wednesday, June 29, 2016 7:31 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,  
Georgia and Michael Guhin

## MCP-CTRACK

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**From:** Ted Kalick <Ted.Kalick@cn.ca>  
**Sent:** Wednesday, June 29, 2016 8:22 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info; laura kalick  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

We are writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Laura and Ted Kalick, 4311 Stanford St., Chevy Chase

## MCP-CTRACK

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**From:** Judith McGuire <judithsmcguire@gmail.com>  
**Sent:** Wednesday, June 29, 2016 9:12 AM  
**To:** Anderson, Casey; +marye.wells-harley@mncppc-mc.org; +norman.dreyfuss@mncppc-mc.org; +natali.fani-gonzalez@mncppc-mc.org; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

I encourage you, moreover, to consolidate park space into significant and linked green areas with an eye toward continuous north/south greenways east and west of Wisconsin Avenue. A "highline" type of park, at ground level, will provide a destination park and promote public safety (of both pedestrians and bicyclists) by enabling them to go north/south without having to experience Wisconsin Ave. which will be gridlocked, pollution-saturated, heat-islanded, and sterile.

Thank you for your consideration,

Judith McGuire  
4003 Rosemary St.  
Chevy Chase, MD 20815

## MCP-CTRACK

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**From:** Aloise Bozell Vasant <abozell@yahoo.com>  
**Sent:** Wednesday, June 29, 2016 9:17 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,  
Aloise Bozell

Sent from my iPad

## MCP-CTRACK

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**From:** Maree Webster <websterm@stanleyresearch.org>  
**Sent:** Wednesday, June 29, 2016 10:15 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; mary@cbar.info  
**Subject:** Support for PIP and Open Space Priority Sending Site proposals

I am writing to express my support for most recommendations set forth by Planning Staff regarding the Parks Impact Payment and Priority Sending Site proposals.

As described in detail in the recent correspondence, "CBAR comments on PIP and Open Space PSS Proposals" (<http://cbar.info/cbar-comments-on-pip-and-open-space-pss-proposals>), the Parks Impact Payment and Priority Sending Site incentives are necessary, balanced, and consistent with Plan goals.

Thank you for your consideration,

Maree Webster

MCP-Chair

**From:** Naomi Spinrad <nspinrad68@verizon.net>  
**Sent:** Tuesday, June 28, 2016 8:10 AM  
**To:** Howerton, Leslye; Kronenberg, Robert; Brown, Michael  
**Cc:** MCP-Chair; Wright, Gwen  
**Subject:** Bethesda Plan edits



OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PLANNING COMMISSION

Hi Leslye,

I've read through the Bethesda plan edits and on behalf of the Chevy Chase West Neighborhood Association I'm relaying the following thoughts:

1. On page 14, Section 1.3.2 Transportation, A. Roadway Recommendations, the first bullet point says "Expand the Urban Road Code boundary to be contiguous with the Sector Plan Boundary." We're not sure what this means but would like to be sure that it doesn't change the designation of Nottingham Drive to an "urban road".
2. On page 71-72, section B on Fire and Rescue Stations, language remains that is directly from the submission by the Bethesda Fire Department months ago. In light of the plan's recommendation for retention of the R-10 zone with 35' height until the floating CR zone is applied for and approved, we believe this section relating to Fire Station 6 is not germane to the plan at this point in the process and can be shortened to read as follows (wording relating to the BCC Rescue Squad is not affected by this suggestion):

"Downtown Bethesda has two fire and rescue facilities. Fire Station 6 is located at 6600 Wisconsin Avenue at the southwest corner of Wisconsin Avenue and Bradley Boulevard. The property consists of two lots totaling 79,765 square feet. The property is owned by Bethesda Fire Department, Ind. (BFD), a 501c3 non-profit organization. Fire Station 6 was built in 1969."

(This change would appear thus:

Downtown Bethesda has two fire and rescue facilities. Fire Station 6 is located at 6600 Wisconsin Avenue at the southwest corner of Wisconsin Avenue and Bradley Boulevard. The property consists of two lots totaling 79,765 square feet.

The property is owned by Bethesda Fire Department, Inc. (BFD), a 501c3 non-profit organization. ~~that is managed by a volunteer community-based board of directors. Most board members represent residential constituent communities of Bethesda and Chevy Chase, and the business community through the active participation of representatives from the Greater Bethesda-Chevy Chase Chamber of Commerce.~~

~~The Bethesda Fire Department believes that the current strategic location of Fire Station 6 is essential to the continued well-being of the community and is considering how best to provide operational and technological improvements to the physical asset.~~

~~Fire Station 6 was built in 1969 and has aged considerably. The fire department is determining the best way to provide a modernized fire station that will meet the constantly increasing community needs for the next 40-50 years by considering the following options:~~

~~————— Maintain Fire Station 6:~~

~~————— Renovate the existing Fire Station 6.~~

~~————— Build a new stand-alone Fire Station 6.~~

~~————— Work with an outside developer to redevelop the property as a residential building, including a new Fire Station 6.~~

~~· Determine the possibility of obtaining density rights that could be sold to other properties in Bethesda to fund a renovation or a new Fire Station 6.~~

3. On page 104, the first item, "2. Building Form," the Recommendation reads, "Allow increased heights on properties along Bradley Boulevard and Chevy Chase Drive east of Offutt Lane, including the Bethesda Fire Department. Redevelopment would allow for low to mid-rise buildings compatible with existing housing types in the immediate area." If this section is retained, the



section "including the Bethesda Fire Department" should be deleted because no increased height is allowed until and unless the floating CR zone is applied for and approved.

