

APPENDIX C

April 21, 2005

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Honorable Derick Berlage, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Bethesda Center North: Lot E Site Plan: Parking Credit and Parking Waiver Request

Dear Chairman Berlage:

This law firm represents LCOR White Flint, LLC, the applicant on the above-referenced site plan application. On behalf of the applicant, and pursuant to the provisions of Section 59-E-3.32(a) and Section 59-E-4.5 of the Montgomery County Zoning Ordinance, we are requesting a 15% reduction in the standard parking requirement for the proposed grocery store, as well as a 36-space parking waiver from the standard parking requirement for this proposed retail use.

Parking Credit

As shown on the site plan accompanying the above-referenced site plan application, the entrance to the proposed grocery store to be located on Lot E is within 1600 feet of the entrance to the White Flint Metro Station. This general use retail use, therefore, qualifies for the 15% parking reduction from the standard parking requirements.

Parking Wavier

Given the proximity and number of the existing and proposed residential units on this and adjacent properties, and given the proximity and amount of the existing and proposed non residential space on this and adjacent properties, we are convinced that the 15% parking reduction requested above will still leave this proposed grocery store with more parking than necessary. As you are aware, this entire property is subject to a requirement to mitigate 50% of its single-occupancy-vehicle, peak-hour trips. The final details of the applicant's trip reduction program are being negotiated between the applicant and County and Planning Board transportation staff. In that negotiation process, we are being encouraged to minimize on-site parking, where appropriate, to maximize resident/worker use of public transportation.

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In requesting the 36-space parking waiver, we are confident that this proposed grocery store does not need these 36 parking spaces to operate efficiently and successfully. Minimizing parking for this proposed use will help achieve the overall goal of reducing peak-hour, single-occupancy-vehicle trips on this property.

Finally, the 36 parking spaces that are the subject of this requested waiver are not necessary to accomplish any of the objectives of the parking facility plan for this proposed grocery store, as outlined in Section 59-E-4.2 of the Zoning Ordinance.

A copy of this waiver request has been mailed to all adjoining property owners and affected citizen associations, as part of the notice for the filing of the site plan application.

Thank you for your anticipated consideration of the requested parking credit and parking waiver addressed above.

Very truly yours,

LINOWES AND BLOCHER LLP

Stephen P. Elmendorf