

From: Jill Peck;
Received: Tue Mar 09 2021 08:30:24 GMT-0500 (Eastern Standard Time)
To: MCP-Chair@mncppc-mc.org; MCP-Chair #; ;
Subject: 4824 Edgemoor, # 820210040

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Chair Anderson,

I am a resident of 7500 Woodmont Avenue and am concerned about the overdevelopment of my block, specifically 4824 Edgemoor, # 820210040. I am especially concerned about CONGESTION AND SAFETY of drivers, bikers and pedestrians who use Edgemoor Lane.

Please keep downtown Bethesda safe and more liveable by cancelling this development.

Jill Peck

From: [Folden, Matthew](#)
To: [Laura Wandner](#)
Cc: [Gonzales, Robert](#); [Mencarini, Katherine](#); [Dickel, Stephanie](#)
Subject: RE: Traffic Concern Edgemoor Lane (between Arlington Rd and Woodmont Ave)
Date: Monday, March 8, 2021 10:48:51 AM

Dr. Wandner,

Thank you for your email. By copy of this reply, I am forwarding your inquiry to Mr. Robert Gonzalez at MCDOT and asking him to reply to you. Additionally, I will include this correspondence in the public record for the project.

Staff is currently working to complete the staff report to the Planning Board ahead of the Board's March 25, 2021 meeting. A copy of the staff report will be available on the Planning Board's website on Monday, March 15th. The web address for that page is:
<https://montgomeryplanningboard.org/agendas/>

If you would like to register to testify at the hearing, you may do so at:
<https://montgomeryplanningboard.org/meetings/signup-to-testify/>

Respectfully,

Matthew Folden, AICP | Planner Coordinator
 DownCounty Planning Division
 301.495.4539 | matthew.folden@montgomeryplanning.org



From: Laura Wandner <lwandner@gmail.com>
Sent: Sunday, March 7, 2021 11:01 AM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Subject: Fwd: Traffic Concern Edgemoor Lane (between Arlington Rd and Woodmont Ave)

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Good Morning Mr. Folden

I am forwarding the below email that I sent to Mr. Gonzales a couple of months ago. I never heard back from him and wanted to pass along the email in case it was lost. Since the email was sent, the traffic concerns have only increased due to more traffic in the region (as people begin to return to work). Similarly, I, as well as many other members of the Chase residents have witness trucks, vans, cars, etc. pulling up and parking along Edgemoor Lane blocking traffic and using our traffic circle.

I am also emailing on behalf of the Chase Committee due to the lack of good faith by the developer. The committee met in discussion with the developer last week. One of the architects was on the zoom meeting to discuss potential changes to the building. While he was sharing his screen, he wrote a message to the full group vs his team members where he was incredibly disparaging of the Chase committee members. The message was incredibly inappropriate. He quickly got off the zoom meeting after the message was sent. This type of behavior has been demonstrated by the architect on other zoom calls with the Chase committee members. We do not believe that the developer and his team members are acting in good faith interacting with us, based on the inappropriate and disparaging comments that have been sent to the Chase committee members.

We have always strongly disagreed with how the developer has characterized his communication with the Chase committee in Montgomery County Hearings. We have emailed you in the past that the developer and his team have not been acting in good faith based on their private communications with us. The Chase committee felt it was important to notify you that a disparaging and inappropriate comment was sent to the Chase Committee by the developer's team.

Please let me know if you have any questions.

Best Regards,

Laura Wandner
The Chase at Bethesda Resident
Chase at Bethesda Committee Member

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

From: **Laura Wandner** <lwandner@gmail.com>

Date: Fri, Jan 8, 2021 at 4:57 PM

Subject: Traffic Concern Edgemoor Lane (between Arlington Rd and Woodmont Ave)

To: <robert.gonzales@montgomerycountymd.gov>

Dear Mr. Gonzales

I live at the intersection of Woodmont Ave. and Edgemoor Lane. I am emailing to strongly urge Montgomery County to reconsider its decision to add two-way bike lanes on Edgemoor Lane. This will cause the street to become one-way. As a result of all of the current and future construction, there will be significantly more people living on the street, resulting in vastly more trucks and vans (Amazon, Peapod, UPS, FedEx, DHL, USPS, MetroAccess, etc.) stopping in the middle of the street and blocking traffic. The traffic backups will make it very difficult to drive on Edgemoor and exit my and other apartment garages. This has already become an issue noticed by the residents in the area but will be exacerbated once we are out of COVID and more people are out and about. For example, this Monday, around noon, I went out for a short walk. An Amazon truck was parked on Edgemoor Lane across the street from the Edgemoor apartments. The truck was blocking the lane such that multiple cars had to drive around the truck into oncoming traffic. Also on that walk, I saw a DHL truck looking for a place to temporarily park and pull into the driveway of The Chase (7500

Woodmont) and run across the street to deliver a package to the Metro Center building. It is necessary for the County to have a reasonable plan that takes into account the needs and safety of the local residents to avoid the inevitable traffic jams and accidents that will likely occur when vehicles have no place to safely pull over. Below are some potential options:

- 1) Consider not adding any bike lanes on Edgemoor Lane to keep the two lanes of traffic. This would reduce the otherwise inevitable traffic jams and difficulty getting out of the apartment/condo parking lots. If it is not possible to remove both bike lanes, only add a one-way bike lane.
- 2) Post signs on Edgemoor Lane and Woodmont Ave. indicating that trucks and cars are not permitted to stop (with or without their hazard lights on) in the middle of the road and stating that the community will be able to report non-compliant vehicles to the County which will fine the owners.
- 3) Post signs directing cars and delivery trucks to temporarily park in the Montgomery County Parking lot by the Bethesda metro in spots set aside for this purpose when making deliveries to the nearby buildings or waiting to pick up individuals.

Thank you for your consideration and for working to keep the community safe and functional.

Sincerely,

Laura Wandner
Chase at Bethesda resident

From: [Neil Goldstein](#)
To: [Folden, Matthew](#)
Subject: 4824 Edgemoor Lane proposal
Date: Friday, March 5, 2021 11:07:14 AM
Attachments: [It's the right thing to do.pdf](#)

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I am submitting the attached document as a concerned resident of the Downtown Bethesda area. I am requesting that the proposal to build a 12-story condominium at 4824 Edgemoor Lane be disapproved, based on the facts described in the attachment.

I want to thank all those who read it and hope you will **do the right thing** and disapprove the proposed project.

Respectfully,
Neil

The project in question, as you all probably know, is to erect a 12-story high-rise condominium which is inches under 120' tall on a plot of land just over 8,000 sq. ft. in area. Briefly, what follows is a description of why the building should not be constructed on this site.

Public Benefit

The allocation of Public Benefit Points to the project needs to be lowered as a result of changes made since they were determined the last time. The developer has increased the number of parking spaces vis-à-vis the number of units proposed. The developer has withdrawn the proposal for a vegetated wall. The developer is now negotiating to pay for not including MPDUs in the project, The developer will most likely wind up paying for the mural and not including its implementation in the project.

There seems to be a trend to propose a “public benefit”, receive the public benefit points for it and then withdraw the proposal and provide funds instead without losing any public benefit points.

Environmental Insults

Aside from the serious negative effects on its nearest neighbor by closing off air flow and light, and the beneficial effect of trees, the proposed project would increase the noise level for residents and visitors alike. A recommendation has been made by a contractor to fortify walls and windows of the most effected units in an effort to minimize the noise levels in those units. Such an action, while necessary, won't reduce noise levels for pedestrians nor for other residents in the area.

For the past year, we all have been dealing with a pandemic – and continue to do so. The proposed building would have a population density twenty-fold that of any other residential building in Downtown Bethesda. Have we learned nothing from our experience of this past year?

The effect on quality of life is a strong negative factor in making the decision to approve or not. The design and location of this proposed project will significantly decrease the health and well-being of the residents in the immediate area around the proposed project. By walling off the busy intersection of Woodmont and Edgemoor, noise levels will be increased, air quality will be reduced and vehicular and pedestrian safety further jeopardized. In all, the quality of life years (years lost to ill health caused by insults to the environment) will be significantly decreased.

Traffic and Pedestrian Safety.

The Line of Sight analyses that the developer has done are not pertinent to the problem. The problem is that, as a result of the garage exit being located where it currently is, and the reduction of Woodmont Ave to three lanes plus a bicycle lane, residents of the proposed building will not be able to exit the garage during the peak AM hour, post-pandemic.

Will the developer be required to disclose that information to potential buyers?

Misleading Statements and Ignoring of Recommendations

The developer has blatantly ignored recommendations of Planning Staff Reviewers, stating that Montgomery County guidelines were merely “arbitrary”, “abstract” numbers., in order to ignore DAP recommendations. Recommendations for a full-time Loading Plan manager were ignored.

Recommendations from the “public” at various meetings and hearings were ignored by the developer as well. More examples of misleading statements leading to ignoring guidelines, or in an attempt to justify the project, have been described in more detail in previous letters. Statements such as providing moderate-priced house included in the developer’s justification document, must be rescinded and benefit points reduced if the developer does not include MPDUs after all.

Communications

Over the past eighteen months or so, local citizens have been expressing their concerns with the proposed project to both the County Planning staffs and the developer. Except for members of the Design Advisory Panel which made a recommendation for change after listening to comments on the issue, our words have essentially been ignored.