4. For clarity only, we suggest changing the word order for the last bullet point on page 102 continuing to page 103. With the changes indicated, it now reads,

"Allow redevelopment potential of the Bethesda Fire Department site located at the corner of Bradley Boulevard and Wisconsin Avenue that is currently zoned R-10 by recommending a CR FloatingZone that would allow for replacement of the fire station in order to maintain service to the community and to allow additional uses on the property. The Bethesda Fire Department would retain the base zone of R-10 with a maximum height of 35 feet until the floating zone of CR 1.5, C-1.5, R-1.5, H-70 is applied for an approved by the County Council through the process outlined in the Montgomery County Zoning Ordinance (See Figure 2.20 Proposed Building Heights). For the undeveloped portion of the property to the west of the Fire Station facility, facilitate several possible scenarios, which is identified as a potential open space in Chapter 2.7 and on Figure 2.19 Public Open Space, including park acquisition and partial redevelopment combined with park dedication."

We recommend reversing two clauses in the final sentence, so that it would read (clauses bolded):

"For the undeveloped portion of the property to the west of the Fire Station facility, **which is identified as a potential open space in Chapter 2.7 and Figure 2.19 Public Open Space, facilitate several possible scenarios, including park acquisition and partial redevelopment combined with park dedication.**"

We believe this is the meaning you intended; if it's not, can you give us a further explanation of what this says?

Thanks for your attention to these points. See you Thursday.

Naomi

Naomi Spinrad  
Vice President/Development  
Chevy Chase West Neighborhood Association

## MCP-CTRACK

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**From:** Howerton, Leslye  
**Sent:** Tuesday, June 28, 2016 11:14 AM  
**To:** Naomi Spinrad; Kronenberg, Robert; Brown, Michael  
**Cc:** MCP-Chair; Wright, Gwen  
**Subject:** RE: Bethesda Plan edits

Hello Naomi,

Ultimately these language edit requests will be determined by the Planning Board. See our initial responses below in **BOLD**.

Thank you!!

**Leslye Howerton**  
Planner Coordinator | Area 1  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, MD 20910  
301.495.4551  
[leslye.howerton@montgomeryplanning.org](mailto:leslye.howerton@montgomeryplanning.org)  
[montgomeryplanning.org](http://montgomeryplanning.org)

[www.Bethesda Downtown Plan](http://www.BethesdaDowntownPlan.org)  
sign up for our e-mail list [here](#)

**From:** Naomi Spinrad [mailto:nspinrad68@verizon.net]  
**Sent:** Tuesday, June 28, 2016 8:10 AM  
**To:** Howerton, Leslye <Leslye.Howerton@montgomeryplanning.org>; Kronenberg, Robert <robert.kronenberg@montgomeryplanning.org>; Brown, Michael <michael.brown@montgomeryplanning.org>  
**Cc:** MCP-Chair <mcp-chair@mncppc-mc.org>; Wright, Gwen <gwen.wright@montgomeryplanning.org>  
**Subject:** Bethesda Plan edits

Hi Leslye,

I've read through the Bethesda plan edits and on behalf of the Chevy Chase West Neighborhood Association I'm relaying the following thoughts:

1. On page 14, Section 1.3.2 Transportation, A. Roadway Recommendations, the first bullet point says "Expand the Urban Road Code boundary to be contiguous with the Sector Plan Boundary." We're not sure what this means but would like to be sure that it doesn't change the designation of Nottingham Drive to an "urban road". **RESPONSE: Nottingham Drive is not within this Sector Plan Boundary, therefore the recommendation does not apply to this area.**

2. On page 71-72, section B on Fire and Rescue Stations, language remains that is directly from the submission by the Bethesda Fire Department months ago. In light of the plan's recommendation for retention of the R-10 zone with 35' height until the floating CR zone is applied for and approved, we believe this section relating to Fire Station 6 is not germane to the plan at this point in the process and can be shortened to read as follows (wording relating to the BCC Rescue Squad is not affected by this suggestion): **RESPONSE: We believe that the text provided is relevant background information and can still apply if the CR floating zone is applied for and approved, therefore we recommend keeping the language as is and the Board can decide whether or not they want to remove it per your request below.**

“Downtown Bethesda has two fire and rescue facilities. Fire Station 6 is located at 6600 Wisconsin Avenue at the southwest corner of Wisconsin Avenue and Bradley Boulevard. The property consists of two lots totaling 79,765 square feet. The property is owned by Bethesda Fire Department, Ind. (BFD), a 501c3 non-profit organization. Fire Station 6 was built in 1969.”

