

# Bethesda Downtown Design Advisory Panel

**FROM:** Laura Shipman  
Design Advisory Panel Liaison

**PROJECT:** Battery Lane District  
Sketch Plan No. TBD

**DATE:** March 27, 2019

*The **Battery Lane District** project was reviewed by the Bethesda Downtown Design Advisory Panel on **March 27, 2019**. The following meeting notes summarize the Panel's discussion, and recommendations regarding design excellence and the exceptional design public benefits points. The Panel's recommendations should be incorporated into the Staff Report and strongly considered by Staff prior to the certification of the Site Plan. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

## **Attendance:**

Karl Du Puy (Panelist)  
George Dove (Panelist)  
Damon Orobona (Panelist)  
Qiaojue Yu (Panelist)  
Paul Mortensen (Panelist, Senior Urban Designer in the Director's Office)

Laura Shipman (Design Advisory Panel Liaison)  
Robert Kronenberg (Deputy Director)  
Elza Hisel-McCoy (Area 1 Regulatory Supervisor)  
Grace Bogdan (Area 1 Lead Reviewer)  
Rachel Newhouse (Parks Department)  
Hyojung Garland (Parks Department)

Robert Graham (Applicant Team)  
Gary Unterberg (Applicant Team)  
Iffat Afsana (Applicant Team)  
Jef Fuller (Applicant Team)  
David Kitchens (Applicant Team)  
Tom Donagby (Applicant Team)  
Ben Kishimoto (Applicant Team)  
Sheena Gozon (Applicant Team)  
Zach Pawlos (Applicant Team)



Artie Harris (Applicant Team)  
 Doug Wrenn (Applicant Team)  
 Kim Centrone (Applicant Team)  
 Nancy Regelin (Applicant Team)  
 Anthony Falcone (Applicant Team)

Holly Clemans (Member of the Public)  
 Michael Fetchko (Member of the Public)  
 Kevie Nilanv (Member of the Public)  
 Eileen O'Connor (Member of the Public)  
 Naomi Spinrad (Member of the Public)  
 Ellen Witt (Member of the Public)

### Discussion Points:

- Phasing, which phase is first? What is the logic?
  - *Applicant response:* Site A first, E second, C third, D fourth, B last. The phasing responds to the aging condition of buildings, some are in good condition and can last longer. We are engaging with the PLD and would like to see where those discussions go regarding the parking garage south of Site B. Incremental replacement of units allows relocation of existing residents while redeveloping.
- There are two buildings that you left in this area, correct?
  - *Applicant response:* There is a building on Wisconsin and a building on Old Georgetown that will remain. There is about a 30% turnover for relocation.
- Have you thought about B and C as one site, to create a continuous façade?
  - *Applicant response:* We have had a lot of discussions about this being a residential district vs a commercial district. In a commercial district you do not want missing teeth, but in a residential area we want more breathing room, and more of a neighborhood avenue than commercial district.
- You talk about Battery Lane more as a residential boulevard, then what makes Battery Lane unique vs say Woodmont Avenue? I ask because the street type is identified in the guidelines, and clearly the sidewalk right on the curb is not something we want to see. We do however want to see the front lawns, so maybe it is more of a pedestrian strolling street with wider setbacks. Should you give more room in the fronts to create a character for battery lane that is more of a boulevard with more trees? Your fly through model shows the buildings right up close to the street which is jarring.
  - *Applicant response:* All of the buildings are within 20-25ft setback recommended, we are bringing buildings up to the street. The drop-off between B and C is a unique moment. We have occasional setbacks for lobbies and breaks for midblock



connections and the loop road. We are also providing stoops on the street. Everything to the east is the Bethesda streetscape (brick and tree panel), everything to the west is a concrete sidewalk to transition to existing sidewalks. What is the right dimension from the curb? We are staying within the 20-25 feet and bringing buildings up to the street.

- I'm not sure the 25 ft setback is right, or if there should be more space.
  - *Applicant response:* We thought about whether the building should be more asymmetrical, creating variation in the build-to line and green areas at the front. When the pedestrian walks around the corner from Woodmont we want them to exhale and feel like it is something different.
  - *Staff comment:* what is missing here is one vision for the entire street, all other projects that are not a part of the project will be looking to you to set the tone. This is the most important thing that the sketch plan should do. You need one design approach from Woodmont to Old Georgetown Road.
- You talk about sharing amenity spaces, can this also apply to parking? Also, for MPDUs does each building have to have 25% MPDUs or can the whole project have 25%?
  - *Applicant response:* The parking is 0.67 for each unit, the project is ½ mile from each metro station and not within PLD.
- If you pinch the opening of battery lane right off of Woodmont, you could then expand the street and open up. I agree that you should have one drawing of the entire street so that all developments that come in could play nicely.
  - *Applicant response:* Making it a bit tighter is intentional to create a less suburban ratio.
- You could create a transition east to west from a single to double row of trees
  - *Applicant response:* As you notice there are the urban brick sidewalks and then moving along we create tree panels. I am hearing that we should create the transition farther east?
- What is wrong with the street today is that the street is too wide and undefined, so don't get too far away from creating a street wall, which does provide comfort for pedestrians.
- When I think of residential, I do think that a significant tree canopy and planted surface is important. The sidewalks can be narrower, and the planted area could be wider.
- I haven't heard much about the park. It is a unique amenity that this area has, it is unfortunate that the two buildings along it are not going away to improve the visibility and access to the park.



- Instead of trying to make the entire district interesting, you should create nodes every 2-300 feet to create interest along the street. I am not sure that the drop-off is the best node. A sequence of events can be very positive. *(After further thought, the panelist recommends nodes every 500 to 800 feet apart).*
- I want to commend you for showing the existing street views in the video.
- I think this could be a garden district that differentiates itself from the urban areas.
- I live in this area and there are a good amount of people using the trail as commuters, as exercise and for families.
- Is there an opportunity to integrate some neighborhood retail?
  - *Applicant response:* Yes, we plan to include coffee shop or bike repair shop as neighborhood serving retail.
- I would not show the park with the sidewalks right up against the street, include a double row of trees along the park to have the sidewalks inboard, even if you do not have control of all of the properties.
  - *Parks Staff:* The more an open space is exposed to the street, the more it is utilized. So, if the open space on Site D along the trail is hidden from the street and separated it will not be as well used. Understanding that you have a requirement to create light and air for the building, create adjacent relationships and symbiotic relationships between the open spaces.
  - *Applicant response:* The Site D rendering omits the proposed area of trees that could also be an amenity.
- There are a lot of big moves that I am not seeing but I would like to see. How does site D contribute to the entire district? I am not as interested in trying to lower the entire building but rather how you relate to the adjacent buildings. I think then you should maximize height to get the maximum amenity.
- On Site D, it is a nice public space for the building but not for the whole street. Why not have the buildings facing onto the park and pulling back the buildings so the park becomes wider and public, becoming more of a park and not just a trail. The building could still have the same amount of density and fill out the envelope rather than facing inward.
  - *Applicant response:* We need to do more work to create moments and pockets along Battery Lane and along the trail, we can look more at this. Tight and open spaces could work similar to the Highline. This is not necessarily an insular park as has been problematic.
  - *Parks Staff:* Look at the urban greenway concept diagrams and photos in the sector plan and guidelines for guidance for Site D.



- *Applicant response:* We started with a wide green space, and the building was one dense mass. If we create a building within the height guidelines it becomes a massive building. We wanted to break up the mass. We could look at adjusting the step-back above the podium.
- I am curious why you chose to have townhouses facing the park?
  - *Applicant response:* We are balancing many things, in this venue we are talking about urban design. But in the plan there is a discussion of affordability. So we want to have the broadest range of housing types to allow affordability. It is not townhouses it is 2-story liner units on the parking garage with stick built above. We could turn the building around but the current orientation allows views and is designed for solar orientation.
- If you could go to 120 and create a 1 or 2-acre park extension of the trail rather than limiting height.
  - *Applicant response:* We still have the consideration of the affordable housing type. The lower building also allows the condo residents to have a view through the site. The massing is intended to be sympathetic with a midrise building along battery lane and high-rise to the rear to relate to NIH.
- We need to first think about the urban design that would make it an overall urban neighborhood.
- If its possible you could eliminate the low-rise building on Site D and reallocate on other sites.
  - *Applicant response:* We have highrise concrete building types which are expensive, light concrete, and stick built for affordability.
- Could you create a street along C connecting to Rugby instead of a loop road?
  - *Applicant response:* The PUD and the sector plan removed the street connection, we could facilitate that occurring.
- Site B has the clearest massing.
- Site D why do a stepped terrace? There is a concern about accessibility.
- On Site C could one of the connections be pedestrian rather than having a vehicular loop all the way around?
  - *Applicant response:* We are at the start of a 10-year journey and will be returning for site plan for each building.



- In looking at all the precedent images for all the buildings, there are some that I like and others less so. You want some qualities that are similar, we would not need a pattern book. An urban design drawing is needed, there could also be a pattern book about the materials that could be used to tie it all together showing the materials that each architect can choose from.
  - *Applicant response:* We are having design progress meetings every 3 weeks and are trying to create buildings that are cousins, similar but not too similar.
- This worries me, this seems like form-based code and could get too similar. Massing consistency is important but guidelines that create too much similarity can be a problem.
- Site D, why isn't your high-rise where the low-rise is and the low-rise in the back? I understand that NIH and the open space is compelling, but it does something dramatic for views to Battery Lane Park and NIH to have the high-rise along Battery Lane.
- A lot of the examples shown here are all glass, is this an all glass neighborhood? That is why I suggested something of a 2-page pattern book.
  - *Applicant response:* Phasing will help, each architect will respond to the design of the previous architect. All glass is not what we are suggesting particularly with the socioeconomics proposed. Brick will be a primary material.
- I would not shy away from density and height, unless building technology restricts. You have a lot of open space, wide streets and light and air so you could maximize the build-out.
- But would you say that if it reduces the potential number of MPDUs? No of course not.

### **Panel Recommendations:**

The project will return to the panel prior to Planning Board review of the Sketch Plan to focus on the urban design of the district, and the massing and open space design on site D. The following are initial recommendations.

1. Provide an urban design vision for the entire street from Woodmont Avenue to Old Georgetown Road. Incorporate opportunities for deeper setbacks, increased canopy trees and plantings to create a garden district that differentiates itself from the more urban areas in downtown Bethesda.
2. Widen the public open space on site D, the North Bethesda Trail Urban Greenway, as recommended in the Bethesda Downtown Plan. Create a better visual and physical connection between Battery Lane Urban Park and the NIH public open space.



3. Reconfigure the massing and orientation of the buildings on site D to relate to the widened public open space along the Bethesda Trolley Trail. Consider reducing the footprint and increasing the height of the midrise building along Battery Lane.
4. Create a brief pattern book or selection of materials to provide cohesion for the multiple projects in the district. Make sure to avoid excessive homogeneity while aiming to provide consistency.
5. Consider making one of the connections on site C pedestrian-only rather than having a vehicular loop around the site. In addition, study the feasibility of a street connection through site C from Battery Lane to Rugby Avenue.



