

ATTACHMENT D: Comments from the Art Review Panel



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

FROM: Molline Jackson,
Special Assistant to the Planning Director

PROJECT: Artery Plaza
SITE PLAN No. 819840020/ SKETCH PLAN No. 320150050

DATE: June 28, 2018

The Artery Plaza project was reviewed by the Art Review Panel on June 13, 2018. The following meeting minutes summarize the Applicant's presentation, the discussion during the meeting, and recommendations/conditions of approval regarding the public artworks. The Panel's final recommendations will be incorporated into the Staff Report and strongly considered by the Planning Board prior to the certification of the Site Plan and/or prior to the release of the first building permit. Should you have any additional questions and/or comments please feel to contact the Special Assistant to the Planning Director.

Attendance:

Judy Carter (Applicant/ JBG Developer)
Rick Bierbower (Applicant/ JBG Developer)
Matt Johnson (MCDOT Representative)
John Thomas (MCDOT Representative)
Pat Harris (Applicant's Attorney)

Art Review Panel and Planning Staff

Claudia Rousseau (Panelist and PATSC Representative)
Francoise Carrier (Panelist)
Judy Sutton Moore (Panelist)
Lee Goodwin (Panelist)
Mark Kramer (Panelist)
Molline Jackson (Coordinator)
Nick Dumais (M-NCPPC Legal Counsel)
Robert Kronenberg (Lead Plan Reviewer)

Summary of the Discussion:

- The subject property (located 7200 Wisconsin Avenue) was zoned CBD-2. At the time of Site Plan approval (mid-1980s), the public use space consisted of 32.4 percent of the net lot area.
- The Sketch Plan (approved May 12, 2016) for this project consists of 3.02 acres of land zoned CR-5.0, C-5.0 R-5.0 H-45; included the approval of 586,611 square feet of total floor area consisting of up to 543,170 square feet of office and up to 43,441 square feet of nonresidential

- uses (retail, restaurant, or service uses). The maximum building height is 145-feet in downtown Bethesda.
- The Sketch Plan approval supersedes the approval of the Project Plan No. 91981009A (approved on July 2, 2014). Per the conditions of the Sketch Plan, the Applicant is required to operate an art gallery during the weekday in the lobby of the building from 8:00 am to 6:00 pm. This is considered one of several public benefits.
 - The Applicant is seeking the approval of the Planning Board to remove the existing public artworks that were conditioned in accordance with the Project Plan approvals. There was no mention of the artworks being removed by the Applicant at the time of the Sketch Plan approval. Therefore, there is no discussion of these artworks in the Sketch Plan approval.
 - The Applicant satisfied the public benefits points (116.7 points out of 100 points) by virtue of the following benefits:
 1. Major public facilities (e.g. Capital Crescent Surface Trail)
 2. Transit Proximity
 3. Connectivity and Mobility
 4. Minimum Parking
 5. Architectural Elevations
 6. Exceptional Design
 7. Structured Parking
 8. Building Lot Termination (BLTs)
 9. Vegetated wall/roof
 - The public art component of the originally approved development was used to satisfy the goals and objectives for the Optional Method of Development (perceived as a public benefit).
 - The Site Plan application will address the removal of 3 public artworks: 1) cast glass and copper drinking fountain (by Howard Ben Tre), and 2) Sandstone and Granite Column (by Jim Sanborn), and 3) a granite, bronze, stainless steel sculpture ("Artery Sunwork" by John Van Alstine), the reconstruction of the public use space, and construction of the Capital Crescent Surface Trail.
 - The existing public use space (originally constructed in early 1980s) has historically been perceived to be closed off to the public realm. The brutalist design decreases the visibility toward the main entrance of the building, minimizes the building's relationship to the street's edge (no street presence), obstructs accessibility and discourages the use of the public use space. Over time, this space has become increasingly underutilized.
 - The Applicant seeks to refresh and update the public use space in tandem with the installation of the Capital Crescent Surface Trail (CCST) to achieve the following goals:
 - Refresh major views and increase visibility from the street's edge,
 - Maximize the usability of the public space,
 - Provide outdoor dining for retail tenants,
 - Physically and visually integrate the CCST into the overall design of the public space.
 - The CCST is 14-feet wide and primarily used by cyclists, will be installed on a portion of the existing property, which is currently used as open space (undeveloped space) on the southeast corner of the subject property.
 - The CCST will connect the trailhead of the Capital Crescent Trail on Woodmont Avenue & Bethesda Avenue with Elm Street Local Park, providing a surface route for cyclists through downtown Bethesda.

- MCDOT and JBG/ Bethesda Avenue LLC. (developer) have partnered to complete a Site Plan Amendment.
- The alignment of the CCST has been studied and alternative options have been examined by MCDOT to avoid the removal of public art. However, in accordance with Vision Zero the proposal route is the safest route.