(This change would appear thus:

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The property is owned by Bethesda Fire Department, Inc. (BFD), a 501c3 non-profit organization. ~~that is managed by a volunteer community based board of directors. Most board members represent residential constituent communities of Bethesda and Chevy Chase, and the business community through the active participation of representatives from the Greater Bethesda Chevy Chase Chamber of Commerce.~~

~~The Bethesda Fire Department believes that the current strategic location of Fire Station 6 is essential to the continued well-being of the community and is considering how best to provide operational and technological improvements to the physical asset.~~

~~Fire Station 6 was built in 1969 and has aged considerably. The fire department is determining the best way to provide a modernized fire station that will meet the constantly increasing community needs for the next 40-50 years by considering the following options:~~

~~————— Maintain Fire Station 6.~~

~~————— Renovate the existing Fire Station 6.~~

~~————— Build a new stand-alone Fire Station 6.~~

~~————— Work with an outside developer to redevelop the property as a residential building, including a new Fire Station 6.~~

~~· Determine the possibility of obtaining density rights that could be sold to other properties in Bethesda to fund a renovation or a new Fire Station 6.~~

3. On page 104, the first item, “2. Building Form,” the Recommendation reads, “Allow increased heights on properties along Bradley Boulevard and Chevy Chase Drive east of Offutt Lane, including the Bethesda Fire Department. Redevelopment would allow for low to mid-rise buildings compatible with existing housing types in the immediate area.” If this section is retained, the section “including the Bethesda Fire Department” should be deleted because no increased height is allowed until and unless the floating CR zone is applied for and approved. **RESPONSE: Staff feels the language is broad enough in stating “low to mid-rise buildings” would be allowed, which covers the 35 foot height for the R-10 base zone and also the Floating Zone height of 70 feet if applied for and approved. Staff recommends leaving the language as is.**

4. For clarity only, we suggest changing the word order for the last bullet point on page 102 continuing to page 103. With the changes indicated, it now reads,

“Allow redevelopment potential of the Bethesda Fire Department site located at the corner of Bradley Boulevard and Wisconsin Avenue that is currently zoned R-10 by recommending a CR FloatingZone that would allow for replacement of the fire station in order to maintain service to the community and to allow additional uses on the property. The Bethesda Fire Department would retain the base zone of R-10 with a maximum height of 35 feet until the floating zone of CR 1.5, C-1.5, R-1.5, H-70 is applied for an approved by the County Council through the process outlined in the Montgomery County Zoning Ordinance (See Figure 2.20 Proposed Building Heights). For the undeveloped portion of the property to the west of the Fire Station facility, facilitate several possible scenarios, which is identified as a potential open space in Chapter 2.7 and on Figure 2.19 Public Open Space, including park acquisition and partial redevelopment combined with park dedication.”

We recommend reversing two clauses in the final sentence, so that it would read (clauses bolded):

“For the undeveloped portion of the property to the west of the Fire Station facility, **which is identified as a potential open space in Chapter 2.7 and Figure 2.19 Public Open Space, facilitate several possible scenarios, including park acquisition and partial redevelopment combined with park dedication.**”

We believe this is the meaning you intended; if it's not, can you give us a further explanation of what this says? **RESPONSE:**  
**Staff agrees that we can reverse the two clauses as you have shown.**

Thanks for your attention to these points. See you Thursday.

Naomi

Naomi Spinrad  
Vice President/Development  
Chevy Chase West Neighborhood Association

**MCP-Chair**

---

**From:** Mary Flynn - CBAR <mary@cbar.info>  
**Sent:** Tuesday, June 28, 2016 9:25 AM  
**To:** Anderson, Casey; Wells-Harley, Marye; Dreyfuss, Norman; Fani-Gonzalez, Natali; Presley, Amy  
**Cc:** MCP-Chair; Wright, Gwen; Lisa Volpe McCabe; Scott Fosler; Naomi Spinrad; Cristina Echavarren; Judy Gilbert Levey  
**Subject:** CBAR comments on PIP and Open Space PSS proposals

Dear Chairman Anderson and Vice-Chair Wells-Harley, and Commissioners Dreyfus, Fani-Gonzalez, and Presley:

I am writing to support several staff recommendations that were introduced at Worksession 14 (BDP\_worksession 14\_060916combined.pdf) to incorporate high quality, open green space into the Bethesda Downtown Plan, which is necessary to grow Bethesda into a successful and desirable city. I am especially supportive of most recommendations set forth in the **Parks Impact Payment and Open Space Priority Sending Site** proposals.

I am also encouraged that the Board is evaluating options that would allow County-owned **public parking lots** to be converted in whole or in part to parks. I want to emphasize the absence of active recreational spaces in downtown Bethesda, and contrast it with our projected population and the County-wide lack of transit-oriented recreation facilities. Converting publicly owned parking lots into parks, as opposed to selling private building development rights on this land, is a logical way to boost the extremely low percentage of public open space in Bethesda. *I am working with area residents to refine our collective understanding of the complex issues surrounding the County-owned public parking lots, and will follow up with a separate letter.*

As with previous letters, please note that while I am the only signatory, I am copying local community leaders as a courtesy. I ask that any responses be directed to all recipients.