# Bethesda Downtown Design Advisory Panel

**FROM:** Laura Shipman  
Design Advisory Panel Liaison

**PROJECT:** Battery Lane District  
Sketch Plan No. 320190080

**DATE:** May 22, 2019

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*The **Battery Lane District** project was reviewed by the Bethesda Downtown Design Advisory Panel on **May 22, 2019**. The following meeting notes summarize the Panel's discussion, and recommendations regarding design excellence and the exceptional design public benefits points. The Panel's recommendations should be incorporated into the Staff Report and strongly considered by Staff prior to the certification of the Site Plan. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

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## Attendance:

Karl Du Puy (Panelist)  
George Dove (Panelist)  
Damon Orobona (Panelist)  
Rod Henderer (Panelist)  
Qiaojue Yu (Panelist)  
Paul Mortensen (Panelist, Senior Urban Designer in the Director's Office)

Laura Shipman (Design Advisory Panel Liaison)  
Robert Kronenberg (Area 1 Division Chief)  
Elza Hisel-McCoy (Area 1 Regulatory Supervisor)  
Grace Bogdan (Lead Reviewer)  
Rachel Newhouse (Parks Department)

Iffat Afsana (Applicant Team)  
Gary Unterberg (Applicant Team)  
Nancy Regelin (Applicant Team)  
Dan Rigaux (Applicant Team)  
Jef Fuller (Applicant Team)  
Zach Lucido (Applicant Team)  
Layton Golding (Applicant Team)  
Anthony Falcone (Applicant Team)





Doug Wrenn (Applicant Team)  
Robert Graham (Applicant Team)

Richard Hoyer (Member of the Public)  
Naomi Spinrad (Member of the Public)  
Michael Fetchko (Member of the Public)  
Holly Clemans (Member of the Public)  
Kevie Niland (Member of the Public)  
Ellen Witt (Member of the Public)  
Amanda Farber (Member of the Public)

### Discussion Points:

- It came to mind when you talk about stormwater management, there is a neighborhood in Seattle where the whole area is more of a district where stormwater is captured from the roof and reused and on the street and it is part of the design.
- How is this implemented? Is it all at once or piecemeal?
  - *Applicant response:* We are determining now. This will happen over 10-12 years. There may be a temporary treatment with painting and bollards as an interim treatment. The median will happen as we redevelop over time.
- Right now, the street appears to be very wide, I think removing parking spaces and adding more tree canopy and getting a two-way bike lane is positive. Even if it happens incrementally I think it is a basis for all the properties to respond to. I don't think these need to be amazing architectural statements but the way you are organizing the moments along the linear street is positive. I want to offer my appreciation for thinking outside of the box.
- What will happen to those parking spaces? Will it create any parking issues?
  - *Applicant response:* I don't think so because all of the developments have surface parking that is under-parked. I don't think removing the spaces will be detrimental.
- If a family comes to the park, where will they park? And where do you drop people off? Do you have to drive into the building to drop people off? You may want a space here or there to drop people off.
  - *Applicant response:* We have a ride-share drop-off area where cars can come into the site to drop off.
  - *Staff:* I think it is important to note that this is a public street. And it is not incumbent on the applicant to solve all the questions, it will be a multi-agency implementation.
- You would think that there would be a fund and DOT would implement the plan. I am concerned that everything is straight-jacket. I think this one-size fits all rather than having pull offs.
- I think the aspirations are right. I think there are details to work on. If you are talking about sustainability, you seem to be using old HID fixtures rather than more modern LED fixtures.



- For the larger green space near NIH have you programmed it? It will be the most social space of the neighborhood so you should think about how it is programmed.
  - *Applicant response:* It could be a space for a special event, but we don't want to be overly rigid. Formal and informal activities.
- I think everything that you are showing is a very nice improvement and is showing what this whole district can be one day. The problem that I am seeing is the lack of real connectivity to Norfolk Avenue, because you have massive superblocks. I would suggest that Auburn Avenue be connected through to Battery Lane for vehicles and pedestrians. I think it should be a narrow two-way street with parking. I think we should not prevent that opportunity.
- This morning before I came, I had to drive all the way around and there were no opportunities for right turns.
- Right now it acts like a gated community. And I know the people who live there might prefer that but it really doesn't allow connectivity for the area.
  - *Staff:* The applicant can show a dashed arrow for potential connection to Auburn in the future.
- Sites A&B should come in together for site plan review because it would create a strong gateway.
  - *Applicant response:* The phasing is evolving over time but site B will likely come in later.

### **Panel Recommendations:**

The following recommendations should be incorporated into the Staff Report.

1. The panel is generally supportive of the district vision but there are implementation concerns that should be coordinated with County agencies including phasing of Battery Lane improvements, drop-off areas and parking strategy.
2. Develop the approach for programming of the park near NIH as an important social gathering space.
3. Show an arrow for a potential future street connection to Auburn Avenue and Woodmont Triangle District.
4. Illustrate the connection between each project and the overall vision at site plan.
5. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone.
6. Straw vote: **5** in support but with conditions to address the above recommendations.





DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
*County Executive*

Aseem K. Nigam  
*Director*

November 13, 2019

Ms. Grace Bogdan  
Area 1 Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Battery District  
Sketch Plan No. 320190080 and Preliminary Plan No. 120190240

Dear Ms. Bogdan:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. The plans are consistent with the MPDU Law and Executive Regulations.

DHCA is interested in having further discussions with the developer to explore ways to provide more MPDUs, and more affordable MPDUs (less than 50% AMI) in the development.

Sincerely,

Lisa Schwartz, Manager  
Affordable Housing Programs Section

cc: Ryan White, Rodgers Consulting  
Nancy Regelin, Shulman Rogers

[https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/Battery Lane District/Battery District DHCA Letter\\_11-13-2019.docx](https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/Battery Lane District/Battery District DHCA Letter_11-13-2019.docx)

**Division of Housing**

Affordable Housing    Common Ownership Communities    Landlord-Tenant Affairs    Multifamily Housing

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DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

November 15, 2019

Ms. Grace Bogdan, Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Sketch Plan No. 320190080  
Battery District

Dear Ms. Bogdan:

We have completed our review of the sketch plan dated October 11, 2017. This plan was reviewed by the Development Review Committee at its meeting on July 23, 2019. The following comments are tentatively set forth for the subsequent submission of a preliminary plan:

All Planning Board Opinions relating to this plan or any subsequent revision, preliminary or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

1. The applicant submitted a preliminary plan and fee for DOT review and approval. The sketch and preliminary plans are running on separate timeframes. This letter pertains to the sketch plan only. The preliminary plan is under review and final comments for it will be in a separate letter.
2. Roads
  - a. Battery Lane - Based on the Bethesda Downtown Plan, Battery Lane is classified as a Minor Arterial street with a minimum right-of-way of 70-feet. The Bicycle Master Plan recommends two-way separated bike lanes on one side of the street, which is TBD. Provide sections for Battery Lane that includes the separated bike facilities. Label the

Office of the Director

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101 Monroe Street, 10<sup>th</sup> Floor, Rockville, MD 20850 • 240-777-7170 • 240-777-7178 Fax  
[www.montgomerycountymd.gov/mcdot](http://www.montgomerycountymd.gov/mcdot)

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301-251-4850 TTY

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location of the cross sections on a plan.

- b. Woodmont Avenue – Based on the Bethesda Downtown Plan, Woodmont Avenue is classified as an Arterial street with a minimum of 80-foot right-of-way and two travel lanes. Provide a cross section for Woodmont Avenue that includes the proposed separated bike lanes.
3. The applicant has submitted a preliminary plan, which is currently under review. Prior to approval of the preliminary plan the following items, including but not limited to, need to be addressed:
  - a. The location of the separated bike lane lanes along Battery Lane, including, but not limited to, the width, structures, timing, and interim condition. The applicant may be required to contribute to the separated bike lanes.
  - b. The storm drain analysis submission is incomplete and should be finalized before approval.
  - c. Planning staff has requested that the 60-inch storm drain pipe be “day-lighted.” DOT and other agencies need to determine if this is possible prior to the preliminary plan approval.
  - d. Submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.
4. A Design Exception dated August 21, 2019, has been submitted and is currently under review for Battery Lane that includes modifications.
5. Maintain a minimum 5 ft continuous open pathway (no grates) along all public streets.
6. Upgrade pedestrian facilities at intersections along the site frontage & at adjacent intersections to comply with current ADA standards.
7. Street frontage improvements along Battery Lane will be determined at preliminary plan stage. This area is outside of the Bethesda Urban Partnership (BUP); any deviation from Montgomery County standards for sidewalks or other items in the County right-of-way will need a maintenance and liability agreement or an agreement from BUP that they will maintain them. This agreement needs to be determined prior to site plan approval.
8. A Traffic Impact Study was submitted to DOT and is currently under review.
9. Transportation Demand Management

#### Design Guidelines

- Design building frontages/lobbies to provide two-way visibility for shuttles and transit vehicles, as well as taxis and other shared-use vehicles.
- Where port-cocheres (covered entryways) are planned, ensure height is adequate to accommodate transit vehicles including shuttles and MetroAccess vans.

**Parking:** Providing parking at a rate of 0.67 spaces/dwelling unit as proposed will encourage greater use of non-auto options and will be key to improving the modal split and to reducing the projected number of AM and PM peak hour trips.

**Pedestrian and Bicycle Facilities:** Provide excellent pedestrian and bike circulation, amenities, and accommodations throughout the development including the following:

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- Bike racks in highly visible/active locations
- Bike lockers or bike storage facilities (i.e., secure bike cage in each parking facility)
- Bike repair facility. Provide at least 1 small stand-type repair facility. This would be available for residents use to change flat tires and to adjust brakes and derailleurs. Typically, tools are attached to the stand and a bike tire air pump can be provided as part of the same facility.

#### **Bikeshare and Related Support for Non-Auto Mobility Devices, or, Space for Shared Mobility Devices/Bikeshare**

The landscape of mobility devices is dynamic and will likely change significantly over the 10-year span of this development. Use of any of the various types of personal and shared bicycles or micro-mobility devices to connect to the Bethesda Metro for commuting or non-work-related trips will assist in meeting the 55% blended residential and employee NADMS goal for Bethesda. The project is located in the Bethesda TMD and robust Bethesda bikeshare service area where the demand for docked bikeshare expected to continue to grow. Additionally, the Department anticipates increased use of personal and shared mobility devices (i.e., e-bikes and e-scooters) among residents and employees at the Project, as well as increased interest in the use of shared micro-mobility services in Bethesda (currently being introduced by pilot program in the County). Therefore, given the number of proposed dwelling units at full build out inclusive of MPDUs, and commercial space at Site D, the likely demand for bikeshare and the probable need to store undocked devices at the Project, the Applicant should:

- Show the location for 2 spaces in the Project, either for a bikesharing docking station to enable this form of transportation to be used by employees, residents and visitors at the Project, or for the orderly storage of un-docked, micro-mobility devices. Show the proposed locations of the spaces on the revised preliminary plan. The Applicant should consider potential locations along Battery Lane at both ends of the Project (near Site A, 4857 Battery and Site E, 4998 Battery Lane).