Despite several meetings with the developer, they have made no significant changes to the design of the proposed building. Testimonies at various public meetings with County Planning Review Staffs have also not proven productive. In one case, a recommendation by the County Executive to postpone a public hearing until we could all meet in person was rejected by the Planning Board. In another case, the order of speakers on the agenda of a public meeting was inexplicably changed from the usual procedure. Instead public comments preceded the developer’s presentation of changes to their proposal. Public comments were not allowed following the developer’s presentation

Effect on Development Cap

Montgomery County is rapidly nearing its development cap, according to the latest Annual Report of the progress toward the 2017 Downtown Bethesda Plan. It would be a loss to the County, and the Downtown Bethesda Area and its residents if a more deserving project would be put on hold in favor of going forward with this project

What does all of this mean to the future of the Montgomery County Planning Process? If this developer can succeed with this approach of misleading statements, removing proposals included in their justification documents for the purpose of receiving public benefit points, ignoring guidelines and recommendations, what message does it send to future developers? What message does it send to current and future Montgomery County residents?

What does the proposed project offer to the Downtown Bethesda area? Needed additional housing? Maybe, but with recent other residential constructions underway or on the drawing board, how necessary is it? Will it offer more affordable housing than is available? No. Will the project have any amenities to offer which will attract new owners? No. Will it offer any benefit at all to current and future residents of the area? No. The proposed project does not offer anything to the Downtown Bethesda area that it needs or wants.

There are other alternatives for the site; ones which would benefit the County and current residents of the Downtown Bethesda area. The Planning Board should consider those alternatives. They include the possibility that The Chase be involved with proposing and possibly implementing one of those alternatives, as suggested by a DAP member, informally, at a DAP meeting.

As a result of all of the above, The Planning Board should disapprove of this project. **It’s the right thing to do.**

From: Folden, Matthew

Sent: Friday, February 26, 2021 3:42 PM

To: 'Penny' <pennydash@verizon.net>

Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Rebecca.Torma-Kim@montgomerycountymd.gov; lwandner@gmail.com; bwallach@tortigallas.com; neilsgoldstein@verizon.net; MCP-Chair <mcp-chair@mncppc-mc.org>

Subject: RE: question: 4824 Edgemoor

Ms. Dash,

Thank you for your email. For your reference, Planning Staff and the Montgomery County Department of Transportation support the applicant's proposed loading management plan and determined that the proposal is in compliance with the conditions of approval associated with the Sketch and Preliminary Plan approvals.

The following includes responses to your questions and, by copy of this e-mail, I am forwarding your letter to the Planning Board Chair's office for inclusion in the public record for this project.

Can you provide me with the part-time hours the desk person will be at the building. Similarly, what are the on-site hours the management company employee will be at the building?

Staff Response:

Due to the smaller size of this building (76 residential dwelling units), the building will not have full-time front desk staff and will therefore also not have a full-time loading manager. The hours during which the loading manager is present on-site will not be established in the Loading Management Plan. Instead, the loading manager will be present during for scheduled deliveries, move-in/ move-out, and when other circumstances dictate their presence. In order to meet these demands, staff will defer to the future management company, who will be bound by the details of the Loading Management Plan, to schedule the loading manager's hours.

Also, I am unclear how all of the non-routine, non-schedulable deliveries or pickups will be handled? This includes Amazon, UPS, FedEx, GrubHub or other takeout, Instacart, Dolly, and many other and new services. Can this be explained?

Staff Response:

Planning Staff, the applicant and MCDOT have discussed this element of the site operations since the time of the Sketch Plan and Preliminary Plan approvals last April. In response to site limitations caused by the small size of the lot and the future separated bicycle lanes planned by MCDOT, the applicant has provided a parking space inside the ground floor of the garage, to be managed by residents, and MCDOT has conceptually agreed to the creation of a common loading zone along the north side of Edgemoor Lane. Together, these two elements will provide adequate accommodation for non-scheduled deliveries.

In addition, I am concerned with accessibility for MetroAccess and other similar rides for residents or visitors to the residents. It sounds as if this will be handled at the loading dock? Or am I misreading your description? Is WMATA and County and State offices responsible for accessibility and ADA

compliance on board with this aspect of the loading management plan that you have indicated is now approved?

Staff Response:

The ground floor garage area will accommodate vehicles for this purpose. The separated bicycle lanes will go through engineering design, led by MCDOT, which will accommodate ADA access as required. The Subject Applicant is not constructing the bike lanes and is instead showing a conceptual alignment on the plans in response to staff's request to do so and contributing money toward their future implementation.

Finally, as stated from early in this development process, Chase residents need to be able to exit their garage onto the soon-to-be one lane of Edgemoor. What is the DOT and Planning Department answer to this concern I, and others, have raised about the difficulty -- if not impossibility in peak times -- of Chase residents being able to exit onto Edgemoor? And of other Bethesda residents who use Edgemoor Lane east? Just one vehicle idling on Edgemoor or stopping to figure out the numerous delivery restrictions will block the road. We proposed in my most recent communication a solution of moving the lobby to Woodmont, but to this I have heard no response. It appears then that this is another instance where the Chase interests are to be ignored because Acumen chose to develop a very tiny lot, such that even a curb cut on Edgemoor was rejected.

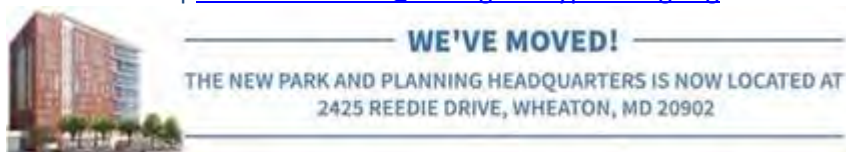
Staff Response:

The building lobby entrance is for pedestrians only; all vehicular traffic will enter the site from Woodmont Avenue. Staff is not requiring the applicant to relocate the lobby entrance in response to the concerns you raised about traffic on Edgemoor Lane.

In response to your concerns about vehicles blocking the travel lanes on Edgemoor Lane following construction of this project and the separated bicycle lanes along the project frontage: vehicles will not be permitted to block the travel lanes with delivery vehicles. Enforcement of traffic laws, including illegally parked vehicles, will be under the jurisdiction of the Montgomery County Police Department.

Respectfully,

Matthew Folden, AICP | Planner Coordinator
DownCounty Planning Division
301.495.4539 | matthew.folden@montgomeryplanning.org



From: Penny <pennydash@verizon.net>
Sent: Friday, February 19, 2021 2:18 PM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Rebecca.Torma-Kim@montgomerycountymd.gov; lwandner@gmail.com; bwallach@tortigallas.com; neilsgoldstein@verizon.net
Subject: Re: question: 4824 Edgemoor

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Folden;

Thank you for your detailed response. Several questions jump out however. Can you provide me with the part-time hours the desk person will be at the building. Similarly, what are the on-site hours the management company employee will be at the building?

Also, I am unclear how all of the non-routine, non-schedulable deliveries or pickups will be handled? This includes Amazon, UPS, FedEx, GrubHub or other takeout, Instacart, Dolly, and many other and new services. Can this be explained?

In addition, I am concerned with accessibility for MetroAccess and other similar rides for residents or visitors to the residents. It sounds as if this will be handled at the loading dock? Or am I misreading your description? Is WMATA and County and State offices responsible for accessibility and ADA compliance on board with this aspect of the loading management plan that you have indicated is now approved?

Finally, as stated from early in this development process, Chase residents need to be able to exit their garage onto the soon-to-be one lane of Edgemoor. What is the DOT and Planning Department answer to this concern I, and others, have raised about the difficulty -- if not impossibility in peak times -- of Chase residents being able to exit onto Edgemoor? And of other Bethesda residents who use Edgemoor Lane east? Just one vehicle idling on Edgemoor or stopping to figure out the numerous delivery restrictions will block the road. We proposed in my most recent communication a solution of moving the lobby to Woodmont, but to this I have heard no response. It appears then that this is another instance where the Chase interests are to be ignored because Acumen chose to develop a very tiny lot, such that even a curb cut on Edgemoor was rejected.

I would appreciate hearing back from you or DOT regarding these questions. Thank you.

Sincerely,

Penny Dash

From: Folden, Matthew

Sent: Friday, February 19, 2021 12:42 PM

To: Penny <pennydash@verizon.net>

Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>

Subject: RE: question: 4824 Edgemoor

Ms. Dash,

Thank you for your inquiry on the Loading Management Plan, dated February 17, 2021, and detailed comments to myself, Ms. Mencarini, and Ms. Torma, dated February 17, 2021 (attached). You can direct any questions on this document, or the plan in general, to me. By copy of this email, I am forwarding a copy of this email and associated attachment to the Planning Board Chair's office for inclusion in the public record for Site Plan No. 820210040.

Staff appreciates your comments about the need for an on-site loading manager and will condition that the loading manager be present when deliveries, move-in/ move-out, and other circumstances dictate their presence. Due to the smaller size of this building (76 residential dwelling units), the building will not have full-time front desk staff and will therefore also not have a full-time loading manager. Planning Staff coordinated with the Montgomery County Department of Transportation who confirmed that having a loading manager on-site during the periods identified above satisfy the requirements of that agency's preliminary plan approval letter.

In response to your previous email regarding the latest comments on the loading management plan, staff is recommending that the document be finalized at the time of Certified Site Plan and be expanded with the two bullets listed below. For your reference, Certified Site Plan is an administrative step to ensure final plans are consistent with the Board's conditions. At this time, staff has the following comments:

- Trash collection and routine deliveries will be scheduled to occur outside peak travel periods (i.e. weekends; Monday – Friday, between 9:30 AM and 4:00 PM, and after 7:00 PM) to minimize disruption on Woodmont Avenue.
- The loading dock will be scheduled for move-in/move-out activities for residents outside of peak travel periods (6:30 AM -9:30 AM and 4:00 PM-7:00 PM Monday through Friday).