**Parks Impact Payment (PIP): Necessary**

The Staff recommendation for combining a Parks Impact Payment with Priority Sending Site incentives is the only proposal thus far that has any promise of **fulfilling the Parks and Open Space goals** (section 1.3.6). Bethesda needs more dedicated park space to bring the downtown area into balance as density increases. Importantly, parks will be needed sooner than later to counter the loss of mature shade trees as construction begins for the Purple Line along the Capital Crescent trail, for the expansion of B-CC High School, and for all other construction throughout the plan area. As planning Staff learned through the public comments process, the greater Bethesda area community **values green space as a top priority.**

**PIP Pricing Methodology: Equitable**

I support the Staff's **pricing methodology** for calculating the Parks Impact Payment as recommended on slide 29:

$$\frac{\text{Moderate Cost Estimate} * 75\% \text{ Proportion PIP Funding}}{\text{Available BOZ Density}}$$

The three parameters are supportable for the following reasons.

Moderate Cost Estimate	<ul style="list-style-type: none"> <li>• With so little land available, small urban parks need to be high quality areas. It is important that public spaces are built with public enjoyment and safety in mind.</li> <li>• The moderate estimate allows some flexibility in the plan. For example, less expensive parks can complement and link to more expensive, multi-use spaces.</li> </ul>
75% Proportional PIP Funding	<ul style="list-style-type: none"> <li>• Urban buildings that are close to beautiful public spaces are in higher demand, and thus more profitable. Developers bear no risk from contributing to the PIP pool, and will earn financial rewards simply by proximity. It is appropriate that those who stand to profit the most should invest the most.</li> <li>• Montgomery County taxpayers should pay no more than 25% of the total bill, as those outside the downtown area will not enjoy the same level of benefit as local residents and businesses.</li> </ul>
Available BOZ Density	<ul style="list-style-type: none"> <li>• The Available BOZ (Bethesda Overlay Zone) Density is an appropriate denominator because it recognizes that the increased need for public park space is a consequence of increased density.</li> <li>• Linking the Parks Impact Payment with available density is also <b>consistent with the Plan Framework</b> presented in section 1.2.2 of the Staff Draft: <i>"With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development."</i></li> </ul> <div data-bbox="342 800 1463 1052" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>2. Optional Method Public Benefits in the CR zone:</b> Public benefits must be provided that enhance or contribute to the objectives of the zone and the goals of this Sector Plan. <b>With the increase in density proposed by this Sector Plan, enhanced public benefits are expected with any new development!</b></p> </div>

I also note that the Parks Impact Payment proposal is a good and fair deal for developers in that it makes incentive (bonus) density **accessible to all eligible property owners at nearly half the cost** of what can be obtained through density averaging under the 2014 Zoning Ordinance, Optional Development method (division 4.5.4). (See the next section regarding eligibility and the edges.)

#### Incentives for Open Space Priority Sending Sites: Necessary and Equitable

The Parks Impact Payment fund will accumulate money and sit unused until land is acquired. In order to compensate and encourage property owners of designated Open Space Priority Sending Sites to convert their land to public parks, I support the **Priority Sending Sites Working Draft Incentives and Staff Recommendation for additional incentives** (slide 31):

- Lift the 1/4-mile restriction for incentive density averaging

**IMPORTANT NOTE:** *Density from any priority sending site (regardless of its designation as Open Space, Landmark, or Affordable Housing) should be transferred only into the High Performance Area (see Figure 2.18). Further, design guidelines should define additional "edge" areas and make clear that incentive density from any source can never be imported into edge areas. This is necessary to fulfill the Plan goal of protecting neighboring communities from excessive development.*

- Eliminate the requirement for common sketch and site plans
- Remove the BLT (Building Lot Termination) requirement for priority sending site density
- Keep the MPDU requirement for mapped density in the Bethesda Downtown Plan at 15%, and reduce the MPDU requirement for PSS incentive density to the County's lower level of 12.5%
- Remove the Park Amenity Payment (the "PIP")

Note that slide 32 lists suggestions that Staff evaluated and explicitly do not recommend. I agree that these suggestions should not be approved by the Board, as they do not treat builders, property owners, and the community equitably.

In contrast, the current Staff proposal **benefits all stakeholders**:

- **Builders** who wish to exceed their mapped FAR will gain significant value from acquiring incentive density from a Priority Sending Site (see incentives above).
- Because their incentive density offers much greater value than the alternatives, **Priority Sending Site property owners** can negotiate higher prices and thus receive necessary and appropriate financial rewards for extinguishing their development rights.
- With the above incentives to private property owners, Open Space Priority Sending Sites have a much greater chance of being converted from private land to **public** parks early in the sector development process. Additional parks are needed sooner than later to help relieve **area residents** from the stresses of ongoing construction and to attract customers to **local businesses**.

## Conclusion

Only 2.2% (9.9 acres) of the 451 total acres in the Bethesda Downtown Plan area is currently dedicated to open space. Planning Staff propose an additional 12.3 acres, which, if fully implemented, still amounts to **only 4.9%** of the total area. This number is substantially less than the green space in successful and desirable cities. For example, green space occupies 51% of Vienna, nearly 40% of London and almost 20% in New York City and Washington DC. Bethesda is far behind, and risks becoming increasingly less competitive compared to neighboring jurisdictions. The only way to get ahead is with deliberate and smart urban planning that takes a holistic view of how cities become desirable.