The final location of these spaces will be coordinated between the Applicant and MCDOT, based upon the requirements of the bikesharing system and in a highly-visible, convenient and well-lit (4 – 6 hours of solar access) location on the Project. The spaces should accommodate a 15-dock bikeshare station, the standard size for developments in Bethesda, the size for which is 43' by 7'. Applicant must provide conduit to the bikeshare station in the event solar access is insufficient and for the potential recharging of micro-mobility devices.

- The County maintains full discretion to install, operate, move, relocate or discontinue service of a bikeshare station based on review and analysis of usage, performance, or budget. If on-site bikeshare station(s) is/are not to be installed by the County, racks, repair stations, or suitable facilities and equipment for the orderly storage of micro-mobility devices must be provided by the Applicant as determined by the County.

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- The Applicant must allow MCDOT or its contractors access to the Project to install, service and maintain a bikeshare station (a PIE may be required).
- Applicant will be required to assist MCDOT in the promotion of bikeshare and other shared use mobility devices among employees and visitors at the Project, in order to accomplish the objectives of the TMD.

#### **Displays and Communication of TDM Information**

Alternative modes of transportation are more likely to be used if people have readily visible and accessible information about options. To enable outreach to Project tenants, residents, employees, visitors, etc.:

- Incorporate display space (wall mounted or standing) into each residential lobby for a minimal number of brochures, etc.
- Provide monitors to display Real Time Transit Information and other transportation-related information in each residential lobby.
- Provide concierge/reception desk with an area where transit information and pass sales can be transacted – e.g., obtaining transit information, loading of SmarTrip cards.

#### **Traffic Mitigation Agreement**

For each phase of development, it is anticipated that the final approval of the number and location of buildings, dwellings units, on-site parking, site circulation, sidewalks, and bike paths will be determined at Site Plan. Therefore, a separate TMAg may be required for each building or set of buildings as applicable, prior to issuance of certified site plan. Prior to issuance of any building permit by MCDPT, the Applicant must work with MCDOT and MNCPPC to finalize the draft TMAg submitted and execute a final document. Submit an editable and redlined draft of the submitted TMAg for review. The TMAg should include but not be limited to:

- Bikesharing, Related Support for Non-Auto Mobility Devices, and/or Space for Shared Mobility Devices. The provision will provide for the set aside of space suitable for the installation of a bikeshare station, or, at the County's discretion, space for the orderly storage of other shared-use mobility devices at the Project. If an on-site bikeshare station is not to be provided, alternative facilities (i.e., racks, repair stations, etc.) should be provided in the reserved space.
  - Electric Vehicle Charging Stations. Provide 2 or the number of charging stations required by law, whichever is greater.
10. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements (to be determined at preliminary plan stage):
- A. Improvements to the public right of way will be determined at the preliminary plan stage

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based on a review of the additional information requested earlier in this letter.

- B. Enclosed storm drainage and/or engineered channel in all drainage easements.
- C. Underground utility lines.
- D. Bethesda or other Streetscaping.
- E. Street lights.
- F. Street trees in amended soil panels.
- G. Permanent monuments and property line markers.

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact myself at [Rebecca.torma@montgomerycountymd.gov](mailto:Rebecca.torma@montgomerycountymd.gov) or at (240) 777-2118.

Sincerely,



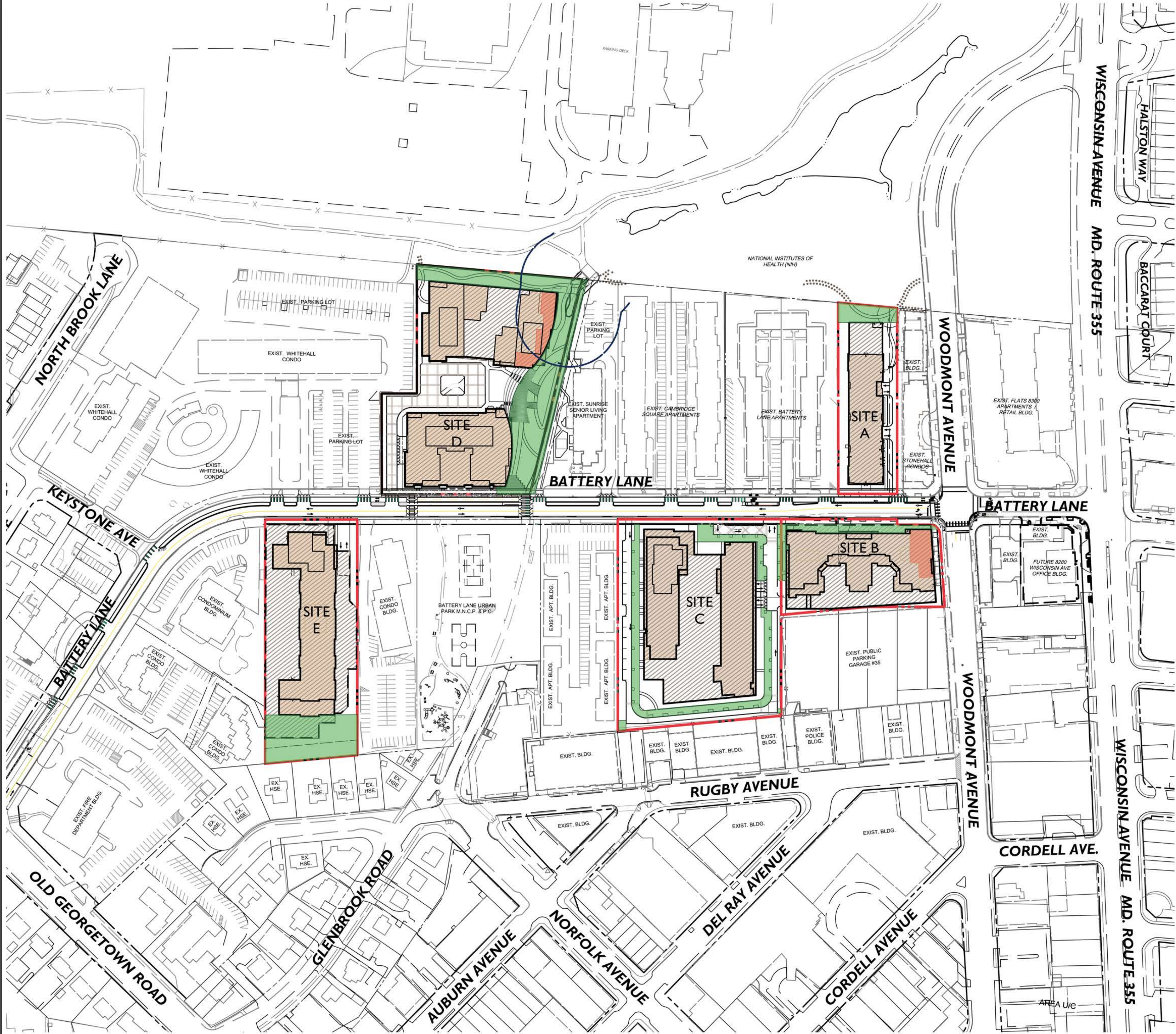
Rebecca Torma, Manager  
Office of Transportation Policy  
Development Review Team

Sharepoint/DOT/director's office/development review/Rebecca/developments/bethesda/320190080 battery lane.docx

cc: Letters Notebook

cc-e: Sandra Brecher; MCDOT OTP  
Beth Dennard; MCDOT OTP





**GENERAL NOTES**

1. All Sketch Plan Drawings and Exhibits are conceptual and only represent the proposed development in an illustrative interpretation.

2. The final phasing, building dimensions, height, density and development standards shall be determined at Site Plan approval and in conformance with approved Sketch Plan/ Preliminary Plan.

3. The final building uses and programming shall be determined at Site Plan application.

4. Phases maybe developed in any order or combined. Phasing boundaries could be adjusted and the densities could be shifted between phases at Preliminary Plan and / or Site Plan approval.

**LEGEND**

Residential - Multi-Unit

Commercial & Office

Structured Parking Facility Below

Parks & Open Space

Stream Valley Buffer Boundary

Sketch Plan

SCALE: 1" = 100'

0100200400

Feet

1" = 100

BROWN DEVELOPMENT

RODGERS CONSULTING

19847 Century Boulevard, Suite 200, Germantown, Maryland 20874  
Ph: 301.948.4700 (Plan), Fx: 301.948.6256, www.rodgers.com

DESIGN TEAM

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Bethesda, Maryland 20814  
301.656.5998  
Attn: Dan Rigaux

Legal:  
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Land Planning / Landscape Architect / Civil Engineering:  
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Attn: Robert Graham

4857 and 4998 Battery Lane Architect:  
DNC Architects, Inc.  
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Attn: Jeff Fuller

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Cooper Carry  
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Attn: David W. Kitchens

4949 Battery Lane Architect:  
KGD Architecture  
1101 15th Street, NW, Suite 200  
Washington, DC 20005  
202.338.3800  
Attn: Ben Kishimoto

SEAL & SIGNATURE

NOTE:  
THIS DRAWING HAS NOT RECEIVED AGENCY APPROVAL AND IS NOT FOR CONSTRUCTION.

PROFESSIONAL CERTIFICATION  
I hereby certify that these documents were prepared or approved by me and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 19970, Expiration Date: 6/1/20.

STATE OF MARYLAND

PROFESSIONAL ENGINEER

BATTERY DISTRICT

Sketch Plan - 320190080

WSSC Grid: 210NW05, Tax Map: HN23  
Montgomery County, Maryland, Bethesda District 7

ISSUE DATE

06.07.2019

08.21.2019

10.08.2019

DESCRIPTION

Initial Submission MNPPC

Post DRC Submission MNCPPC

2nd Post DRC Submission MNCPPC

PROJECT NUMBER

DATE

SCALE

DRAWING TITLE

466-NI

2019.10.08

1" = 100'

Overall Sketch Plan

DRAWING NUMBER

2019.10.14 - 07.08 AM

SK-013



## Battery District Cycle Track

On behalf of Brown Development, LLC in connection to the Battery District Sketch & Preliminary Plan, this supplemental document lists the pros and cons of the north-side or south-side placement of the proposed two-way cycle track on Battery Lane, between Wisconsin Ave (MD 355) and Old Georgetown Rd (MD187), as it relates to the Non-automobile driver method (NADM) of Transportation:

### Battery District Facts:

		Ex. Conditions	Prop. Conditions	North Side	South Side
Dwelling Unit Count	Ex.	1,788 du		1,238 du	550 du
	Prop.		2,841 du	1,679 du	1,162 du
Building Sq Ft.	Ex.	TBD			
	Prop.		1,282,732 sf (1)	871,047 sf	411,685 sf
Driveway / Curb Cuts Battery Lane	Ex.	35		18	17
	Prop.		29	16	13
Fire Hydrant	Ex.	6		1	5
	Prop.		7	1	6
Bus Stop Locations	Ex.	8		3	5
	Prop.		8	3	5

(1) Includes approved 8280 Wisconsin Ave Site Plan.