For ease of reference, I am providing the following summary of key elements related to the Loading Management Plan:

1. The loading space will be accessed by a roll-up exterior door which will be open at times of use only and will remain closed at all other times.
2. Trash collection and routine deliveries will occur outside peak travel periods on Monday-Friday, 9:30 AM to 4:00 PM.
3. Carriers will be given a fob that provides access to the loading area only (and not to the front door to the lobby) to discourage queuing on Woodmont Avenue.

4. The management company will oversee loading, trash collection and deliveries. A staff person will be present on-site to manage the loading area when activities are scheduled and can be requested to be on-site by residents or carriers when necessary.
5. The management company will coordinate the scheduling of deliveries to avoid exceeding the loading area's capacity. In the event that an unscheduled delivery arrives when the loading dock is at capacity, signage will be posted instructing drivers on Woodmont Avenue to return later so as not to compromise safety or impede street or intersection function. Signage will be posted in the loading dock notifying users that truck idling is restricted on Woodmont Avenue.
6. The management company will direct residents to utilize the loading area for ride-sharing pick-ups and drop-offs.

Respectfully,

Matthew Folden, AICP | Planner Coordinator

DownCounty Planning Division

301.495.4539 | matthew.folden@montgomeryplanning.org



From: Penny <pennydash@verizon.net>

Sent: Wednesday, February 17, 2021 2:35 PM

To: Folden, Matthew <matthew.folden@montgomeryplanning.org>

Subject: question: 4824 Edgemoor

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello,

I noticed in the document entitled "DPS-ROW Conditions of Approval dated January 22, 2021, that the Loading Management Plan "needs to be approved by MNCPPC" as well as by MCDOT. Can you please provide me with the contact email for the person at MNCPPC responsible for this project and in particular, the Loading Management Loading Plan.

Thank you.

Penny Dash

From: Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Sent: Friday, February 19, 2021 11:46 AM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Cc: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>
Subject: RE: 4824 Edgemoor Lane, #820210040 - Developer's Revised Loading Management Plan

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Hi Matt,

We agree that the size of the project does not warrant a full-time loading manager on-site. We accept that the project will have a person on-site during the periods during which the loading area will be used. When the loading area is not in use, DOT recommends that the doors be closed. Please let me know if you need anything further.

Rebecca Torma | Manager, Development Review
Director's Office | Department of Transportation
101 Monroe Street
10th Floor
Rockville MD 20850
(240) 777-2118 (work)
(240) 383-5252 (cell)
Rebecca.torma@montgomerycountymd.gov

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Sent: Thursday, February 18, 2021 10:03 AM
To: Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Cc: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>
Subject: FW: 4824 Edgemoor Lane, #820210040 - Developer's Revised Loading Management Plan

[EXTERNAL EMAIL]

Rebecca,

Ms. Dash's email, below, articulates her concerns related to the proposed loading operations associated with the 4824 Edgemoor Lane Site Plan Application.

As you may recall, the MCDOT Preliminary Plan Approval Letter, dated January 29, 2020, included condition #4, which stated that the project "will be required to have an on-site loading manager responsible for scheduling deliveries, move-in, move-out and addressing issues related to the loading operations."

Based on the small size of the development, 76 units, the Applicant does not intend to have full-time staff on-site and has instead proposed using scheduling technology and having staff on-site during periods of scheduled loading dock usage (move-in, move-out, trash collection, etc.) and as needed to address loading operations.

Can you please confirm if the Applicant's proposal satisfies the MCDOT condition?

For ease of reference, I have attached a copy of your approval letter, dated January 29, 2020.

Thank you,

Matt

Matthew Folden, AICP | Planner Coordinator
DownCounty Planning Division
301.495.4539 | matthew.folden@montgomeryplanning.org



From: Penny <pennydash@verizon.net>

Sent: Wednesday, February 17, 2021 11:44 AM

To: Folden, Matthew <matthew.folden@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov

Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Mortensen, Paul <Paul.Mortensen@montgomeryplanning.org>; melissa.goutos@montgomerycountymd.gov; sam.farhadi@montgomerycountymd.gov; Somarajan, Deepak <deepak.somarajan@montgomerycountymd.gov>; bwallach@tortigallas.com; neilsgoldstein@verizon.net; lwandner@gmail.com

Subject: 4824 Edgemoor Lane, #820210040 - Developer's Revised Loading Management Plan

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Folden, Ms. Mencarini and Ms. Torma-Kim;

The adjacent Chase condominium (with a garage exit onto Edgemoor, very close to 4824 lobby) has reviewed the Developer's revised Loading Management Plan ("Plan"), and we are disappointed that there is no provision for an on-site manager as required by the January 29, 2020, Department of Transportation report and incorporated into the revised staff report dated April 16, 2020. We ask that in addition to rejecting this revised Plan as not in compliance with the DOT requirement, that the developer be directed to move or shift its lobby to the Woodmont side of the building. Such a move would alleviate the myriad of problems outlined by the Chase Condominium in our earlier submission, dated January 11, 2021, on this issue and as discussed, below. A Management Loading Plan is still needed, but moving the lobby would make it simpler to develop and implement a workable plan as drivers stopping in front of a Woodmont lobby would more easily be directed to pull further down the block to the loading dock, which would be visible, rather than explaining to move to some area around the corner. We believe developer may be open to this change and ask that Planning Board staff include this change in any report to the Planning Board.

Turning to the revised Plan, unfortunately, many of the serious problems with the earlier draft have not been addressed in this revised document. So we ask again "Where are the multitude of non-regular delivery vehicles going to park while delivering Amazon packages, grocery deliveries, dry cleaning, mail, and residents' pick up and drop off?" The revised Plan, with an over reliance on some as yet to be determined signage and video-monitoring, is wholly inadequate to meet the requirements in content and in operation.

First are our objections and concerns for each numbered item of the draft loading document:

1. The developer's plan must be rejected because there is no on-site staff for managing inevitable traffic tie ups from deliveries, pick ups and other vehicles that will certainly stop outside the lobby on Edgemoor. Inexplicably, there is no provision for any "on-site staff" that is to oversee this, leading to the conclusion that "the management company" which will "generally

oversee loading and deliveries" will be doing so remotely and sporadically. How will remote oversight be carried out? Will there be cameras surrounding the outside of the building to monitor deliveries, and loudspeakers installed to communicate with drivers on the street? Or is it contemplated that communications with drivers outside the lobby or elsewhere on the street will be conducted by text or an app -- causing drivers to stop and block traffic on the street while using their phones to await instructions? This plan is deficient and must be rejected without an on-site dedicated manager.

2. We have the same comments as before as this aspect of the Plan is unchanged.

3. There is no plan as to how to enforce any signage – such signage is yet to be proposed and approved by zoning —that effectively restricts vehicles from stopping on Edgemoor. Presently there is “No Parking” signage on Edgemoor and vehicles are often observed parked on Edgemoor. No solution has been offered, no personnel allocated by the Edgemoor Condo to enforce the as-yet-to-be-determined signage. Stating that drivers will not be "buzzed" in to the lobby may alleviate some problem but only for routine drivers of delivery vehicles. New Uber, Grub Hub and Amazon drivers, for example, will still be stopping at the entrance. Moving the lobby to Woodmont would make directing vehicles stopped in front of the lobby to its Woodmont garage a more feasible endeavor than it will with a lobby on Edgemoor. A statement without a detailed feasibility plan is useless.

4. Developer now provides the hours the loading dock will be open (7:00am to 8:00pm). But it does not address “minor” deliveries such as where take-out food delivery vehicles will park so that the traffic is not blocked? Nor does it address deliveries or pick-ups occurring after 8:00pm. What will happen to Amazon, GrubHub, Uber, and many other deliveries or pick ups that will occur after 8pm? And please see our earlier submission for our comment, which remains the same, regarding developer's assertion as to the expected number of move-ins and move-outs.

5. Same comment as previously.

6. Same comment as previously. The residents will not have control over all deliveries. And there is no control over what residents will or will not do to comply with this aspirational statement.

7. Same comments as previously. Further, with the amount of signage contemplated by this development on both Edgemoor and Woodmont, there will be trucks idling to read all of the signage. Again, without an on-site manager for orchestrating multiple unscheduled deliveries, this is a recipe for a mess.

8. Same comment as previously, only also questioning how this plan will be effective without an on-site manager and more than merely "time to time" monitoring?

9. Same comment as previously.

10. Same comments as previously, but reiterated here for emphasis: For the management company to “monitor ... truck maneuvers” to ensure they do not block traffic, pedestrians, etc.,

would, at a minimum, require a dedicated on-site manager. It is unrealistic to expect the front desk staff or on-site maintenance person (if there will be one) who may be busy unclogging a toilet or other job, to leave their posts whenever a truck or vehicle arrives or departs. Who will do this? The plan is silent on this point.

11. Same comment as previously.

12. Same comment as previously.

In addition to the comments directed to the draft plan, we do not see the Plan addressing the following concerns we have raised in our earlier comments, notably:

a. Where do resident awaiting a pick up wait for the car? The lobby? The loading dock? The passenger garage? No dimensions are shown for the garage staging area, and this should be provided in the loading management plan.

c. How will metro access rides and numerous other deliveries or pick-ups, which are scheduled with a window to arrive, be managed as they cannot be precisely scheduled? Will they be turned away if the loading dock is fully utilized? Or are such drivers expected to circle the block (spewing exhaust fumes)?

d. What is the precise signage the developer hopes will be installed that will ensure that trucks and other vehicles will not stop on Edgemoor and Woodmont? And who will enforce the signs and how? This must be part of this Plan, especially now that hundreds more residences have been built across Edgemoor.

f. There is no mention of the critical issue of where are Edgemoor owners' cars supposed to go when the car elevator is out of service. We believe such cars will be backed up on the streets. This contingency should be provided for in the management plan.