To summarize, the **Parks Impact Payment** and **Priority Sending Site** incentives are necessary, balanced, and consistent with Plan goals.

Respectfully,

Mary M. Flynn  
Founder, Coalition of Bethesda Area Residents  
4114 Blackthorn St, Chevy Chase

CC:

- Montgomery County Planning Department: Gwen Wright, Planning Director
- East Bethesda Citizens Association: Lisa Volpe McCabe, president
- Town of Chevy Chase: Scott Fosler, mayor
- Chevy Chase West Neighborhood Association: Naomi Spinrad, vice president
- Sacks Neighborhood Association: Cristina Echavarren, president
- Edgemoor Citizens Association: Judy Gilbert Levey, president

## MCP-CTRACK

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**From:** Bob Stoddard <bob@rjsrealtyservices.com>  
**Sent:** Tuesday, June 28, 2016 3:10 PM  
**To:** MCP-Chair  
**Cc:** Howerton, Leslye; Kronenberg, Robert; Wright, Gwen  
**Subject:** Bethesda Downtown Plan - Bethesda Fire Dept - Proposed Text Edits to be discussed on June 30  
**Attachments:** Letter to Chairman Anderson 2016-06-28.pdf

Chair Anderson:

Please see the attached letter from the Bethesda Fire Department responding to the proposed text changes in the Bethesda Downtown Plan that pertain to their property.

Nat Finkelstein and I will be present at this Thursday's meeting and would request the opportunity to speak when this property is discussed.

Thank you for your time and efforts related to the overall plan and this property.

Bob Stoddard



RJS Realty Services, LLC

Robert J. Stoddard, CCIM  
*Principal*

P - (240) 478-5958  
F - (301) 294-0799  
Bob@RJSRealtyServices.com

13809 Willow Tree Drive  
Rockville, MD 20850

*Acquisitions • Development • Due Diligence • Entitlements • Consulting*





June 28, 2016

Mr. Casey Anderson, Planning Board Chair  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Bethesda Fire Department Inc.  
6600 Wisconsin Avenue

Dear Chair Anderson:

Bethesda Fire Department, Inc. ("BFD") through its representative, Bob Stoddard, has been trying to work with staff on the appropriate text language related to our Property's designation as a floating zone and language related to the current and future use of the vacant parcel adjacent to the existing fire station.

When the floating zone concept was agreed to on February 4, 2016, there was no specific discussion on the density or height to be indicated in the text. After the proposed density and height appeared in a staff report, Bob Stoddard and Nat Finkelstein met with staff members on March 9, 2016 to discuss this proposed height and density and its future limitations. At that point, staff agreed to bring up our discussion with the Board for direction. To the best of our knowledge, this discussion did not occur. Nor has there been any detailed planning effort to determine an appropriate density or building height for this site.

As you are probably aware, the Montgomery County Zoning Ordinance Section 5.3.5.A.1 states "*If a Floating Zone is recommended in a master plan, density must not exceed that recommendation*" and Section 5.3.5.B.1 states "*If a Floating zone is recommended in a master plan, height must not exceed that recommendation*". It is therefore our interpretation that if we came up with a plan that was acceptable to the community but exceeded either the density or height of the floating zone recommendation in the Downtown Bethesda Plan, it could not be approved by any process. This is far more restrictive than if the Bethesda Downtown Plan designated this property with a CR designation that could be changed through the Local Map Amendment process.

Therefore, we request that instead of the floating zone recommendation of CR 1.5, C-1.5, R-1.5, H-70 in the revised text draft dated June 24, 2016, the Board increase this to CR 2.0, C-0.25, R-2.0, H-75 thereby allowing for some flexibility for a plan that does not exist today. Please keep in mind that when or if a plan is proposed in the future significant community input during the approval process is required in a floating zone,

6600 Wisconsin Avenue  
Bethesda, MD 20815



and all rezoning proposals must be carefully considered by the Planning Board and approved by the County Council.

BFD is also concerned that the language related to the vacant parcel could be misinterpreted in the future. We are therefore requesting that language be added in Section 3.3.3.A (last bullet on pages 102-103 of the staff report edits) indicating that full redevelopment may be a future option or that the options are clearly not limited to the two indicated. This language should also be reflected or referred to in Section 2.7 (Parks and open space), Section 2.7.3.C.2 (Page 65 of the staff report planning edits) and on Table 4.01 (Page 120 of the staff edits).

Bethesda Fire Department Inc. thanks both the planning staff and board for listening to our concerns during this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Davies".