### Cycle Track - North Side:

#### Pros:

1. Consistent with 2018 Bicycle Master Plan. The December 2018 adopted Bicycle Master Plan (page 203) recommends two-way separated bike lanes on the north side of Battery Lane.
2. Consistent with Bethesda Downtown Plan recommending Battery Lane Canopy Corridor. Per 2017 Bethesda Downtown Plan Design Guidelines (Pg-29) and the 2017 Bethesda Downtown Sector Plan (Pg-69), Battery Lane is recommended as a bike priority street + canopy corridor. By positioning the proposed two-way cycle track on the north side of Battery Lane, the existing curb-to-curb allows for a 2-way cycle track separated by a landscaped median with an additional 3<sup>rd</sup> tree, all within the street section, consistent with the recommendations in the Plan and Guidelines. On the north side, there are no underground utilities in the right-of-way

under the landscaped median allowing the addition of a 3<sup>rd</sup> tree in the median, creating a true canopy corridor.

The north-side cycle track landscaped median could add more than 30 additional trees to Battery Lane's canopy corridor.

3. Creation of Distinctive Sense of Place in Battery District. The north-side cycle track with the proposed landscape median would be unique to Bethesda, appropriate for distinguishing a residential neighborhood, and would create a special sense of place at the crossroads of the Bethesda Trolley Trail, the Bethesda Urban Park and a landscaped, treed median separate cycle track.
4. More Residents on North-side. Upon completion of the Battery District Sketch Plan, it is anticipated there will be 43+% more dwelling units on the Northside providing more residents direct access to the cycle track without having to cross Battery.
5. Signalized Battery Lane Crossing. By providing a protected intersection crossing of Battery Lane at Woodmont Avenue into a north-side cycle track along Battery Lane, cyclist can access the Bethesda Trolley Trail heading north without being limited to one un-signalized crossing of Battery Lane mid-block.
6. Future reductions in curb-cuts on north side. There is higher potential of future redevelopment on the north side of Battery Lane (primarily older rental multi-family buildings). Future redevelopment allows for coordination with cycle track, driveway location and a continuing reduction in the number of curb cuts creating a more unified cycle track median over time. Future redevelopment will reduce gaps/ breaks in the median and further limit vehicle driveway/ bicycle conflict areas.
7. Fewer Bus Stops. Fewer bus stop locations are on the north side compared to the south side of Battery Lane (Refer to the Battery District Facts chart above). This will create fewer re-location of bus stops into floating loading zones will be limited to two on north side.
8. Fewer Fire Hydrants. Fewer fire hydrants are located on the north side compared to the south side of Battery Lane (Refer to the Battery District Facts chart above). Standard distance from fire hydrant to fire access route is 7'.
9. Woodmont Avenue Shared Use Path on north side Battery Lane. The existing Woodmont Avenue shared use path begins at the north side of Battery Lane and continues to Wisconsin Ave (MD 355).
10. Woodmont Avenue Cycle Track Proposed on west side of Woodmont Avenue. The MCDOT proposed two-way cycle track is on the west side of Woodmont Ave. Therefore, a protected bike crossing of Battery Lane on the west side of Woodmont Avenue will be consistent with the Woodmont Ave cycle track location.
11. Rosedale Avenue Crosswalk. Recent reconstruction of crosswalk across Wisconsin Ave at Rosedale Ave is offset to Battery Lane so neither north side or south side two-way cycle track on Battery Lane has a clear advantage as access to Battery Lane requires movement along the west side of Wisconsin Avenue.

12. Bethesda Urban Park. Positioning the proposed two-way cycle track on the north side provides for unobstructed access and site lines into the south side frontage of Battery Lane Urban Park.

**Cons:**

1. Stonehall New Sidewalk. The northwest corner of Battery Lane (Stonehall) recently redeveloped. Therefore, implementation of the protected intersection/ corner would require minor modification to new curbs and sidewalk to incorporate the improvements.
2. Non-Alignment with 8280 Wisconsin Site Plan. The 8280 Wisconsin Avenue site plan was recently approved on condition of moving the cycle track to the north side of Battery Lane between Wisconsin Avenue and Woodmont Avenue to accommodate the turning radius of the trucks into the 8280 Wisconsin loading dock. Cyclists heading towards Wisconsin Avenue using a north-side cycle track will need to cross both Battery Lane and Woodmont Avenue to switch sides to a south-side track segment on Battery Lane along 8280 Wisconsin Avenue. 8280 Wisconsin and its cycle track was approved as a single building development, not in the comprehensive manner of the Battery District. The cycle track segment between Wisconsin Avenue and Woodmont is 182 ft compared to the 2150 feet length of Battery Lane cycle track between Woodmont Avenue and Old Georgetown Road.
3. Slightly more Curb Cuts on north side. The interim condition of Battery Lane after the Brown properties redevelop has more driveways/ curb cuts on the north side in comparison to the south side (refer to Battery District facts chart above for more information). However, future re-development opportunities exist on the north side can reduce the number of curb cuts on the north side in the future.

**Cycle Track - South Side:**

**Pros:**

1. Alignment with the 8280 Wisconsin Avenue segment. The south side positioning of the cycle track on Battery Lane would align with approved short segment along the 8280 Wisconsin Avenue Site Plan. The cycle track segment between Wisconsin Avenue and Woodmont is 182 ft compared to the 2150 feet length of Battery Lane cycle track between Woodmont Avenue and Old Georgetown Road.
2. Fewer Curb Cuts on south side. The south positioning provides less breaks within the median due to the slightly fewer curbcuts.

**Cons:**

1. Standard concrete median with bollards. By positioning the proposed two-way cycle track on the south side of Battery Lane over a recently upgraded waterline in the Battery Lane right of way, only a standard concrete median with flexi-bollards is possible. An additional 3<sup>rd</sup> tree and landscaping within the median is not permitted above the recently constructed water line.

2. **Inconsistent with the 2018 Bicycle Master Plan.** The south-side is not consistent with the 2018 Bicycle Master Plan that specifically notes that between the Bethesda Urban Park and Woodmont Avenue the combined bike lanes are to be on the north side.
3. **Alignment with 8280 Wisconsin Avenue segment not advantageous to Cyclists.** The segment of the proposed cycle track on the south side of Battery Lane along the 8280 Wisconsin Avenue development includes a significant unprotected portion of cycle track, approximately 110' of the overall 182' segment of that block, because of the painted driveway and loading zones of the two developments between Woodmont Avenue and Wisconsin Avenue. Proposed cycle track in front of 8280 Wisconsin is 8' wide bike lanes and 2' divider instead of the recommended 10' wide bike lanes and 2' divider.
4. **More Fire Hydrants on South-side.** The existing fire hydrant location on the south side of Battery Lane (South side fire Hydrants = 5, refer to Battery District Facts above for more information). This would hinder access to fire department.
5. **More Bus Stops on South-side.** The existing bus stop locations on the south side of Battery Lane (South side bus stop locations = 5, refer to Battery District Facts above for more information). This would require each existing bus stop location to be re-located and converted into floating loading zones at each stop.
6. **BCC Rescue Squad on South-side.** Accommodations will need to be made for the wide driveway entrances along the frontage of the BCC Rescue Squad on the south-side of Battery Lane, reducing the medians and bollards protecting the cycle track on the south side.
7. **Condominiums Not Likely to Redevelop.** Less opportunity for redevelopment on the south side of Battery Lane to further reduce curb-cuts due to condominium ownership.

To: Laura Shipman, Liaison Bethesda Downtown DAP

RE: Sketch Plan No. 2 resubmission May 8  
Battery Lane District May 22<sup>th</sup>, 2019

From: Holly Clemans,  
4977 Battery Lane #420,  
Bethesda MD 20814  
holclem@aol.com

I am a resident of Battery Lane and owner of a Whitehall Condominium on the southeast corner of the building closest to the proposed Aldon/Brown building on site D. In this letter, I am including my observations and comments on the Sketch 2 Aldon/Brown Plan for the Battery Lane District as well as my comments on the DAP recommendations and Brown response from the May 8<sup>th</sup> Response Overview. Thank you for including community comment in your proceedings. I realize that this submission may be too late for actual consideration, but I hope it can be entered in the record for May 22<sup>nd</sup>.

1. DAP Recommendation #1 is that the Battery Lane vision is of a GARDEN DISTRICT.
  - a. Putting a Treed median-separated cycle lane track on the north side of Battery Lane does nothing toward supporting Battery Lane as a Garden District. This median adds concrete curbed sections to our street with barely enough dirt to grow a small tree. In addition, it impedes snow removal.
  - b. The additional grass and tree area should be added to the pedestrian sidewalk walkway. Please use the extra green area to add trees, plantings and open space to the actual walkway to support our current Garden District. Don't split up the grassy areas across the paved street.
  - c. Taking away our street parking on Battery Lane will give a few areas for trees and plantings and perhaps benches, especially if the developers keep the planted areas larger and not median-separated. But this supposes that new renters will use public transportation rather than that this lower income group might need street parking.
2. DAP recommends widening the open space on the assisted living side of site D at the North Bethesda trail to create a better visual and physical connection between Battery Lane Park and NIH.
  - a. NIH is not part of the Battery Lane District, garden or otherwise. The Whitehall Condominium has been part of the Battery Lane District since it was built over 30 years ago. and Whitehall brings acres of green grass and close to 200 trees to our garden district. The new taller buildings on site D actually block the visual connection between Whitehall Condo and Battery Lane Park.
3. DAP recommends consideration of reducing the footprint and increasing the height of the mid-rise building on site D.
  - a. Reduced footprint, relocation of building mass toward Whitehall Condo, and additional 2 floors of height for the midrise building on site D impacts the east end of Whitehall condo, blocking views of the park and sunlight toward the front.