In addition, any suggestion by developer that the County parking lot across Woodmont can be utilized for overflow has not, to our knowledge, been analyzed for capacity for this purpose taking into account the soon to be open two new residential buildings across Edgemoor (ZOM Bethesda and Edgemont II/Edge) adding hundreds of residences to the block.

g. Also omitted is the situation when several residents are using the passenger loading area in the passenger garage to load up or unload their car trunks and need to make several trips between their units and the garage. In this instance, where are the cars that need to enter the passenger garage going to go? Again, we fear they will back up on the street and idle or just be left "for a few minutes." This has the potential for a nightmare.

Please consider our comments, concerns, and suggestions. We would appreciate being furnished any further revised draft or other plan that may be submitted. Without a detailed workable loading management plan with an on-site manager for this extremely busy corner of downtown Bethesda, the Chase, the other residents on Edgemoor and all those who access downtown Bethesda are headed towards a nightmare scenario. A detailed feasible loading management

plan with an on-site manager must be approved prior to proceeding with the development process as this is too important to the Bethesda community to be addressed at some later point.

Thank you.

Sincerely,

Penny Dash
Committee of the Chase Condominium

\

From: Folden, Matthew

Sent: Wednesday, January 13, 2021 9:53 AM

To: Penny <pennydash@verizon.net>

Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Sam.Farhadi@montgomerycountymd.gov; Deepak.Somerajan@montgomerycountymd.gov; bwallach@tortigallas.com; neilsgoldstein@verizon.net; lwandner@gmail.com; Hisel-McCoy, Elza <Elza.Hisel-McCoy@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov

Subject: RE: 4824 Edgemoor Lane, #820210040

Ms. Dash,

Thank you for your email. I will include your email as an attachment to the Staff Report when this is presented to the Planning Board so that it is incorporated in the public record.

Staff appreciates your comments on the anticipated changes to Edgemoor Lane and Woodmont Avenue, resulting from both the future bicycle lanes and proposed 4824 Edgemoor Lane development. We will continue to keep your concerns in mind as we review the application and associated loading management plan. Staff will share a revised version of the loading management plan once it is submitted for review.

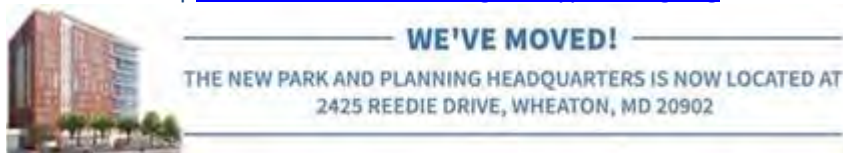
Thank you for taking time to review the application and sharing your concerns with us.

Respectfully,

Matthew Folden, AICP | Planner Coordinator

DownCounty Planning Division

301.495.4539 | matthew.folden@montgomeryplanning.org



From: Penny <pennydash@verizon.net>
Sent: Monday, January 11, 2021 3:59 PM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov
Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Sam.Farhadi@montgomerycountymd.gov; Deepak.Somerajan@montgomerycountymd.gov; bwallach@tortigallas.com; neilsgoldstein@verizon.net; lwandner@gmail.com; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>
Subject: Re: 4824 Edgemoor Lane, #820210040

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Folden, Ms. Mencarini and Ms. Torma-Kim;

Thank you for furnishing the developer's draft loading management document which as I understand it, is undergoing review. To that end, the following are the comments and objections on behalf of the Chase of Bethesda Condominium.

First a bit of background. For those unfamiliar with the corner on which 4824 Edgemoor will be built, it serves as one of the busiest intersections in downtown Bethesda. Not only are there buses exiting the depot across the street, but Edgemoor Lane east to Woodmont south is the busy access to the Metro Kiss and Ride, to East-West Highway to Silver Spring and to the rapidly expanding number of businesses south on Woodmont.

Edgemoor Lane, which presently has two eastbound lanes to accommodate the above-mentioned traffic, is the street upon which the developer plans to place its lobby. It is key for anyone even tangentially involved with traffic or safety to comprehend that the County's master plan designates one of the two eastbound Edgemoor lanes for a two-way bicycle lane thereby compressing all eastbound traffic to one lane. Any one vehicle parked outside the Edgemoor lobby, even if for a short period, would block the one lane and disrupt traffic flow on Edgemoor eastbound. Any disruption to Edgemoor eastbound traffic also negatively impacts Chase residents exiting their garage onto Edgemoor as well as the residents of the Village of Bethesda, who also exit their garage onto the same stretch of Edgemoor. And nearing completion are hundreds of new residences across the 4824 development, Edgemont II (renamed The Edge), directly across at the north corner of Edgemoor and Woodmont, and ZOM Bethesda, near Arlington Road.

Turning to the substance of the developer's draft plan, we question, "Where are the multitude of vehicles going to park while delivering Amazon packages, grocery deliveries, dry cleaning, mail, and residents' pick up and drop off?" The draft provided by developer is wholly inadequate to meet the requirements in content and in operation.

First are our objections and concerns for each numbered item of the draft loading document:

1. The developer's plan must be rejected because there is no on-site staff for managing inevitable traffic tie ups from deliveries, pick ups and other vehicles that will certainly stop outside the lobby on Edgemoor – a one-lane road after creation of the bicycle lane -- or on busy Woodmont while waiting to pull into the new condo's loading dock or passenger garage. As clearly stated in the April 16, 2020, revised staff report, incorporating the January 29, 2020, conditions established by the Department of Transportation, the developer is to have a "loading management plan ...The Project will be required to have an on-site loading manager responsible for ...addressing issues related to the loading operations." This plan is deficient and must be rejected without an on-site dedicated manager.
2. The plan to provide "routine carriers" with a fob ignores the reality of the proliferation of ecommerce vehicles (such as Amazon's) and that different drivers and vehicles are used to make deliveries. The plan fails to define "routine carriers." Who are they? Perhaps this will work for the U. S, Postal service delivery, but beyond that, the plan is unworkable and ignores reality. Are they going to entrust fobs to Peapod, Blue Apron, Uber eats, dry cleaner, and the many other delivery drivers?

Not feasible is having a "drop-off box" for all non-routine deliveries (which we believe will be nearly every delivery other than the mailman). The drafter of this plan has never seen a concierge front desk at holiday time, and how front desks are inundated several times a day with an overwhelming number of deliveries. Same has been the case throughout this year with the pandemic. Of course, such is not an everyday occurrence, but with the number of units in this building, there will certainly be numerous takeout deliveries, package deliveries by several carriers, other boxed food deliveries (Blue Apron, e.g.), and numerous furniture and household items are now shipped by delivery service many of which are bulky, or oversized (from, for example, Ikea). How large will this "drop off box" be and what analysis was done to ensure that it is ample to accommodate all non-routine deliveries and all bulky deliveries?

3. There is no plan as to how to enforce any signage – such signage is yet to be approved—that restricts vehicles from stopping on Edgemoor. We are all cognizant that a "no stopping or standing" sign will not deter drivers from making short stops for deliveries or to drop off or pick up passengers. Haven't we all at least once violated such a sign? Presently there is "No Parking" signage on Edgemoor and just this morning I saw a landscape truck parked on Edgemoor – the driver nowhere nearby. How exactly will developer block carriers from access to the Edgemoor lobby? A statement without a detailed feasibility plan is useless.
4. Developer fails to provide the hours the loading dock will be open. And it does not address "minor" deliveries such as where take-out food delivery vehicles will park so that the traffic is not blocked? The developer's contention that for his building there will be few move-ins and move-outs after initial sales, ignores that units which are rented result in many move-ins and move-outs. The Chase, for example, has a 36% rate for rental units. Moreover, the developer cherry picks unidentified data (see footnote 1) to claim that there is low resale volume in Bethesda. Without identifying which particular buildings surveyed, the developer's representation of sales data is misleading and worthless. And inclusion of several months during

the pandemic when condo sales were depressed further undermines the utility of developer's data.

5. Again, signage is meaningless without a viable enforcement mechanism.
6. The residents will not have control over all deliveries. And there is no control over what residents will or will not do to comply with this aspirational statement.
7. That the management company will coordinate scheduling of deliveries works only for those that provide advance notice. Ecommerce and many other deliveries are not scheduled ahead of time. In addition, there is not a workable plan for the situation when the small loading dock is at capacity and another delivery arrives. Again, it is fantasy to think an Amazon or other vehicle will leave the area to return, or will circle the block waiting to enter, or leave to do other deliveries and circle back without assurance that the loading dock would be free. Without an on-site manager for orchestrating multiple unscheduled deliveries, this is a recipe for a mess.
8. This is unclear as to what is meant by "commercially reasonable efforts" will be used to minimize deliveries during peak traffic. This lacks specificity as to how this goal will be accomplished and the use of the phrase, "reasonable efforts" already tells us the developer has not committed to do anything here other than perhaps make an inquiry.
9. It is unclear what is meant by the management company "will work to ensure that deliveries are not" impeding roadways or access to adjacent buildings. This is a goal, not an action plan item. It is, in its present form, meaningless.
10. For the management company to "monitor ... truck maneuvers" to ensure they do not block traffic, pedestrians, etc., would, at a minimum, require a dedicated on-site manager. It is unrealistic to expect the front desk staff or on-site maintenance person (if there will be one) who may be busy unclogging a toilet or other job, to leave their posts whenever a truck or vehicle arrives or departs. Who will do this? The plan is silent on this point.
11. Again, this fails to address the many deliveries that do not have the same driver. It is only workable for scheduled move-ins/outs, and furniture deliveries, and similar.
12. This is stated as a preference, not a mandatory requirement and thus may be ignored by all Edgemoor Condo residents, of using the loading area instead of outside the lobby for ride sharing pick-ups and drop-offs.