Grant Davies; Chair, Land Use Committee

Cc: Leslye Howerton  
Gwen Wright  
Robert Kronenberg

6600 Wisconsin Avenue  
Bethesda, MD 20815

MCP-CTRACK

RECEIVED

JUN 27 2016

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

0733

**From:** Carole O'Leary <carole.oleary01@gmail.com>  
**Sent:** Monday, June 27, 2016 7:47 AM  
**To:** councilmember.riemer@montgomerycountymd.gov;  
councilmember.elrich@montgomerycountymd.gov;  
councilmember.floreen@montgomerycountymd.gov;  
councilmember.leventhal@montgomerycountymd.gov; CM Berliner;  
councilmember.hucker@montgomerycountymd.gov;  
councilmember.katz@montgomerycountymd.gov;  
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councilmember.rice@montgomerycountymd.gov; oicemail@montgomerycountymd.gov;  
MCP-Chair; Howerton, Leslye  
**Cc:** contact@ebca.org; Carole O'Leary; Marc Micozzi  
**Subject:** third letter re my concerns about East Bethesda in Draft Bethesda Sector Plan

*Carole A. O'Leary & Marc Micozzi*

*4605 Chase Ave, Bethesda, MD 20814 (O'Leary cel: 301 675 9809)*

June 27, 2016

**RE: My Very Serious Concerns re Draft Bethesda Sector Plan for East Bethesda**

Dear Decision Makers:

I am again writing to express my very serious concerns (and those of my husband, Marc Micozzi) about the proposed Bethesda Sector Plan. I have attached my earlier correspondence below this communication. My husband and I have been East Bethesda homeowners, tax payers and concerned citizens since 1984. By no later than 1990, we became aware of the seemingly unchecked power of the Bethesda Planning Board to wreck havoc in our East Bethesda community – with no evident concern for the human and natural environment. The projects pushed on us by the Bethesda Planning Board serve only to increase density to unsustainable levels – creating dangerous levels of traffic and pollution, as well as related concerns - *e.g. inability to drive safely up and down Wisconsin Ave during rush hour (and that includes ambulances) from Bradley Blvd to the south to the Beltway exits to the north (and beyond)*. I am not alone in my concern in this regard.

East Bethesda is a thriving, diverse, neighborhood of over 1,200 households, represented by the East Bethesda Citizens Association (EBCA). East Bethesda residents – particularly homeowners - believe it is critically important that aspects of the Bethesda Sector Plan be **amended and/or deleted** before the Plan is approved by the County Council. We are committed to doing whatever is necessary – **including working with the media** - to ensure that our many concerns are taken into account by our Council representatives and County officials. Please be aware that our concerns as East Bethesda residents have yet to be addressed in the planning process.

We will not go away –we are vote and pay taxes. **Those of you who hold elected office should take serious note of our valid concerns, including having the media shine a spotlight on the issue -specifically the seeming favoritism shown to developers over residents.** You need to overhaul your planning process and do a reality check. You need to prove to us that you are not paid agents of the developers –because that is what appears to be the case –i.e. you put the developers (\$) ahead of the taxpaying residents of East Bethesda.

Residents of East Bethesda are particularly concerned about your **plans for so-called “edge” areas** that are specifically threatened by excessive heights and densities proposed in your Plan. **In this regard, I note for the record that that Planning Board Chair Casey Anderson and the county planning staff repeatedly stated on the record they were “off the mark” with regard to their recommendations for the edges of our East Bethesda neighborhood.** At a recent work session Mr. Anderson also stated that there were “factual misunderstandings” regarding our neighborhood when the Planning Board made their recommendations and that the Council should revisit their decisions.

We believe that there needs to be greater consideration regarding the impact of development on schools, traffic, transit, parks and the environment. Likewise, there needs to be better protection against the encroachment of zoning changes on single family residences in and around East Bethesda and elsewhere.

**Above all, we urge the County Council (and Planning Commission) to re-evaluate and lower the current recommendations for height and density for properties adjacent to our neighborhood.**

Thank you for your concern regarding this very serious matter and please see the attached Appendix (below) which identifies the specific changes that should be made to the draft Bethesda Sector Plan for East Bethesda.

Sincerely,

*Carole A. O’Leary*

Carole A. O’Leary

#### **APPENDIX –Requested Changes to the Draft Bethesda Sector Plan for East Bethesda**

In view of the inequitable treatment of East Bethesda in the Sector Plan and the very negative impact it will have on our quality of life, we request that the following concerns be addressed by the County Council and that the requested changes be made before the Draft Bethesda Sector Plan is approved:

**1. The heights of buildings along the edges of the East Bethesda neighborhood MUST be reduced.**

**2. Enforce the sector plan's goal to "preserve and protect existing single-family neighborhoods" and preserve the scale and character of our residential border.**