To: Laura Shipman, Liaison Bethesda Downtown DAP

p. 2

RE: Sketch Plan No. 2 resubmission May 8<sup>th</sup>      Battery Lane District      May 22<sup>th</sup>, 2019

From: Holly Clemans,

- b. Depending on how site D is landscaped and built, the very large thriving tree at the eastern front corner of the Whitehall condo may be compromised. Every effort and every drawing should support the idea of saving this glorious tree.
  - c. The two very tall towers in the rear of site D block sun light and air to Whitehall Condo from the south. Are there studies that can measure this.
- 4. District Narrative: The district is the residential neighborhood organized around Battery Lane
  - a. Whitehall is a real example of a residential neighbor, while NIH is not in the Battery Lane neighborhood.
  - b. High NIH buildings are not in the Battery Lane neighborhood.
  - c. Midblock housing and Battery Lane west end housing are representative of the most residential areas of the block. Putting tall towers in the middle of Battery Lane is not right. The site D Tower height of 180 feet does not fit in with the neighboring buildings.
  - d. The Design Guidelines say that new buildings should "allow access to light and air, limit the impact of shadows on the public realm." These proposed towers would shade the back and east side of the 4977 Whitehall condos from the morning sun.
  - e. Adding height to the "B" building at the corner of Woodmont and Battery Lane fits into the master plan better as the site of B is a "more urban core location" than site D in the midblock.
- 5. Rather than retail, our residential garden neighborhood needs Power and Utility Lines buried.
  - a. Need a drawing that shows the old utility poles and lines above ground
  - b. How does this fit in with the trees shown on the drawings?
  - c. If poles and lines are not shown above ground, please state how important this is to the Brown Plan and show and state how they will be buried.

Laura Shipman  
 Liaison, Bethesda Downtown Design Advisory Panel  
 8787 Georgia Ave, Silver Spring, MD 20910

Ms Shipman, Design Advisory Panel Members:

As residents of the Battery Lane District and owners at the Whitehall Condominium on Battery Lane, we want to comment on some responses from the Design Advisory Panel (DAP) and/or Planning Board Staff to the Aldon/Brown redevelopment proposals as described in their Sketch Plan and discussed at the DAP meeting on March 27, 2019. We also want to comment on Sketch Plan #2 of the Aldon/Brown redevelopment proposal, presented at the May 22, 2019, DAP meeting.

We believe that multiple items in some DAP and staff responses to the redevelopment plans and in the Aldon/Brown Sketch Plan #2 still do not agree with design guidelines established as part the Bethesda Downtown Plan and hope that such issues should be addressed in revised plans.

Our comments regarding some of the DAP and/or Planning Board Staff responses posted after the March 27, 2019, meeting:

1. All other Battery Lane projects are not necessarily looking to Aldon/Brown to set the tone. In fact, many resident owners on the west end of Battery Lane prefer Aldon take cues from the existing, open space on those properties when presenting their new vision.
2. In response to a question at the April IAC meeting, Doug Wrenn cited the need for parking as one driver of 180' tower heights on site D. If parking is currently 0.67 per unit, why not reduce to 0.50 and eliminate some need? This reduction also fulfills the desire to reduce/de-emphasize cars in the Battery Lane District.
3. If the phrase 'creating a street wall' means building walls that loom closely over pedestrians, then this idea is misplaced in our residential neighborhood. There is no 'comfort' in multi-story walls, but there is joy in open greenspace for pedestrians engaged in multiple activities to experience.
4. Battery Lane Park is clearly and actively visible and accessible from Battery Lane. No additional buildings can improve the open, inviting space of the park directly on Battery Lane.
5. Aldon's street view video presentation does not do justice to open areas on west side of Battery Lane in person. Please visit on foot to see for yourselves – we would be happy to meet you here.
6. 'Garden District' is an excellent description of what the Battery Lane District neighborhood should be.
7. There is little need for retail in middle of residential Battery Lane. Battery Lane District has an abundance of accessible retail within walking and biking distance.
8. If renderings include items that are only aspirational and not controlled by the developer – for example, adding trees between Battery Lane and Battery Lane Park's sidewalk - how can you judge what can truly be accomplished by Aldon/Brown?
9. If site D's buildings are all maximum height – for example, 180' - then they cannot relate to adjacent buildings and properties in the Battery Lane edge district. Extreme building heights in middle of Battery Lane have no context.



10. Is solar orientation considered for neighbor properties as well as Aldon's own?
11. NIH property and buildings are not in the Battery Lane District, and therefore site D towers should not 'relate' to them. There are no NIH buildings close enough or near 180' that they should be considered to have any effect on or any relation to the Battery Lane District.
12. Battery Lane does not need drama from building heights. It needs well designed, residential buildings set in safe, engaging, accessible spaces. The Battery Lane District is an edge district and not downtown where such dramatic buildings have context and are welcome.
13. Deeper setbacks from sidewalks on all sites' buildings are beneficial to pedestrians and to the look and feel of a garden district edge neighborhood.
14. The physical connection between Battery Lane Park and the NIH already exists: it is the well-used, existing trail. But it will benefit from a clearer, well-maintained visual connection.

Our comments regarding some items in Aldon's Sketch Plan #2:

1. Using limited space for separate walking and biking paths on site D seems unnecessary. No such separation exists anywhere else on connected trails nearby. Everyday pedestrians will not walk out of their way when the bike path is the more direct route from Battery Lane Park to NIH. As an alternative, widen the existing path (as was done in Battery Lane Park) so that multiple types of users can be safe on the path at the same time.
2. How many more cars are expected on Battery Lane daily from additional apartments? How will slowing that traffic at the 'Crossroads' exacerbate already difficult traffic issues? We should maintain safety at both crosswalks on Battery Lane, but not force cars over speed bumps or other such measures.
3. Trail users (commuters, pedestrians, families with children/strollers, dogs and their walkers, runners, etc) will not be 'engaged' by private lobbies on site D, even when the lobbies face the trail. Provide as much well-maintained greenspace as possible to form a park setting on site D, but don't assume a private building will affect users on that short trail distance.
4. Why suggest that Battery Lane District residents be punished by removing on-street parking but add your own on site C? If you want to de-emphasize cars, start by allowing fewer on Aldon sites. Cars and a tree-lined Battery Lane can co-exist.
5. Battery Lane pedestrians want continuous, open, safe, accessible space, but aren't looking for special 'moments' of urban design. Those should be organic as properties are landscaped, hardscaped, etc. Look at the south and west facing areas of the Sunrise property on Battery Lane; their recent renovations naturally engage pedestrians without being a 'moment.'
6. The sidewalk west of the new Rugby Avenue police station is extremely narrowed by bollards for security. How will the through block connection from site C to that sidewalk overcome this choke-point?
7. If site B's building's limited setbacks are appropriate due to its 'urban core location' why not additional height (perhaps to 180'?) for that same building and reduce heights on the inappropriate site D?
8. Why is site D building front still only 20' setback? Where is the open space, landscaping, etc to engage pedestrians?

9. Explain how the public amenity space behind the site A building will be accessible using the steep hill from Woodmont Avenue.
10. What does only 5' of additional setback in front of site A provide? Plants, trees, grass - what specifics will engage pedestrians?
11. Why are taller towers on site D better for Whitehall neighbors? How is their loss of air and light measured?
12. Sussex House front entrance now appears to have only site E blank wall and loading and service driveways facing it. How is that a design improvement over previous version of site E?
13. Site E 'public open space' on its east side is still hidden from public by narrow entry from Battery Lane. Can some of that east side greenspace be placed in front for greater setback from Battery Lane and be truly public open space?
14. The sidewalk setback plan diagram between 4949 and Battery Lane Park does not show the existing bike dock station in front of the park. How will that bike dock and its bump-out be addressed?
15. How will Aldon/Brown engage with other established Battery Lane District stakeholders to accomplish their vision?

We hope you will be attentive to these questions and issues as you continue to review Aldon/Brown's Battery Lane redevelopment plans. We will gladly answer any questions you have about the issues we have raised here.

We also look forward to a continued dialogue with Aldon/Brown as they pursue their vision of improved streetscapes and open spaces in our beautiful and livable edge neighborhood of the Battery Lane District.

Thank you.

Sincerely,

Holly and Jim Clemans  
Kevie Niland  
Michael Fetchko  
Keith Petrack

4977 Battery Lane  
Bethesda MD 20814

July 14, 2019

Dear Ms. Bogdan,

I spoke with you last week regarding Battery District Preliminary Plan #120190240 and Sketch Plan #320190080 to develop Parcel E at 4998 Battery Lane in Bethesda. I thank you for the opportunity to provide written public input to the review process.

I own and live in Madison Park Condominium unit #701 at 5000 Battery Lane, Bethesda, which I purchased in 2001. I selected and invested in this particular unit because it faces south and has complete privacy and good views, which have also been enjoyed by many other unit owners, some of whom have lived in Madison Park since it was built 30 years ago. I have included images from sketches that have been submitted by the developer for review that demonstrate the impact of the proposed Parcel E on Madison Park Condominiums (see red arrows).

While I understand the desire of the developer to maximize profits by building a large building that will generate income from many apartment units, it would be reasonable and fair to require the developer to prepare and submit for consideration a reconfigured building massing alternative that is lower in height to the south (and perhaps higher to the north towards Battery Lane to accommodate). There is no downside for at least exploring this alternative, and it could greatly reduce the negative impact on Madison Park Condominiums. Otherwise, the benefit to the developer will literally be at the expense of Madison Park owners as the monetary value and enjoyment of our units goes down.

Thank you for your time and consideration. Please do not hesitate to contact me if you need further information.