In addition to the comments directed to the draft plan, we are concerned with the following issues:

- a. Will the loading dock be open at all times to accommodate deliveries or will the on-site manager be tasked with opening it for each delivery or pick up?

- b. Where do resident awaiting a pick up wait for the car? The lobby? The loading dock? The passenger garage? No dimensions are shown for the garage staging area, and this should be provided in the loading management plan.
- c. How will metro access rides, which have a 30-minute pick-up window, be managed?
- d. Numerous deliveries, or pick-ups, are scheduled with a “window” to arrive. Will they be turned away if the loading dock is fully utilized? Or are such drivers expected to circle the block (spewing exhaust fumes)?
- e. Just in the past week, in front of the “No Parking” signs currently lining the south or eastward side of Edgemoor, we have observed a truck parked to deliver a package to the building across the street, and a landscaping truck parked with no driver in sight. How will any “No Standing or Parking” signage be enforced? Will there be fines? Who would assess fines? This must be part of this Plan, especially now that hundreds more residences have been built across Edgemoor.
- f. There is no mention of the critical issue of where are Edgemoor owners’ cars supposed to go when the car elevator is out of service. We believe such cars will be backed up on the streets. This contingency should be provided for in the management plan.

In addition, any suggestion by developer that the County parking lot across Woodmont can be utilized for overflow has not, to our knowledge, been analyzed for capacity for this purpose taking into account the soon to be open two new residential buildings across Edgemoor (ZOM Bethesda and Edgemont II/Edge) adding hundreds of residences to the block.

- g. Also omitted is the situation when several residents are using the passenger loading area in the passenger garage to load up or unload their car trunks and need to make several trips between their units and the garage. In this instance, where are the cars that need to enter the passenger garage going to go? Again. we fear they will back up on the street and idle or just be left “for a few minutes.” This has the potential for a nightmare.

Again, thank you for furnishing this preliminary draft management loading plan. Please consider our comments and concerns, and we would appreciate being furnished any revised draft or other plan that may be submitted. Without a workable loading management plan with an on-site manager for this extremely busy corner of downtown Bethesda, the Chase, the other residents on Edgemoor and all those who access downtown Bethesda are headed towards a nightmare scenario.

Thank you.

Sincerely,

Penny Dash

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

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>
 To: Penny <pennydash@verizon.net>
 Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>;
Sam.Farhadi@montgomerycountymd.gov <Sam.Farhadi@montgomerycountymd.gov>;
Deepak.Somerajan@montgomerycountymd.gov <Deepak.Somerajan@montgomerycountymd.gov>;
bwallach@tortigallas.com <bwallach@tortigallas.com>; neilsgoldstein@verizon.net
 <neilsgoldstein@verizon.net>; lwandner@gmail.com <lwandner@gmail.com>; Hisel-McCoy, Elza
 <elza.hisel-mccoy@montgomeryplanning.org>; Mencarini, Katherine
 <katherine.mencarini@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov
 <rebecca.torma-kim@montgomerycountymd.gov>
 Sent: Tue, Jan 5, 2021 1:54 pm
 Subject: RE: 4824 Edgemoor Lane, #820210040

Ms. Dash,

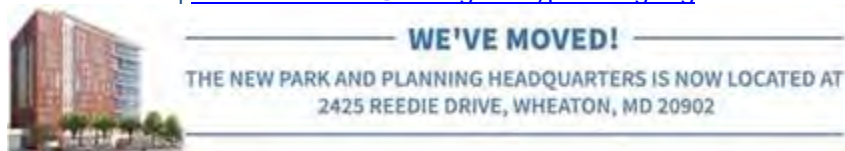
Thank you for your inquiry.

The Applicant provided a draft loading management document for review (Available online at: https://eplans.montgomeryplanning.org/UFS/32088/93074/32-LOADING-820210040.pdf/32-LOADING-820210040.pdf_V2/32-LOADING-820210040.pdf). Staff has reviewed the document and provided comments back to the Applicant. We are currently waiting for a revised version to be submitted for further review. As a condition of approval for the Site Plan, the Applicant will be required to adhere to the plan and will be subject to inspection if found to be in violation of the elements of the plan.

With regard to your second question regarding the timing of the Planning Board Hearing on the Site Plan application ("*Is there any possibility that the Planning Board hearing could be scheduled for sooner than 2/25/21?*"): it is possible that the hearing could take place prior to 2/25/21, however, I believe it is unlikely to go prior to this date based on outstanding comments from reviewers. The date of any Planning Board hearing will be noticed a minimum of 10 days prior to date of the Hearing in accordance with standards set forth in the Zoning Ordinance.

Respectfully,

Matthew Folden, AICP | Planner Coordinator
 DownCounty Planning Division
 301.495.4539 | matthew.folden@montgomeryplanning.org



From: Penny <pennydash@verizon.net>
 Sent: Monday, January 4, 2021 8:57 AM
 To: Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>; Folden, Matthew
 <matthew.folden@montgomeryplanning.org>; Mencarini, Katherine
 <katherine.mencarini@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov
 Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>;
Sam.Farhadi@montgomerycountymd.gov; Deepak.Somerajan@montgomerycountymd.gov;
bwallach@tortigallas.com; neilsgoldstein@verizon.net; lwandner@gmail.com
 Subject: 4824 Edgemoor Lane, #820210040

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. McCoy, Mr. Folden, Ms. Mencarini and Ms. Torma-Kim,

I am writing as a representative of The Chase of Bethesda to follow up on the requirement listed in the April 16, 2020, revised staff report, incorporating the January 29, 2020 conditions established by the Department of Transportation, for an overall loading management plan which includes an on-site manager ("The Plan") for the above-referenced development. This requirement was a condition of the Sketch Plan approval.

We do not see The Plan as part of the site plan filing and note that it was required by now. Further, The Plan has been asked for in the site plan review comments. As adjacent owners, the Chase would like to see, prior to the site plan hearing, the loading management plan and have an opportunity to comment as the loading and accompanying traffic tie-ups materially affect the Chase. Please let us know how this can be accomplished.

In addition, we question how this requirement will be enforced once developer is finished with this project. We are concerned that the new condo association may wish to save money and do away with any on-site manager in the future and seek to fold the job tasks onto other on-site personnel who many not have the flexibility or time built in their job to manage all deliveries throughout the day. How will enforcement of this requirement be guaranteed?

The April staff report, in relevant part states, at page 15:

Due to the constrained nature of the Site, the garage is anticipated to be automated with two carriages available to convey cars between the ground level and subterranean garage. This configuration eliminates garage inefficiencies dedicated to drive aisle and ramps and improves parking operations on the constrained Site. Additional details regarding the garage design and operation will be provided at the time of Site Plan. As an additional programmatic element, the Project will be subject to a loading management plan at the time of Site Plan that will further limit negative impacts to the adjacent public roadways. The loading management plan must include delivery times, and strategies to ensure that move-in, move-out, loading and trash/ service operations do not negatively impact the public right-of-way. The Project will be required to have an on-site loading manager responsible for scheduling deliveries, move-in, move-out and addressing issues related to the loading operations. [*emphasis added.*]

For those unfamiliar with the site, the Chase wraps around this development. Just to the south is our loading dock and then our front entrance. On the west, is the Chase garage exit so any disruption on Edgemoor at the front of the development would impede our ability to safely exit our garage. This is particularly an issue as a two-way bicycle lane would remove one of the two eastbound Edgemoor lanes according to the master plan (see reference in DOT report page 2, paragraph 1). We have a tangible interest in assuring that traffic is not impeded by deliveries (Amazon, UPS, Peapod, to

name just a few) and moving trucks, trash operations, mail delivery and a host of other vehicles arriving and stopping for residents or management of the Edgemoor condo.

We look forward to receiving the loading management plan as well as information on how such a plan will be enforced in the future, after the condo units are sold.
Thank you for your cooperation in this matter.

Sincerely,

Penny Dash
The Committee of The Chase of Bethesda

From: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>
Sent: Thursday, December 10, 2020 12:21 PM
To: Neil Goldstein <neilsgoldstein@verizon.net>
Cc: rebecca.torma-kim@montgomerycountymd.gov; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; sam.farhadi@montgomerycountymd.gov; Folden, Matthew <matthew.folden@montgomeryplanning.org>; Somarajan, Deepak <deepak.somarajan@montgomerycountymd.gov>
Subject: RE: Traffic & Pedestrian Safety Issues with Site Plan# 820210040

Mr. Goldstein,

Thank you again for your questions regarding the submitted Site Plan 820210040 for 4824 Edgemoor Lane. Our responses to your follow-up questions are included below in blue.