- Reduce the height allowances on the East side of Wisconsin Avenue from Middleton to Chelsea Lane to a maximum of *(65-75 ft?? – 75ft is in current 1994 Plan and is approximately what several other edge areas are getting on average; 65 feet allows for less expensive construction)*
- Reduce the height allowances on the West side of Wisconsin Avenue, from Middleton to Battery Lane to a maximum of *(145ft/120ft going down to 90 ft??- that is what is in the current 1994 Plan) The hotel being built soon is proposed to be 145ft – we can ask for less height going north on Wisconsin from there.*
- Reduce the height allowances on the corners of Cheltenham and the East side of Wisconsin (current sites of Chevy Chase Cars and CVS) from 250 feet to *(110 ft??, 90ft (current)??, approximate height of the Whitney??)*. Cheltenham Park in this location should be protected and expanded.
- Reduce the height allowances on the corners of Cheltenham on the West side of Wisconsin from 250/290 feet to *(145/120 ft?? – that is what it is now)*
- Maintain a step-down height of 35 feet along Tilbury Street from Middleton to Chelsea Lane.
- Lower the height allowance on the north side of Avondale from 100 feet to 35 feet, abutting single-family homes on Middleton Lane.
- Ensure that the width of the Eastern Greenway is a minimum of 35 feet along Tilbury and keep building step-downs in this location at a maximum of 35 feet. An even greater Greenway width is requested due to particular lack of green space in the area.
- Provide substantial setbacks for all buildings to allow for pedestrian traffic, street trees, and to act as an additional buffer. East Bethesda's roads are very narrow making additional buffer components critical.
- Require protection for R-60 zoning locations within the neighborhood. The Greenway must be zoned R-60 as an effective buffer against possible floating zone development encroaching further into the neighborhood.
- Require additional enforceable regulations or "design guidelines" to effectively protect edge areas and promote a pedestrian friendly environment, including along Wisconsin Ave.
- Actively incorporate EBCA and resident input on project plans adjacent to residential homes and schools.

**3. Address existing and worsening traffic congestion.**

- Reconsider currently used and flawed metrics to measure traffic and acceptable conditions. Current studies do not accurately reflect actual traffic conditions.

- Provide traffic studies that measure the true impact of traffic on downtown Bethesda and adjacent neighborhoods including East Bethesda, taking into consideration:

- significant new construction in the area since the last studies;
- impact of recent and new projects at critical neighborhood intersections;
- already heavily utilized intersections for both cars and pedestrians;
- no crossing guards for 3 of 4 major roads for children to walk/bike to Bethesda Elementary School;
- cut-through traffic increasing due to congestion on main roads;
- significantly increased traffic from BCC HS, NIH, and Walter Reed Navy Medical Center;
- concerns regarding access of emergency vehicles;
- times of day when entry/exit is prohibitive;
- very limited number of entry and exit points into/out of East Bethesda
  - North side of neighborhood: ONLY one intersection with light along Jones Bridge Road; NO intersections with lights along Wisconsin
  - South side of neighborhood: Three intersections with lights along Wisconsin (can turn left/south onto Wisconsin ONLY at two of them); Two intersections with lights along East-West Hwy (can turn left/east at ONLY one onto Montgomery Ave)
  - NO access on West side of neighborhood

#### **4. Improve pedestrian and biker safety.**

East Bethesda residents walk and bike to Downtown Bethesda to public amenities and public transportation. Families and children walk and bike to Bethesda Elementary, BCC, OLOL and other schools and daycare centers. **We encounter unsafe conditions in the neighborhood and as they cross Wisconsin Ave, East West Highway, and Jones Bridge Road.**

- Strengthen requirements for pedestrian cross walks and lights and safer intersections.
- Require sidewalks and crosswalks to remain open during construction.

- Provide well marked bike lanes in and around East Bethesda and along corridors connecting our neighborhood with schools, the library, public transportation, and other public amenities.
- Strengthen requirements for improved pedestrian conditions including planting street trees to provide a buffer and shade while walking.

#### **5. Increase the size and number of parks throughout Bethesda - including in and along the edges of East Bethesda.**

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Compared with other communities, East Bethesda is significantly lacking in parks and green space based on its population of 1,200 households; only two very small "pocket parks" exist as buffers.

- Convert County surface parking lots within our neighborhood into parks. (Maple Ave, West Virginia Ave, and Middleton Lane parking lots)
- Significantly increase the size of parks compared to what currently exists and what is proposed in the Sector Plan, especially along Tilbury Street (Eastern Greenway Urban Parks) and near the Pearl District (Bethesda-Chevy Chase East Urban Park).
- Create a substantial buffer park, consistent with what other edge areas have now.
- The creation of parks should not only be granted as a trade-off for building height/density along our edges. Parks need to be implemented regardless of new buildings in the area since we have the smallest amount of park buffer in the Plan and stand to possibly lose the remaining critical greenspace along the CCT.
- Lynbrook Park already is heavily used by neighbors, daycare, BCC students and community sports teams (and if Lynbrook school is potentially as reopened as elementary school the park will be even more heavily used).
- Greater consideration of use and design of parks and playing fields to ensure active recreation and healthy neighborhoods. This is key for usability, safety, and aesthetics.

#### **6. Address impacts of current and future school overcrowding.**

- 
- Provide concrete solutions based on community input to this growing problem before the Sector Plan is approved. School overcrowding at all levels is already a concern with projected enrollments at many area schools reaching capacity even before the new Sector Plan is approved - even with a new middle school and additions at existing elementary and high schools.

- Re-examine the number of students enrolling in BCC Cluster schools from recent multi-family residential buildings, as there is a discrepancy between projections and actual enrollment numbers, which are higher.
- Actively solicit input from residents - as the East Bethesda neighborhood would be greatly impacted by the reopening of Lynbrook as an additional elementary school in the BCC cluster.
- Study impact of additional bus service, traffic, and pedestrian needs required for the increasing population at BCC HS and potential reopening of Lynbrook ES on East Bethesda neighborhood with input from residents.