Description of the public artworks to be removed

- The “Artery Sunwork” public artwork is a contemporary abstract form, approximately 15-feet tall and considered site specific artwork. The intent of the sculpture was to achieve a strong visual statement at the corner of Wisconsin Avenue and Bethesda Avenue.
- “Artery Sunwork” combined the concerns and character of large scale contemporary sculpture with the tradition and function of humankind’s oldest instrument – the calendar. The sculpture was designed and positioned so that its central axis was aligned exactly true north and south.
- The Applicant did not indicate whether contact has been made with John Van Alstine (the artist of the “Artery Sunwork”).
- The drinking fountain by Howard Ben Tre will be relocated to the artist’s studio (Ben Tre Studio).
- The fossil ammonite, imbedded within the sandstone and granite column, will be returned to the artist Jim Sanborn. This will, therefore, decrease its value. The Applicant will offer the remaining portion of the granite column to the Arts and Humanities Council of Montgomery County. Should they not accept this artwork it will be disposed.
- The Applicant did not provide a current appraisal for the artworks (*page 15 of the Art Review Panel Policies and Procedures*).
- No new public artworks are proposed on-site, because the CCST serves as the significant public benefit for the site.

Discussion Points:

- Although, the overall design of the public use space will be modified, no changes are proposed to the existing building façade or the structural supports (i.e. columns). The columns will still exist along Bethesda Avenue.
- The purpose of the existing public art is to make a statement and reinforce a stronger sense of place. Major views from the northwest corner could still benefit from the provision of public artwork(s) within the public use space.
- The Panel encouraged the Applicant to think of themes that could be further emphasized within the context of the new design and seek to connect the CCST to the actual public space.
- New public artwork installations could include lighting, pavement patterns, benches, trashcans, and water fountains (for drinking).
- The Panel also suggested that MCDOT should participate in the provision of public artwork(s) onsite.
- The Applicant and MCDOT should be careful not to just decorate the site, but to provide actual works of art, created by artists (not architects or designers), that seek to complement the overall design of the public realm.
- The art gallery (conditioned by the Sketch Plan) does not appear to have the same characteristics of a typical gallery space. The Art Review Panel does not consider the experience in the first-floor lobby to be a true benefit to the public, as the access leading up to the gallery

can be closed off by the main entrance of the building. The physical barriers to access the building also limit public viewing of the artworks in the lobby. In that regard, the art gallery presents a similar challenge as the existing design of the public use space that currently houses the public artworks to be removed.

Panel Recommendations/ Conditions of Approval:

The following recommendations should be incorporated into the Staff Report as conditions of approval.

1. The Panel recommends that the existing public artworks not be removed until the Applicant proposes new public artwork(s) that activate the public use space. Although, the CCST is a public benefit, the purpose of the existing public artworks will not be fulfilled with the installation of the CCST alone. The CCST will increase mobility and connectivity for a certain segment of the public. However, the public artworks have the potential to be accessible to all visitors.
2. The Applicant will need to provide written proof that contact has been made with John Van Alstine (the artist of the "Artery Sunwork").
3. In accordance with the Art Review Panel Policies and Procedures (page 15), the Applicant will provide an appraisal of the public artworks (3) to be removed prior to removal process.
4. The new design of the public use space should benefit from both the use of public artwork(s) and the CCST. Both public amenities will enliven and activate the new space. The installation of public art is consistent with other new developments along Wisconsin Avenue (e.g. 7373 Wisconsin Avenue, Site Plan No. 820180040, 0.1-miles from the subject property).
5. The Applicant should commission the work of a professional artist to integrate public artwork(s) into overall concept for the new design of the public plaza.
6. The Panel invites the Applicant back to present their final concept for the public plaza after the Planning Board public hearing and prior to the certification of the Site Plan Amendment.
7. The Certified Site Plan must contain site details that clearly indicate the overall dimensions, prescribed materials, necessary lighting fixtures, footers, and fasteners to ensure adequate safety and proper inspection of the artworks by the AHCMC and Montgomery County Department of Permitting Services (DPS). This information will come from engineered drawings, certified by a structural engineer.
8. The Developer and Artist(s) will execute a maintenance agreement for the public artwork(s), and will present the signed document to the DPS and Montgomery County Planning Department prior to the issuance of the first building permit.
9. With the new installation of public artworks, appropriate signage should be clearly visible, specifically identifying the title of the piece, artist's name, materials, completion date, and overall dimensions.
10. With the installation of new public artworks and prior to final inspection of the new public artworks, the Developer must submit to the Public Art Coordinator with the Montgomery County Planning Department at least three images of the artwork on-site and information regarding the 1) associated project number, 2) title of the piece, 3) date of completion, 4) description of materials used, and 5) address. This information will be added to the existing inventory of the public artworks throughout the County (mcatlas.org/art).
11. The Developer must comply with the implementation section of the Art Review Panel Policies and Procedures.