Chase Board Concern 1: *The Sight Line analysis provided by the developer is from their garage exit northward up Woodmont Ave. Our concern deals with the sight line from their garage exit to the corner of Woodmont and Edgemoor. As you can see from the previously attached Figure, due to the curvature of Woodmont Avenue and how the proposed building is situated on the site, a driver exiting their garage cannot see a car in the eastbound lane of Edgemoor.*

We just wanted to point out that even if the other Line of Sight measurement satisfies the minimum sight distance required, with this sight line a driver exiting their garage will have little reaction time by the time they see a vehicle turning right onto Woodmont from Edgemoor.

Staff Response:

The design of both Woodmont Avenue and the Woodmont Avenue and Edgemoor Lane intersection encourage safe vehicular maneuvers. The posted speed limits on Woodmont Avenue is 30 mph and Edgemoor Lane is 25 mph, which are appropriate for Business District Streets and Arterials in urban environments. The location of the proposed driveway is located in close proximity to both an existing driveway for the Chase as well as the existing driveway for the Subject Property which based on our analysis of crash data along this corridor, operates safely and efficiently today. Safety has been further maximized by locating the driveway on the Subject Property as far as possible from the Edgemoor Lane intersection.

As stated in my previous email, the sight line analysis conducted for the Preliminary Plan was completed in accordance with the County's standards for a proposed driveway with access to an Arterial roadway. This was approved by the Planning Board and MCDOT at the time of Preliminary Plan. We reached out to MCDOT with your concerns and MCDOT staff confirmed that they will not be reevaluating the site distance analysis for the Site Plan, as they were satisfied with the analysis completed with the previously approved Preliminary Plan.

Chase Board Concern 2: *We will comment on the proposed bikeway on Edgemoor Lane when that potential project is being reviewed, as you have suggested.*

Staff Response:

Your comment is acknowledged and shared with MCDOT staff.

Chase Board Concern 3: *We have no concern with the number of vehicles that would be added to Woodmont Ave traffic from this proposed building. Our concern is that not even one exiting vehicle will be able to merge safely onto Woodmont Ave during the peak AM period. Based on the numbers included in the MCDOT 2011 Traffic Study done of this intersection, and our own observations, traffic on Woodmont will back up from the traffic light on North Lane towards Edgemoor Lane. It will not take a backup of many vehicles to make it impossible for a driver exiting the developer's garage to merge onto*

Woodmont. This is especially true if the driver is headed over to one of the two left turn lanes which handles most of the traffic at this hour.

This backup routinely occurred during the pre-pandemic days, but there were no cars attempting to merge onto Woodmont from the west side of Woodmont Avenue at that time. The construction of the two-way bike lane, which we are in favor of, will only exacerbate the problem. Depending on the size of the vehicles on Woodmont at the time, it will take only 3-5 vehicles to block the merging of an exiting car from the building's garage.

The buildings studied that you refer to in your response do not have a garage exiting onto Woodmont. We don't believe there is a residential high-rise anywhere on Woodmont Ave which has a garage exiting onto Woodmont from the west side, without a traffic light to aid the merger. That is the problem. We don't know if there's anything MCDOT can do about it. It would be a problem for the new residents of the proposed building and I doubt the developer would inform potential buyers of the situation before they commit. However, we would like to know if you concur with our assessment of the situation.

Staff Response:

Thank you for sharing your concerns about potential spillback from the intersection of Woodmont Avenue at North Lane. We reached out to MCDPS staff reviewing the Site Plan with your comments and asked if they would like the Applicant to conduct a gap analysis for the proposed driveway on Edgemoor Lane. MCDPS confirmed that the driveway was evaluated at the time of Preliminary Plan and it was approved by MCDOT and the Planning Board. MCDPS does not wish to revisit the Preliminary Plan access point approval and therefore further study of the proposed driveway placement will not be required as part of the Site Plan review.

The proposed Site is located approximately 180 feet from the intersection of North Lane. This distance accommodates storage or queuing of appropriately 9 vehicles within a single lane. It is possible that queue lengths could extend to that distance but at this time staff does not have documentation that suggests this occurs at a frequency that would make it impossible to safely enter and exit the garage.

Furthermore, this Site is located within a block of the Metro station along a comfortable walking route. If residents of the future 4824 Edgemoor development find driving conditions unsatisfactory, there are other viable mobility options. The Planning Board has noted multiple times that multifamily residential developments should be encouraged within such a close proximity to current and planned rapid transit stations.

I have also shared your concerns with the Applicant Team which is working to prepare revised plans for staff to review.

Thank you again for sharing your observations and concerns with staff. Your emails and attachments will be included in the packet sent to the Planning Board and will be summarized in the staff report.

Sincerely,
Katie



Please note I will be out of the office Monday December 21, 2020 -Friday January 1, 2021.

Katherine (Katie) Mencarini

Planner Coordinator

Montgomery County Planning Department

2425 Reedie Drive, 13th floor, Wheaton, MD 20902

Katherine.mencarini@montgomeryplanning.org

p: 301.495.4549



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Neil Goldstein <neilsgoldstein@verizon.net>

Sent: Wednesday, December 2, 2020 3:31 PM

To: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>

Cc: rebecca.torma-kim@montgomerycountymd.gov; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; sam.farhadi@montgomerycountymd.gov; Folden, Matthew <matthew.folden@montgomeryplanning.org>; Somarajan, Deepak <deepak.somarajan@montgomerycountymd.gov>

Subject: RE: Traffic & Pedestrian Safety Issues with Site Plan# 820210040

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Ms. Mencrnni et al,

Thank you and the other staff reviewers for your reply. I apologize for not making our letter more clear. I will attempt to do that in the following:

Concern 1: The Sight Line analysis provided by the developer is from their garage exit northward up Woodmont Ave. Our concern deals with the sight line from their garage exit to the corner of Woodmont and Edgemoor. As you can see from the previously attached Figure, due to the curvature of Woodmont Avenue and how the proposed building is situated on the site, a driver exiting their garage cannot see a car in the eastbound lane of Edgemoor.

We just wanted to point out that even if the other Line of Sight measurement satisfies the minimum sight distance required, with this sight line a driver exiting their garage will have little reaction time by the time they see a vehicle turning right onto Woodmont from Edgemoor.

Concern 2: We will comment on the proposed bikeway on Edgemoor Lane when that potential project is being reviewed, as you have suggested.

Concern 3. We have no concern with the number of vehicles that would be added to Woodmont Ave traffic from this proposed building. Our concern is that not even one exiting vehicle will be able to merge safely onto Woodmont Ave during the peak AM period. Based on the numbers included in the MCDOT

2011 Traffic Study done of this intersection, and our own observations, traffic on Woodmont will back up from the traffic light on North Lane towards Edgemoor Lane. It will not take a backup of many vehicles to make it impossible for a driver exiting the developer's garage to merge onto Woodmont. This is especially true if the driver is headed over to one of the two left turn lanes which handles most of the traffic at this hour.

This backup routinely occurred during the pre-pandemic days, but there were no cars attempting to merge onto Woodmont from the west side of Woodmont Avenue at that time. The construction of the two-way bike lane, which we are in favor of, will only exacerbate the problem. Depending on the size of the vehicles on Woodmont at the time, it will take only 3-5 vehicles to block the merging of an exiting car from the building's garage.

The buildings studied that you refer to in your response do not have a garage exiting onto Woodmont. We don't believe there is a residential high-rise anywhere on Woodmont Ave which has a garage exiting onto Woodmont from the west side, without a traffic light to aid the merger.

That is the problem. We don't know if there's anything MCDOT can do about it. It would be a problem for the new residents of the proposed building and I doubt the developer would inform potential buyers of the situation before they commit.

However, we would like to know if you concur with our assessment of the situation.

Thank you and the other staff reviewers for their support.

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

From: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>

To: Neil Goldstein <neilsgoldstein@verizon.net>

Cc: Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>; Dickel, Stephanie

<Stephanie.Dickel@montgomeryplanning.org>; Farhadi, Sam

<Sam.Farhadi@montgomerycountymd.gov>; Folden, Matthew

<matthew.folden@montgomeryplanning.org>; rebecca.torma-kim@montgomerycountymd.gov

<rebecca.torma-kim@montgomerycountymd.gov>; Somarajan, Deepak

<deepak.somarajan@montgomerycountymd.gov>

Sent: Tue, Dec 1, 2020 3:10 pm

Subject: RE: Traffic & Pedestrian Safety Issues with Site Plan# 820210040

Mr. Goldstein,

Thank you for your comments and concerns on the site plan for 4824 Edgemoor Lane, currently under review. Staff reviewed the materials provided in your email sent on November 13, 2020 and will take them into consideration during the review of the site plan. In collaboration with MCDOT and MCDPS staff we offer the following responses to your concerns.

1. Board Concern 1: Line of sight from the proposed parking garage to the corner of Edgemoor Lane and Woodmont Avenue.

The sight distance of the parking garage was evaluated by MCDOT staff at the time of Preliminary Plan and was approved by the Planning Board. The Applicant demonstrated that the minimum sight distance required for an Arterial roadway with a posted speed limit of 30 mph, 325ft, could be achieved with the proposed locations of the garage and off-street loading facility. These measurements were taken from 6ft behind the curb of the proposed facility locations, in compliance with the Montgomery County sight distance evaluation requirements. It is important to note that Woodmont Avenue along the Site frontage is one-way southbound and the garage and loading facility will operate as right-out only. Given the

operations of the street and the loading facilities, and the standards for sight-distance evaluation, the previously approved Preliminary Plan, and proposed Site Plan meet all necessary requirements for sight-distance.

2. Board Concern 2: The addition of a two-way bike lane and subsequent removal of an existing vehicular travelway on Edgemoor Lane, a proposed condition that has been highlighted by Development Application #320200020.