- Consider school size in light of 2015 State of Maryland lower school size recommendations.
- Review allowed over-capacity in schools in Montgomery County (highest over-capacity allowed in Maryland)
- <http://marylandpublicschools.org/adequacystudy/docs/SchoolSizeReport071615.pdf>

----- Forwarded message -----

From: MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>

Date: Mon, May 2, 2016 at 4:22 PM

Subject: Confirming receipt of your inquiry to the Montgomery County Planning Board Chair

To: Carole O'Leary <[carole.oleary01@gmail.com](mailto:carole.oleary01@gmail.com)>

Date: 5/2/2016

Subject: Confirming receipt of your inquiry to the Montgomery County Planning Board Chair

This confirms receipt of your email to the Montgomery County Planning Board Chair. You should receive a response shortly.

Thank you.

Office of the Chair  
 Montgomery County Planning Board  
 8787 Georgia Avenue  
 Silver Spring, MD 20910  
 (301)495-4605

From: Carole O'Leary [mailto:[carole.oleary01@gmail.com](mailto:carole.oleary01@gmail.com)]

Sent: Monday, May 02, 2016 8:44 AM

To: MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>; Roger Berliner  
 <[Councilmember.berliner@montgomerycountymd.gov](mailto:Councilmember.berliner@montgomerycountymd.gov)>; Howerton, Leslye  
 <[Leslye.Howerton@montgomeryplanning.org](mailto:Leslye.Howerton@montgomeryplanning.org)>

Cc: [contact@ebca.org](mailto:contact@ebca.org); Carole O'Leary <[carole.oleary01@gmail.com](mailto:carole.oleary01@gmail.com)>; Marc Micozzi  
 <[marcmicozzi@gmail.com](mailto:marcmicozzi@gmail.com)>; Alicia Micozzi <[amicozzi@mac.com](mailto:amicozzi@mac.com)>

Subject: draft Bethesda Sector Plan will ruin East Bethesda -add more pollution, more traffic, etc.



Greetings,

As an East Bethesda home owner (not renter) since 1984, I am writing to sharply protest what the Planning Staff has proposed for Downtown Bethesda, particularly along the borders of East Bethesda. There is simply nothing rational that can explain the decision making of the Planning Staff (except perhaps longtime, close ties with the developers and no ties with the homeowners of Downtown Bethesda -especially East Bethesda). No Social Scientist or Environmentalist would ever recommend what the draft Downtown Bethesda Sector Plan propose. Why? Because what the Planning Staff proposes will significantly add to already existing, over-impacted density (human and traffic) and pollution in this small, compact area of MC, MD. In reviewing the proposed Downtown Bethesda Sector Plan, it is clear that the Planning Staff has no concern for (or understanding of) the additional negative impact that the proposed plan will cause on Downtown Bethesda (and on East Bethesda in particular - i.e., a longtime residential zone). Please note that this proposed new damage must be understood in the context of the permanent damage that the Planning Board has already caused to our Downtown Bethesda community - through longterm over-building projects that ignore density, scale, and human and environmental concerns.

For example, now (not even in the future) I am often trapped in East Bethesda, unable to cross Wisconsin Ave (heading west) in my vehicle for several rotations of the traffic light (e.g., at Cheltenham and Wisconsin), unable to get across the intersection because the incredible high density traffic blocks the intersection for hours in the morning and evening.

Chairman Anderson, you need to reign in the Planning Board and amend this dangerous plan, which will ruin thousands of citizen's lives in an already over crowded (too high density) area -i.e. downtown Bethesda. Mr. Chairman, you need to address why the Planning Board (since I moved to the area in 1984) appears rank developers' interests first and citizens last. Why is this, Mr. Chairman? Can you explain the close (seemingly interlocked) interests of the Planning Board and local developers?

Mr. Chairman, need to explain (to us -the tax paying home owners) why the Planning Board's draft Sector Plan does not take into consideration the very real concerns of the tax paying home owners of downtown Bethesda, and East Bethesda in particular.

Mr. Chairman, you must be aware that the Planning Board did not conduct adequate studies on how this additional density will impact our already overly dense area (i.e. on traffic congestion -already DANGEROUSLY HIGH for drivers, pedestrians and bike riders alike), not to mention the further negative effect on BCC High School -which as you know has dropped way down in the ratings of MC high schools.

Mr. Chairman, County Council Member Mr. Berliner and Ms. Howerton, you need to put the breaks on this proposed plan, in order do a reality check. Please first start by personally walking the streets of East Bethesda (and those of already absurdly over-dense downtown Bethesda, to meet with residents and begin to UNDERSTAND what the Planning Board has already done to our lives (as well as the damage the proposed sector plan will further do to our lives).

And finally, I would like to know why the Planning Board targeted East Bethesda (my area) for approval of even greater heights and densities than the downtown area? This is insidious, dangerous and destructive. The citizens of East Bethesda will not stand for it. You will hear more from us, the national and local media will hear from us, and we will seek legal counsel on this critical matter.

Thank you and I would appreciate a written response that thoroughly addresses my concerns (not some boilerplate response).

Sincerely,

Carole A. O'Leary, Marc Micozzi (spouse) Alicia Micozzi/daughter (owners)  
4605 Chase Ave  
EAST BETHESDA, MD 20814  
301 654 4706