Sincerely,

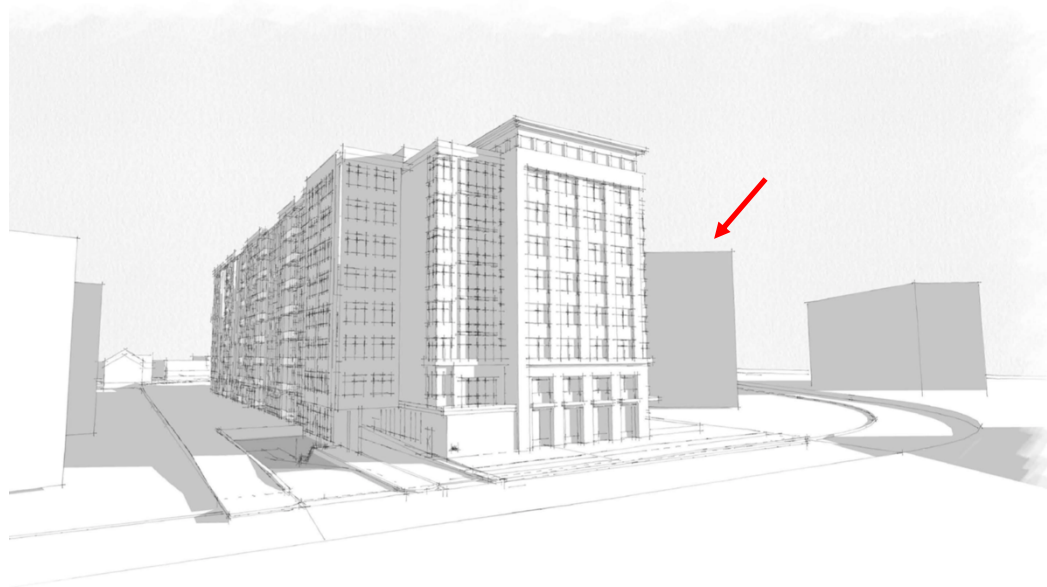
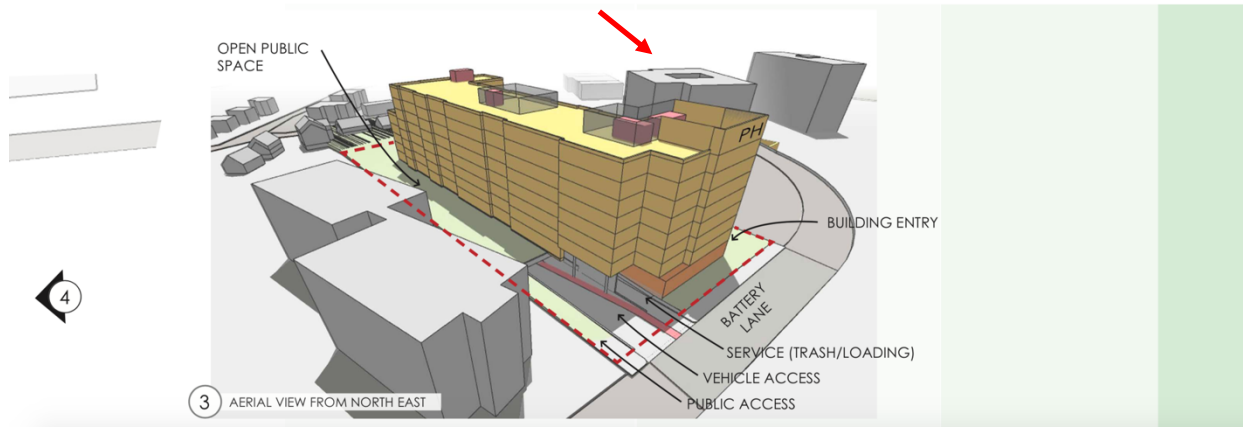
Karen Marks

② HEIGHT STUDY FROM EAST

SITE E - 4998 BATTERY LANE

FORM DEVELOPMENT DIAGRAMS | 4.3

May 6, 2019



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 info@wellsassoc.com

**DMC**  
 DMC ARCHITECTS, INC.

**BATTERY DISTRICT**  
 Preliminary Plan No. 120190240  
 M-NCPPC - Initial Submission  
 WSSC Grid D & E - 2, Tax Map 4M23  
 Montgomery County, Maryland, District 7

**From:** [Stacy Brody](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Battery District  
**Date:** Thursday, July 18, 2019 7:03:30 PM

---

Hi,

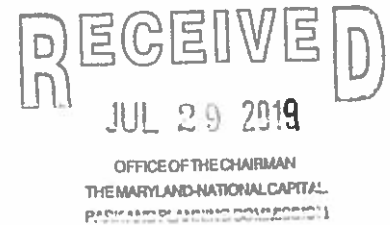
I am emailing with regard to the Battery District Plan.

I respectfully submit the comment that community gardens and rain gardens be incorporated into any designs.

Could you please also advise me of any upcoming hearing related to this plan?

Thank you,  
Stacy Brody

**Marsha B. Liss, Ph.D., J.D.**  
**8315 North Brook Lane # 207**  
**Bethesda, Maryland 20814**  
**[lissmjs@gmail.com](mailto:lissmjs@gmail.com)**



July 15, 2019

The Maryland National Capital Park  
 And Planning Commission  
 8787 Georgia Avenue  
 Silver Spring, MD 20910

Dear Planning Commission:

As a member of the Whitehall condominium community, I am forced to express my dismay about the proposed Aldon redevelopment plan for Battery Lane. I have lived in our peaceful neighborhood for almost 17 years and have witnessed first-hand the recent overcrowding and increased traffic that has already occurred without development of these parcels.

Do the Aldon apartments need development and renovation? Certainly. But to what extent will development negatively impact the enjoyment and lives of those already in the neighborhood? Needless to say, the anticipated 10 years of construction and disruption up and down Battery Lane is troubling.

Mr. Wren's (Renn? didn't provide a business card) presentation on July 8, 2019 was a superb presentation for investors. But, telling residents that part of the reason for development is to preserve for the "4<sup>th</sup> and 5<sup>th</sup> generations of Browns" was a slap in the face to any credible suggestion that those of us with a stake in the community already would be benefit. This is pure business greed.

Increasing the number of units on Battery Lane is not totally a bad idea. The buildings could be increased without impacting the peacefulness and lifestyle of the current home/condo owners. Mr. Wren pointed out that there are presently 467 units in the Aldon apartments. The proposal is for 1530 units! That is more than 3 times the number of existing units. That is an absolute increase of over 1000 units on the same street. If even only half the units contain two people (some might have 3-4 depending on family size or roommates) that would likely be 1500-2000 MORE people taking up the space. That space would seriously impact traffic congestion, noise and volume. Today, there was a delivery truck on Battery Lane and it was hard for the traffic to go around it but the cars managed. If the road is narrowed to provide more sidewalk, there is NO way for traffic to flow, it will just be jammed.

Mr. Wren stressed that they are being "sensitive" to the homeowners whose single family homes abut the Aldon properties. That's nice. But, what about being "sensitive" to the condominiums on the block who would be right in the middle of the construction and the overwhelming increase in numbers of people and traffic. Not to even mention the blockage of view and air quality from those in the Whitehall North building side that would be near the proposed 18 story building.

This proposal needs to be scaled back to be "sensitive" to ALL residents in the Battery Lane district while at the same time encouraging re-development of the Aldon units.

Respectfully,

Marsha B. Liss

**From:** [Alexandra Kosmides](#)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Alexandra Kosmides](#); [Alex \(work\) Kosmides](#)  
**Subject:** Battery Lane District plans -- concerns/comments about proposed Building E (11-7-19)  
**Date:** Thursday, November 7, 2019 10:35:52 AM

---

Hello Grace,

I live in Bethesda at the **City Commons of Bethesda Condominium** (on Battery Place, just off of Battery Lane), and have been closely following Brown Development's proposed plans for the Battery Lane District.

I generally believe in what Brown Devt. is planning in order to update and enhance their older, residential buildings along Battery Lane.

I want to **express my concern**, however, about the **height of Building E (4998 Battery Lane)** -- the Aldon apartment building next to the Madison Condominium, and partially adjacent to the **City Commons of Bethesda** condominium property.

At the **community meeting in March (3/21/19)**, Brown Development (Doug Wrenn) and their lawyer, Shulman Rogers (Nancy Regelin) presented their proposed plans. Brown relayed in March 2019 that Building E would be planned as a **"mid-rise" apartment** building with **7-story height**. In March 2019, they relayed that there are 95 units existing now, with 153 units planned. **By the 10-1-19 meeting** with City Commons of Bethesda, these plans changed substantially -- with **205 units** now proposed at a **9 to 10 story height** !! This significant change in density and height was an **unpleasant and unwelcome surprise**.

I'm very concerned about this **substantial change from March 2019 to October 2019**, as well as any **future changes** that include greater height and density for Building E. No other buildings in Brown's Battery Lane District development plans had this dramatic increase in height/density -- between the March and October presentations.

This **revised 9 to 10 story** height is **not compatible with the scale** of the adjacent Single Family homes to the immediate South of Building E, or with the low-rise, 4-story condos to the west (consisting of City Commons of Bethesda).

It would be more palatable to **reduce the height to 7 stories** (as originally presented), and to provide a much **more gradual transition in height and density** than what is currently planned (as of Oct. 1, 2019).

I want to suggest that Brown revisits the plan and **explores alternative ways to reduce the massing** of what is planned for Building E -- including reducing the height, increasing the setback buffer, and providing a more gradual

transition between single-family, 1-story homes (on the south) and 4-story condominiums (to the west).

I would like the developer to consider **reducing the massing** of Building E by **reducing the overall height** and by **stepping the structure back in more gradual and frequent increments** -- perhaps 3 then 5 then 7 stories. This would provide a **more gradual and appealing transition** than what was presented at the October meeting.

It is also very important that the plans for Building E include **dense landscaping and visual screening** on Section E's South side (adjacent to the single-family homes), and on the West side (the side that is adjacent to City Commons of Bethesda)

A **tall, thick, evergreen, vegetative screen** would provide a **visual and symbolic barrier** between Brown's Building E, and the adjacent single-family, and low-rise condominium uses. A **thin, solid fence built into/adjacent to** the vegetative screen would help strengthen this visual/symbolic separation as well.

Thank you for considering these suggestions from a long-term neighbor in the Battery Lane District, and including them in the Planning Board package (and letter of record) for Brown's Battery Lane District plans.

With concern,

Alexandra Kosmides

Resident of 8933 Battery Place (City Commons of Bethesda)

Bethesda, MD. 20814

240-535-3971

[alexandra.kosmides@gsa.gov](mailto:alexandra.kosmides@gsa.gov)

and [alexandrakos@earthlink.net](mailto:alexandrakos@earthlink.net)



**From:** [Topol, Lilia \(NIH/CSR\) \[E\]](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Letter to Planning Board  
**Date:** Saturday, November 23, 2019 7:54:46 PM  
**Importance:** High

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Dear Grace,

I am a resident of the City Commons of Bethesda Condominium. I am informed about Brown Development's proposed plans for the Battery Lane District. Brown Development plans to renovate and to redevelop their older residential buildings along the Battery Lane to increase density. I want to express my concerns about the changes in the previously proposed development that they shared with the community on March 3 this year. At that time, they proposed to build the **Building E** as a "midrise" apartment building with **7-story height** with **95 units**. In October 1 this year, during the meeting with the residents of City Commons of Bethesda, Brown Development plans were substantially changed. They are now proposing to build a **9 to 10 story high** building with **205 units**. This significant change in density and height was an unpleasant and unwelcome surprise! I am very concern about this substantial change in their plan from March 2019 to October 2019 as well as any other future changes that include increase in **density** and **height** for the **Building E** that is going to be built near our Condominium. There are no other buildings in Brown's Battery Lane District development plans that went thought this dramatic changes in height/density.

This revised plan with increased height and density is not compatible with the scale of the adjacent Single-Family homes to the immediate South of Building E, or with the low-rise, 4-story condos to the west (consisting of City Commons of Bethesda).

The original plan to build 7-stores building is more **compatible** with the Single-Family homes and the low-rise, 4-story condos. Brown Development could reduce the **massing** by providing a much more gradual transition in height and density than the current plan as of October 1, 2019.

As a resident of the City Commons of Bethesda, I suggest that Brown Development should revisit their plan and explores alternative ways to reduce **the massing** of what is planned for Building E – including reducing the height, increasing the setback buffer, and providing a more gradual transition between single-family, 1-store homes (on the south) and 4-story condominium (to the west).