The two-way separated bike lane shown on Edgemoor Lane is recommended by the 2018 *Bicycle Master Plan* and reflects the concept design developed by MCDOT. The bike lanes on both frontages are illustrative only. All pavement and marking plans will be evaluated by MCDOT-Traffic Engineering at the time of right-of-way permit. Staff requires Applicants to show illustrative designs for future, master-planned transportation facilities on preliminary and site plans to demonstrate that the proposed building and dedicated right-of-way can accommodate future implementation of the facility. The Applicant is not designing or building the facility but is participating via a fee-in-lieu. As a matter of procedure, Capital Improvement Projects (CIP) constructed by MCDOT, include public hearings and other opportunities for the public to comment. Approval of this Site plan will not influence the final design of the bicycle facility on either frontage. These comments are more appropriate for MCDOT when this CIP is underway.

3. Board Concern 3: Volume of traffic along Woodmont Avenue at/near the Woodmont Avenue/Edgemoor Lane intersection during peak hours. The Board's concerns include the potential for significant traffic back-up in this area and ability of local residents to safely turn on to Woodmont Avenue, back-up along Woodmont Avenue, and the ability of residents of the proposed development to merge on to Woodmont Avenue and/or walk across Woodmont Avenue during AM peak hours.

At the time of Preliminary Plan, the estimated net new trip generation for the Site and its proposed density were evaluated. In accordance with the 2017 *Local Area Transportation Review Guidelines* (LATR), the Applicant demonstrated that the proposed 77 multifamily units, when compared to the existing office use, would generate a net increase of 45 trips in the morning peak hour and 47 in the evening peak hour. The 2017 *LATR Guidelines* require transportation impact analysis for those projects that are projected to generate at least 50 peak hour person trips. This project did not meet that threshold and therefore, per the Council-approved 2016-2020 Subdivision Staging Policy and the Board approved 2017 *LATR Guidelines*, the project was required to submit a transportation exemption statement. An Adequate Public Facilities (APF) finding was made at the time of preliminary plan and was approved by the Planning Board.

Please note, transportation impact studies were conducted, evaluated, and approved for recent preliminary plans within the vicinity of the Site, along the Woodmont Avenue and Edgemoor Lane corridors. They include Edgemont at Bethesda II (2017), ZOM Bethesda (2018) and 4 Bethesda Metro Center (2019). All of these studies concluded that per the 2017 *LATR Guidelines*, capacity is available within the Woodmont Avenue and Edgemoor Lane corridors within the vicinity of the Site.

I hope this information is clear and helpful to you and the Board of Directors of the Chase at Bethesda. Please contact me if you have additional questions or would like to submit formal comments on the project to be included in the public record.

Sincerely,
Katie



Please note I will be out of the office Monday December 21, 2020 -Friday January 1, 2021.

Katherine (Katie) Mencarini

Planner Coordinator

Montgomery County Planning Department
2425 Reedie Drive, 13th floor, Wheaton, MD 20902

Katherine.mencarini@montgomeryplanning.org

p: 301.495.4549



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>

Sent: Thursday, November 19, 2020 10:11 AM

To: Neil Goldstein <neilsgoldstein@verizon.net>; rebecca.torma-kim@montgomerycountymd.gov

Cc: Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>; Dickel, Stephanie

<Stephanie.Dickel@montgomeryplanning.org>; Mencarini, Katherine

<katherine.mencarini@montgomeryplanning.org>; Farhadi, Sam

<Sam.Farhadi@montgomerycountymd.gov>

Subject: RE: Traffic & Pedestrian Safety Issues with Site Plan# 820210040

Mr. Goldstein,

Thank you for your comments. Since the response to these comments involve several different County agencies and they are directly related to the proposed redevelopment at 4824 Edgemoor Lane, I will coordinate with the other agencies to send a joint response.

Given the upcoming holiday, I anticipate having a response to you the first week of December.

I look forward to further discussions with you and your neighbors.

Regards,

Matthew Folden, AICP | Planner Coordinator

DownCounty Planning Division

301.495.4539 | matthew.folden@montgomeryplanning.org



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Neil Goldstein <neilsgoldstein@verizon.net>
Sent: Friday, November 13, 2020 10:37 AM
To: rebecca.torma-kim@montgomerycountymd.gov
Cc: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Subject: Traffic & Pedestrian Safety Issues with Site Plan# 820210040

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Rebecca Torma,
Manager Development Review Team
Office of Transportation Policy

Attached please find our comments based on a review of the proposed building at 4824 Edgemoor Lane and its effect on traffic and pedestrian safety. The review has three attachments: Attachment 1 is an image of the Line of Sight from the garage exit of the proposed building to the corner of Edgemoor Lane. Attachment 2 is the result of a Montgomery County Traffic Study of the intersection of Woodmont Avenue and Edgemoor Lane. The third Attachment is the report of a contracted engineer concurring with our concerns.

Please let us know if you have any questions.

Neil Goldstein
Acumen Building Review Committee
The Chase at Bethesda

Review of Site Plan With Respect to Traffic and Pedestrian Safety

In the Site Plan, the developer has referred to the effect of the proposed building on Woodmont Avenue traffic in two places.

In their Traffic Study they told us that they estimate 47 cars will exit their parking garage during the morning peak traffic hour.

In their Line of Sight Analysis they told us that they have a line of sight of 450' from their parking garage, looking north on Woodmont Ave.

Both of these statistics are interesting but not relevant to the negative impact the location of their parking garage would have on Woodmont Avenue traffic during the morning peak traffic time.

In fact, it will not be possible for vehicles exiting their parking garage to merge into Woodmont Avenue traffic during this time at all.

Although they have told us about the line of sight from the garage exit north up Woodmont, they have not told us that **there is no line of sight from the garage exit to the corner of Woodmont and Edgemoor (Attachment 1).**

Although they have told us that 45 cars will be exiting the garage during that time, they have not told us that **the location of the garage exit precludes any one of them from merging onto Woodmont.**

The garage exit is located 60' from the southern edge of the crosswalk at Woodmont and Edgemoor. Pre-pandemic traffic backed up further than 60' from the northern edge of the crosswalk at Woodmont and North Lane in all four traffic lanes on Woodmont. This was a result of 1600 cars entering the Woodmont/Edgemoor intersection at the peak morning hour as described in the 2011 MCDOT Traffic Study (**Attachment 2**).

We have estimated 15' for the average length of a car, 40' feet for the length of a Metro bus and 60' for the length of an articulated (flexible) Metro bus. According to Metro, 10 buses leave the Bethesda bus depot every hour during this morning period of time and make a left turn onto Woodmont from Edgemoor. There is also the Circulator bus which runs every ten minutes or so at that hour.

So, at 2011 levels of traffic, it is already not possible for vehicles leaving the garage **perpendicular** to Woodmont traffic flow to merge onto Woodmont.

But it gets even worse.

Since 2011 the population of the immediate area around this intersection has increased dramatically, resulting in increased traffic at this intersection.

But it gets even worse.

In 2011 there were four traffic lanes. The current plan will reduce that to three traffic lanes with the construction of a two-way protected bicycle lane on the western side of Woodmont, the side immediately adjacent to the proposed parking garage.

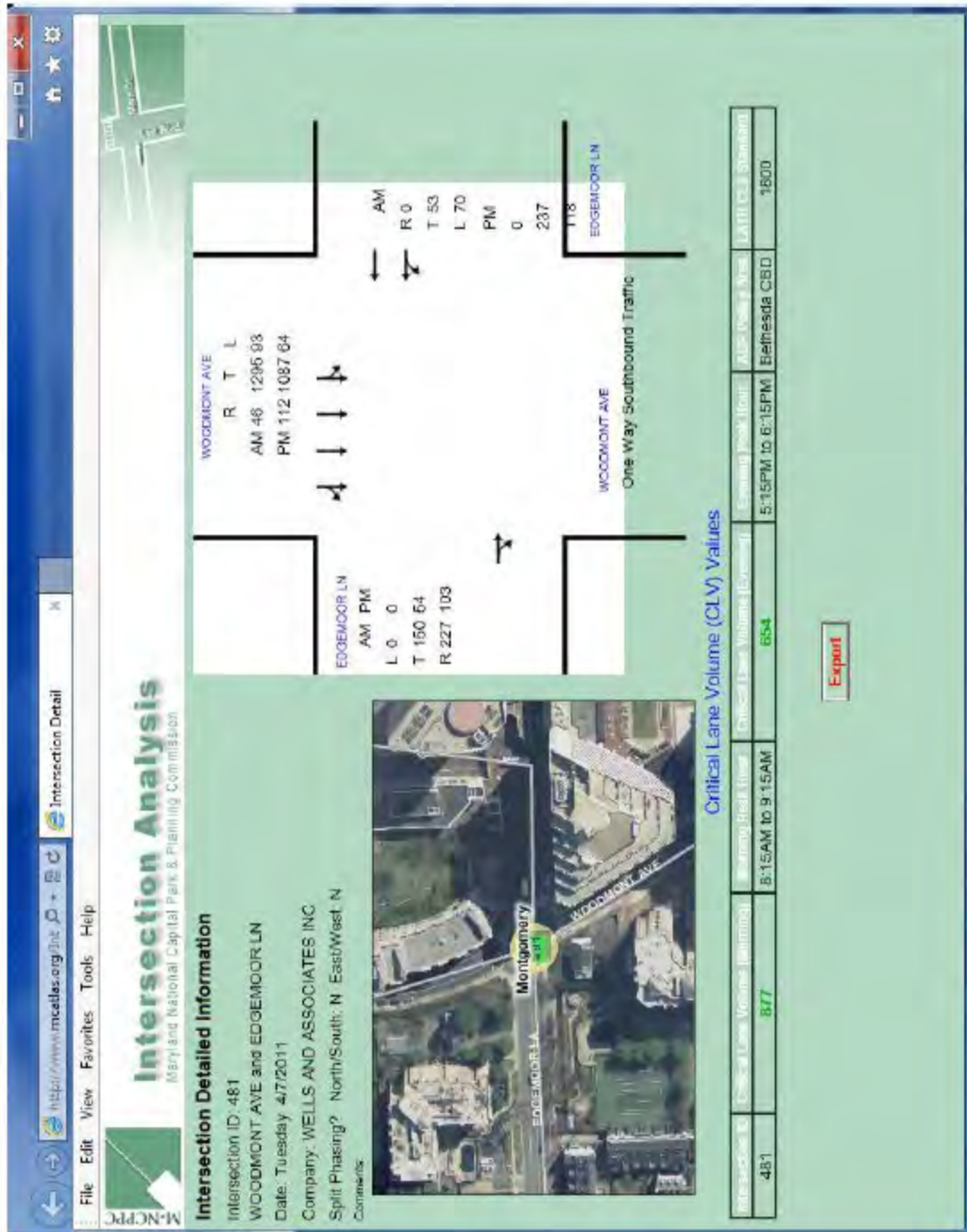
Even after the morning peak, drivers leaving the garage will have to be concerned with bicyclists leaving their bike storage room immediately adjacent to the garage; bicyclists in both directions in the right lane on Woodmont; pedestrians (including schoolchildren) walking in either direction on the Woodmont sidewalk, vehicles in the next lane coming from either Woodmont north of Edgemoor or from Edgemoor making a right or left turn onto Woodmont; and finally driving **perpendicular** to the flow of traffic, trying to merge into one of the two left lanes in order to continue eastward.