It would be also very important that the plans for Building E will include dense landscaping and visual screening on Section E's South side.

Thank you for considering these suggestions from the long-term resident of the City Commons of Bethesda and a neighbor in the Battery Lane District and including them in the Planning Board package (and letter of record) for Brown's battery Lane District Plan.

With concern,

Dr. Lilia Topol

Resident of 8903 Battery Place (City Commons of Bethesda)

Bethesda, MD 20814

703-424-4141

[zlilat@hotmail.com](mailto:zlilat@hotmail.com)

*LILIA TOPOL, Ph.D.*

*Scientific Review Officer*

*Cancer Drug Development & Therapeutics study section*

***Oncology 2 - Translational Clinical IRG (OTC)******Center for Scientific Review******National Institutes of Health******6701 ROCKLEDGE DRIVE******ROOM 6192 MSC 7804******Bethesda, MD 20892-7850******Voice: 301-451-0131******Cell: 240-762-3037******FAX: 301-480-2065***[ltopol@mail.nih.gov](mailto:ltopol@mail.nih.gov)

Integrity matters. Say something! For concerns or questions about possible violations of peer review integrity, please contact your Scientific Review Officer, or the CSR Review Integrity Officer at [csrio@mail.nih.gov](mailto:csrio@mail.nih.gov), or the NIH Review Policy Officer at [reviewpolicyofficer@mail.nih.gov](mailto:reviewpolicyofficer@mail.nih.gov). See the [NIH Guide Notice](#) on integrity in review.

**IMPORTANT CHANGES TO NIH GRANT SUBMISSION POLICIES:** Make sure you are up-to-date with multiple new policies and procedures listed in [NOT-OD-16-130: Changes to the NIH/AHRQ/NIOSH Policy on Post-Submission Materials for Applications Submitted for Due Dates On or After January 25, 2017](#) (<https://grants.nih.gov/grants/guide/notice-files/NOT-OD-16-130.html>)

**From:** [Nancy Regelin](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** FW: Proposed Building E-Brown Development  
**Date:** Monday, November 18, 2019 11:24:27 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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We received this below but your address was wrong so forwarding.

**NANCY P. REGELIN**

ATTORNEY AT LAW

VICE-CHAIR, REAL ESTATE DEPARTMENT

[NRegelin@shulmanrogers.com](mailto:NRegelin@shulmanrogers.com) | T (301) 230-5224 | F (301) 230-2891

12505 PARK POTOMAC AVENUE, 6<sup>TH</sup> FLOOR, POTOMAC, MD 20854

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**From:** Amy Gleklen <gleklen@nextgameplan.com>  
**Sent:** Monday, November 18, 2019 8:24 AM  
**To:** [grace.bogan@montgomeryplanning.org](mailto:grace.bogan@montgomeryplanning.org)  
**Cc:** Nancy Regelin <[NRegelin@shulmanrogers.com](mailto:NRegelin@shulmanrogers.com)>; [jonathan@gleklen.com](mailto:jonathan@gleklen.com)  
**Subject:** Proposed Building E-Brown Development

Grace,

My husband and I live behind the proposed Building E building (we're not directly behind but we can see the current building out of our windows and live at a diagonal and behind City Commons of Bethesda). Our address is 5015 Rugby Avenue. I attended the community meeting in March where I heard the developer say that a mid-rise building was proposed at 7-stories (153 units). Honestly, with a residential neighborhood behind the apartment, that height would impact the neighborhood behind it. However, now I'm hearing that Brown is planning to expand that size with 205 units and 9/10 story height! Given the location and the types of residential homes behind it (versus their other buildings that back up to more commercial space), this would greatly impact the character of our neighborhood.

We are seeing expansion on all sides of our Rugby/Glenbrook neighborhood and we feel like we will be penned in on all sides. This lot needs to carefully consider the impact on the neighbor behind and their neighbors to their sides and do what's right for everyone involved. Feel free to visit our home to understand the impact from our perspective. With the Christ Church lot being developed, the development across from Imagination Stage and the proposed development on the Sherwin Williams site, we want to be sure someone is taking into effect all of the changes and the impact on the neighborhood and will do what's right to enhance the community and not degrade it.

Thank you in advance for your help.

All the best,

Amy Gleklen

5015 Rugby Avenue, Bethesda, MD

301-642-9950

The information contained in this electronic message and any attached documents is privileged, confidential, and protected from disclosure. It may be an attorney-client communication and, as such, is privileged and confidential. If you are not the intended recipient, note that any review, disclosure, copying, distribution, or use of the contents of this electronic message or any attached documents is prohibited. If you have received this communication in error, please destroy it and notify us immediately by telephone (1-301-230-5200) or by electronic mail (LawFirm@ShulmanRogers.com). Thank you.

**From:** [Bogdan, Grace](#)  
**To:** [Michael Fetchko](#)  
**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?  
**Date:** Wednesday, November 6, 2019 2:05:00 PM

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Hi Michael-

I just wanted to check in with you about setting up a meeting. I don't want this to fall off my schedule since we are moving pretty swiftly towards the December 12<sup>th</sup> Planning Board date. I did want to update you that the two development applications have been separated, so only the Sketch Plan will be heard by the Planning Board in December and the Preliminary Plan will have to wait until early next year.

Looking forward to coordinating a meeting

Grace

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**From:** Michael Fetchko <mfetchko@earthlink.net>  
**Sent:** Thursday, October 17, 2019 3:35 PM  
**To:** Bogdan, Grace <grace.bogdan@montgomeryplanning.org>  
**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hello Grace:

Thank you for the DRC comments, links to Aldon's latest submission, and new dates.

I'm going to share this new information with the rest of Whitehall Condominium's Board and other interested owners and get back to you next week with some proposed meeting dates and times. I hope we can get an hour of your time to talk, given the details and complexity of the plans and the multiple ways all of the changes will affect our Battery Lane District neighborhood.

On a specific issue: I've looked quickly at the new Site D plans and see several changes to the Trolley Trail and storm water daylighting area, but without a general rendering, it's difficult to visualize how the north end of the trail where it meets NIH property will work. I see the addition of some footbridges and safety wall, but it is not clear in the cross-sections shown if the new plan fixes the blind curve in the path that exists there now or how the path connects to the existing bridge on NIH property. If you have any other drawings or sketches of this area, can you forward them to me? This particular area is the worst problem on that path for all users, and we hope that this plan usefully corrects the safety issues there.

Again, thank you for the update.

Michael Fetchko

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-----Original Message-----

From: "Bogdan, Grace"  
 Sent: Oct 17, 2019 11:06 AM  
 To: Michael Fetchko  
 Cc: "Dickel, Stephanie"

Subject: RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hi Michael-

I apologize for the delayed response to you. I've attached those DRC comments, I thought I had already provided them.

There are a couple updates for Battery Lane. The Planning Board will be considering an extension request on October 24<sup>th</sup> which will extend the applications through to the end of the year ([agenda and staff report available here](#)). We have the project tentatively scheduled for Thursday, December 12, 2019. The Applicant resubmitted earlier this week, that submission is up in DAIC and available in the links below. Could you please provide me with some general availability in the coming weeks for meeting? This should include an estimated group size and any particular topics to be discussed.

Preliminary Plan: [https://www.mcatlas.org/Development\\_Info/Default.aspx](https://www.mcatlas.org/Development_Info/Default.aspx)

Sketch Plan: [https://www.mcatlas.org/Development\\_Info/Default.aspx](https://www.mcatlas.org/Development_Info/Default.aspx)

Thanks!

Grace

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**From:** Michael Fetchko <[mfetchko@earthlink.net](mailto:mfetchko@earthlink.net)>

**Sent:** Tuesday, October 1, 2019 1:15 PM

**To:** Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>

**Cc:** Dickel, Stephanie <[Stephanie.Dickel@montgomeryplanning.org](mailto:Stephanie.Dickel@montgomeryplanning.org)>

**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

hello Grace:

Thanks for the reply - I will check in with you again at the end of October to confirm Aldon's new schedule, if possible.

I have not received comments or notes from Aldon's DRC meeting, and I do not see where on the DRC website any would be posted to view. Can you forward them to me or tell me where I can find them online?

I would appreciate a meeting with you once Aldon's resubmission prior to the Planning Board meeting is done. I look forward to coordinating a time with you then.

Thank you.

Michael Fetchko

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-----Original Message-----

From: "Bogdan, Grace"

Sent: Sep 26, 2019 8:40 AM

To: Michael Fetchko

Cc: "Dickel, Stephanie"

Subject: RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hi Michael-

The best way to stay updated is to continue to contact me. Otherwise, you will receive a mailing ten days prior to the Planning Board date.

There are no minutes taken at DRC (other than the DRC comments I believe you have already received) nor for any other follow up meetings. This is an iterative review process and it is typical for a project to go through several submissions prior to going before the Planning Board.

We are more than happy to meet with you and other Battery Lane residents. When we receive the next resubmission we can coordinate a time. It would be helpful to have a summary of your main concerns so I can make sure the appropriate staff is in attendance to address those topics.

Please don't hesitate to reach out with other questions!

Grace

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**From:** Michael Fetchko <[mfetchko@earthlink.net](mailto:mfetchko@earthlink.net)>

**Sent:** Tuesday, September 24, 2019 3:25 PM

**To:** Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>

**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

hello Grace:

Thanks for the follow-up and the DAIC links. I've already been reading quite a bit from there already!

What is the best site to pay attention for Aldon's next round of resubmissions? Same DAIC pages? Same question for their next Planning Board date confirmation - keep checking the Planning Board calendar for their Nov and Dec dates' agenda?

As a follow-up to my DRC question and your answer: Is there one doc that summarizes the DRC meeting and follow-up, smaller meetings? (ie, are there DRC minutes like the DAP or IAC makes available?)

Finally, if you have time, I would like to meet with you after Aldon's resubmission is released. If that's possible, I'll circle back to you after that happens to schedule an hour to discuss some concerns we, as Battery Lane District residents, have.

As always, thank you for your time.

Michael Fetchko

-----Original Message-----

From: "Bogdan, Grace"

Sent: Sep 24, 2019 11:05 AM

To: Michael Fetchko

Subject: RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hi Michael-

Just a follow up to yesterday's email. The DAIC link for sketch and preliminary plan resubmittals are available below. You'll see the 8/21/2019 submission labelled as final revisions, but that is not entirely accurate as they will be resubmitting again before advancing to the Planning Board.

Thanks!

Grace

Sketch Plan 320190080

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=320190080>

Preliminary Plan 102190240

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=120190240>

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**From:** Bogdan, Grace

**Sent:** Monday, September 23, 2019 11:45 AM

**To:** Michael Fetchko <[mfetchko@earthlink.net](mailto:mfetchko@earthlink.net)>

**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hi Michael-

Thank you for checking in. The Battery Lane project will be requesting an extension from the Planning Board to allow additional review time. I currently do not have their request so I cannot tell you a specific date, but I believe they will be requesting to the end of the calendar year.



The two applications are slightly different, which explains some of the differences you've noted. The Sketch Plan encompasses all five sites and will set general provisions (maximum height, density, and public benefits) for the redevelopment. Within the five sites, they are requesting 12,000 square feet of commercial space which is anticipated to be located in two separate buildings; 6,000 sf is proposed in 4858 Battery Lane (Site B) and 6,000 sf in 4949 Battery Lane (Site D). There are no specifics on what the use will be, which is acceptable for this level of review as each of the five sites will require a subsequent site plan application that will go through a similar review process with further details on size and use. As for the size, the Applicant is not required to use the total amount of square footage that may ultimately be approved for the project, the sketch plan sets a maximum square footage for residential and nonresidential.

The Preliminary Plan only encompasses four of the sites, omitting 4858 Battery Lane (Site B), which is why the commercial space reduces to 6,000 sf. The Preliminary Plan reviews the anticipated traffic generated by the project which will have a maximum approval period of ten years. The Applicant has noted their build out for the entire five sites will go beyond ten years, which is why they have omitted Site B from the Preliminary Plan application.

We did have follow up meetings to discuss those topics you mentioned, I will work with our Intake Division to have the most recent submission available to the public in DAIC. In that submission is a "response to comments" document that summarizes how those comments were addressed. I will say that some of those topics and discussions are ongoing and that is partially why the Planning Board date is being extended.

I hope I was able to answer all your questions but if I've missed anything please feel free to reach out. I'll be in touch once we get the additional submission up in DAIC.

Thanks!

Grace

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**From:** Michael Fetchko <[mfetchko@earthlink.net](mailto:mfetchko@earthlink.net)>

**Sent:** Friday, September 20, 2019 1:13 PM

**To:** Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>

**Subject:** RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Hello Grace:

I'm writing to check on any update of the 31 October date on which the Planning Board intends to take up the Aldon/Brown plans for Battery Lane. Also, because

their plans encompass multiple sites, will this date be for the four of five sites they have stated they intend to redevelop first (leaving out 4858 for now), or will this date be only for the first site, 4857 Battery Lane?

The newest signs on their Battery Lane properties cite Sketch and Preliminary plan #s that include descriptions of two different sites of commercial square footage: 6000sqft and 12,000sqft. I assume the 12,000sqft part is for the 4858 location because that was the only location described by Aldon in their presentations that included significant planned retail space. Is this correct?

And I also see from their submission that the 6000sqft of commercial is intended for 4949, but it isn't clear what this commercial space might be. They've mentioned a coffee shop or bike shop as part of the public amenity area near the Bethesda Trolley Trail, but 6000sqft seems large for either of those. Can you provide any additional information about the stated 6000sqft commercial space on 4949?

Finally, when we attended the DRC meeting, many of the topics weren't resolved but were going to be discussed in smaller, more specific meetings after (topics such as the stream daylighting/proposed water feature, north vs south placement of the bike track on Battery Lane, and utility work). How can the public find out about the results of those topics' follow-up side meetings between Aldon/Brown representatives and other stakeholders (DOT, Pepco, etc).

Thank you. Have a good weekend.

Michael Fetchko  
4977 Battery Lane  
Bethesda MD 20814

-----Original Message-----

From: "Bogdan, Grace"

Sent: Jul 15, 2019 2:33 PM

To: Michael Fetchko

Subject: RE: Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Good Afternoon Michael-

The Battery Lane redevelopment (Sketch and Preliminary Plan applications) are currently under review. The first important date in the review process is July 23<sup>rd</sup> (next Tuesday) when the Development Review Committee will meet with the Applicant to discuss the first round of review comments. This is not a public hearing, rather a meeting between the Applicant and the various County reviewing agencies. The public is welcome to attend and observe, but there is no opportunity for public comment.

The applications will likely not be considered by the Planning Board (the public hearing) until this fall, it is tentatively set for Thursday,

st

October 31 . If you are an abutting or confronting property owner you should receive a public notice in the mail 10 days prior to hearing. Otherwise, you can check our website or just continue to email me for updates.

You can access the project application contents here:

Sketch Plan

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=320190080>

Preliminary Plan

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=120190240>

Please feel free to contact me with any additional questions or concerns.

Thanks,

**Grace Bogdan**, AICP | Planner Coordinator

Montgomery County Planning Department | Area 1

8787 Georgia Ave | Silver Spring, MD 20910

301-495-4533 | [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

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**From:** Michael Fetchko <[mfetchko@earthlink.net](mailto:mfetchko@earthlink.net)>

**Sent:** Monday, July 15, 2019 1:56 PM

**To:** Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>

**Subject:** Planning Board hearing for the Aldon/Brown Battery Lane redevelopment?

Ms Bogdan:

In the past week, Aldon/Brown's attorney Nancy Regelin has sent letters announcing a Planning Board hearing about their Battery Lane redevelopment plan, but I can find no information about such a hearing on the MoCo Planning Board's website.

As lead reviewer listed for this project, can you confirm if this hearing will occur on Tuesday, 23 July, 2019? If so at what time? If not, do you know to when it has been rescheduled?

Thank you.

Michael Fetchko  
4977 Battery Lane

**From:** [Ellen Witt](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Bogdan, Grace](#)  
**Subject:** Battery Lane Redevelopment  
**Date:** Friday, November 29, 2019 9:50:06 AM

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Dear Chairman Casey:

I am a resident and co-owner at the Whitehall Condominium on Battery Lane. This letter is to register my concerns about the Aldon/Brown plans to redevelop five properties on Battery Lane over the next 10 to 15 years.

Aldon/Brown presented their most recent plans to our community on Tuesday, November 19, 2019. The following are my concerns about their plan:

1. Excessive increase in people and cars resulting in potential safety issues and overcrowding of schools. An increase of 1053 dwellings on Battery Lane will result in an additional 2000 – 3000 more people living on Battery Lane. Furthermore, although Aldon/Brown told us they are estimating .67 parking spaces per unit (approximately 706 cars), this number is an underestimate and not realistic as some of these units could be shared by co-dwellers (roommates) who have more than one car. Not only will this increase in people and cars destroy the burden our community from a pedestrian traffic standpoint, but will increase the vehicular traffic to an unsustainable number. We are currently the thoroughfare for emergency vehicles from the BCC-Rescue Squad, and it was not clear from their plans how the emergency vehicles will be able to respond in an efficient and timely manner if traffic is increased and there is no lane for the vehicles to go around ongoing traffic. The developers were not clear whether an increase of 2000-3000 people (which could include families from NIH) would impact the local schools. A school study needs to be done and made public.
2. Excessive height on Battery Lane in contradiction to the “tent” like approach to development set out in the original Bethesda Downtown Plan. The original Bethesda Downtown plan called for a tent-like approach to development in Bethesda that would focus the tallest buildings in the center of downtown closer to the Metro, such as the Marriott office and hotel redevelopment, with decreasing heights as one heads further north and south of Downtown Bethesda.

Currently, Aldon/Brown is proposing that the height of two towers on 4949 Battery Lane (Site D); initially at 180’/18 stories, now be reduced to 160’/16 stories. This reduced height is still excessive, is out of context in the middle of Battery Lane, and will loom over the North Building of Whitehall Condominiums and its back yard. As we are considered the outer edge of the Battery Lane Edge District, such heights have no relation to the existing neighborhood. It would be more appropriate to add 4 more stories to their Site C (now only 120’/12 stories), which is backed by four apartment buildings in Bethesda: Palisades and Triangle Towers (both 14 stories) and Gallery I and Gallery II (both 16 stories) in order to reduce the height of buildings at Site D and restore the context of an edge district as described in the original plan.

2.a. Lack of respect for the environmental needs of owners on Battery Lane relative to other Bethesda neighborhoods and need for Aldon to redevelop elsewhere in Bethesda to increase MPDUs. Battery Lane now has five condominium complexes (Whitehall Condominiums, Madison Park Condominiums, Battery Commons, Sussex House, and Stonehall), which together comprise approximately 650-700 owned units. When the rezoning of Bethesda occurred, the east half of Battery Lane, which is clearly an edge district, was rezoned as a Height Incentive Zone which allowed increase in heights in return for Moderately Priced Dwelling Units (MPDUs). This decision was clearly in the interest of the developers and in outright disregard to many pleas and protests by homeowners on Battery Lane in letters, meetings, and visits to Montgomery County Council members to keep our zoning and restrict our heights to no higher than the levels at that time (I believe about 120').

In contrast, the Council decided to cap the heights in South Bethesda where Aldon/Brown has multiple buildings on or around Bradley Blvd in deference to the single-family homeowners in the adjacent neighborhoods in return for an increase in the heights on Battery Lane. The idea was that the increase in MPDUs would occur on Battery Lane through increased building heights at the expense of the wishes and needs of the homeowners on Battery Lane. In my opinion, this is clearly a prejudice, bias and disrespect for homeowners on Battery Lane that we should bear the brunt of excessive development because most of the owned residences are in high-rise buildings and not single-family homes. As it currently stands, the proposed 16 story towers on site D will block the light and views of residents in the North Building of Whitehall, who spent hundreds of thousands of dollars on their units. As far as I'm concerned, the investments and quality of life of unit owners in high-rises are just as important as those in single family homes.

I clearly understand the need for Aldon/Brown to redevelop their properties on Battery Lane, but feel that this should be done in a respectful way with lower building heights that are more in keeping with our edge community and takes into account the needs of homeowners on Battery Lane. I feel that Aldon/Brown should move some of their redevelopment and increase in MPDUs to their old buildings on Bradley Blvd. (which I might add is a four lane road as opposed to a two lane road on Battery Lane) to relieve the burden of increased pedestrian and traffic congestion and reduced quality of life resulting from the excessive building heights currently proposed for Battery Lane.

3. The setbacks of the five proposed buildings needs to be increased. Under their current plans, the setbacks will be reduced on four of five Sites (A, B, C, D), bringing the front of the new buildings much closer to the sidewalks than they are now. Only Site E (4998, across from 4977) will have an equal or slightly greater setback of 30 feet from the sidewalk. In contrast to the current environment where we, as pedestrians, see flowers and trees as we walk along Battery Lane, under the Aldon/Brown Plan we will see brick walls. I think that the setbacks for all the buildings should be maintained at least 25' from the sidewalk.

4. Need for underground utilities poles and wires for entire Battery Lane. It is important to confirm if undergrounding utility poles and wires are part of their plan; without doing so, any

beautification with trees or sidewalk amenities will be wasted. If so, will the entire Battery Lane get new underground utilities, including will Battery Lane Park's poles and wires? If only the utilities in front of the sites A,B,C, D and E have underground utilities, this will look ridiculous as some utility poles will be above ground and some below.

Sincerely,

Ellen Witt

Co-owner Whitehall Condominiums