It would be an understatement to say this is not a safe situation. It is one which does not contribute to the objectives of Montgomery County's Vision Zero Plan. It does contribute, though, to an already busy intersection and jeopardizes the safety of all by creating a more dangerous intersection.

For the sake of residents in the area, as well as commuters driving into and through Downtown Bethesda, such a situation should not be allowed to occur.



Attachment 1



Attachment 2

Concerns Memorandum
related to a proposed development at
4824 Edgemoor Lane – Bethesda, MD 20814
as submitted for
Development Application #320200020

October 20, 2020

Summary

This memorandum is in response to concerns about Development Application #320200020, related to a proposed development located at 4824 Edgemoor Lane in Bethesda, Maryland. In response to this application, which was filed with the Montgomery County Planning Department (“MCPD”), representatives from the Board of Directors of the Chase at Bethesda (the “Board”) requested that O’Connell & Lawrence, Inc. (“O’C&L”) review several documents associated with this development application and provide commentary on the documentation reviewed and the suitability of the proposed design. The Chase at Bethesda is a multistory condominium building adjacent to the proposed development.

In particular, O’C&L was asked to review: 1) the Revised Traffic Impact Statement and Local Area Transportation Review (“LATR”) Exemption Letter prepared by Wells + Associates (“Wells”) 2) the Circulation Plan, the Sight Distance Evaluation, and Combined Sketch/Preliminary Plan, prepared by Macris, Hendricks & Glascock, P.A. (“MHG”), and 3) other documentation, codes, photographs, or other relevant information either publicly-available to O’C&L and/or provided by the Board. O’C&L’s review addresses concerns and comments raised by the Board.

The subject development is in the process of navigating Site Plan review process as part of Development Application #820210040, as filed with MCPD. As of the date of this letter, the Site Plan Application has not been formally accepted for review, and the plan has not been made available to O’C&L. The Site Plan Application package has not been reviewed, and O’C&L does not offer comment on that particular application.

In particular, O’C&L reviewed whether the proposed development meets suitable traffic regulations necessary for public safety and whether the proposed development warrants additional traffic study. O’C&L has also reviewed and commented on specific concerns made by the Board. Specific concerns addressed by O’C&L are as follows:

- *Line of sight from the proposed parking garage to the corner of Edgemoor Lane and Woodmont Avenue.*
- *The addition of a two-way bike lane and subsequent removal of an existing vehicular travelway on Edgemoor Lane, a proposed condition that has been highlighted by Development Application #320200020.*
- *Volume of traffic through the Woodmont Avenue/Edgemoor Lane intersection during peak hours, potential for significant traffic back-up in this area, ability of local residents to safely merge onto Woodmont Avenue and/or cross Woodmont*

Avenue, ability of residents of the proposed development to merge on to Woodmont Avenue during AM peak hours.

O’C&L’s comments are found herein. O’C&L reserves the right to modify its conclusions based on the receipt of new or additional information and/or based on the final Site Plan package as filed and accepted as part of Development Application #820210040. O’C&L focused on general concerns as observed by the Client and supplemented with information from the Revised Traffic Statement, the Circulation Plan, the Combined Sketch/Preliminary Plan, and information provided by the Client or from other sources as described herein. This concerns memorandum is not intended to provide a comprehensive review of all engineering, design, or planning matters related to this proposed development.

Background and Proposed Development Information

The existing site is located at the southwest corner of the intersection of Edgemoor Lane and Woodmont Avenue, in downtown Bethesda. Currently, the property is generally developed with a 3 – 4 story building that generally appears to be developed as a commercial office space with rear parking area. O’C&L visited the public right-of-way generally adjacent to the proposed development site on August 21, 2020 and observed signage indicating that the building was home to a law firm, but also observed “For Rent” signage posted at the front entrance to the building, off Edgemoor Lane. Per correspondence with the Board, this building remains in use.

Per record information reviewed by O’C&L, the proposed development application generally seeks planning approval for a 77-dwelling unit residential building with a Gross Floor Area of 92,000 SF. The building is proposed to be 120’ in height and sit on an existing 0.20 acre lot. A garage with car lifts is proposed below the building; in general, the lifts are proposed due to the general lack of space on the property for internal garage ramps between garage levels. O’C&L understands from the Board that the developer, as part of its Site Plan development, has modified the total number of dwelling units to 76 and increased the number of proposed parking spaces from 62 to 63.

The site zoning is CR-2.5 C-0.5 R-2.5 H-120. The subject property is located within the limits of the Bethesda Overlay Zone, and is part of the Arlington Road District and within the limits of the 2017 Bethesda Downtown Sector Plan. The Chase at Bethesda is located directly to the south and west of the proposed development. The development is bordered to the north and east by Edgemoor Lane and Woodmont Avenue, respectively.

Edgemoor Lane is currently a two-way four-lane street generally adjacent to the subject development. Woodmont Avenue is a one-way, four-lane street, with traffic only permitted to travel in a southbound direction. The intersection of Edgemoor Lane and Woodmont Avenue is controlled by a traffic signal.

Through conversation with the Client, O’C&L learned that significant changes to the lane configurations for Woodmont Avenue and Edgemoor Lane are either forthcoming or are under consideration. The westernmost southbound lane on Woodmont Avenue is approved for conversion to a two-way bike lane. Similarly, the southernmost eastbound lane on Edgemoor Lane is under consideration for conversion to a two-way bike lane. These approved/considered modifications are generally shown and considered on the development plans reviewed by O’C&L

and are a critical item potentially impacting the overall traffic conditions in the area of the subject development.

Documentation Review

The *Revised Traffic Statement* and *LATR Exemption Letter* for 4824 Edgemoor Lane were submitted by Wells to the MCPD on November 25, 2019. The Exemption Letter includes a Trip Generation table with trip generation numbers based on both the 10th Edition of the ITE Trip Generation Manual and the 2016-2020 Subdivision Staging Trip Generation Policy.

In the Exemption Letter, Wells states that the proposed use will create 53 morning peak hour person trips, and 55 evening peak hour person trips in total. Wells also states the existing development currently produces 8 morning peak hour person trips and 8 evening peak hour person trips. Thus, Wells states the proposed use will generate 45 additional morning peak hour person trips, and 47 additional evening peak hour person trips. The LATR guidelines for Montgomery County require a detailed LATR study if a proposed redevelopment project will generate more than 50 new trips than the previous use. Therefore, Wells states that an LATR study is not required for this redevelopment.

The *Circulation Plan* is dated December 11, 2019. This document, which was prepared by MHG, shows Woodmont Avenue as a one-way, three lane street heading south, with a two-way bike lane on the west side of the street. The plans propose vehicular access to Woodmont Avenue only; no access to Edgemoor Lane is provided. This document shows two proposed curb cuts on Woodmont Avenue for the proposed development. The northern curb cut is proposed to be 20' in width and generally appears to provide vehicular access to/from the proposed on-site garage for residents, staff, and visitors. The southern curb cut, which has a curb radius generally adjacent to the first curb cut's radius, is proposed to be 14' in width used for loading.

The *Sight Distance Evaluation* form prepared by MGH was submitted on December 12, 2019. The Evaluation was prepared on the typical Montgomery County Department of Public Works and Transportation and Montgomery County Department of Permitting Services sight distance evaluation form that is submitted with development projects within Montgomery County. MHG states the line of sight was 450 feet from both the loading entrance and parking entrance. The form is accompanied by an aerial exhibit showing the general line of sight analyzed and photographs from the analysis. Per the documentation provided, a sight distance of 325' is required; the measured sight distance meets this requirement. Per this documentation, MHG's only measured line of sight is along Woodmont Avenue, looking north.

The joint *Sketch/Preliminary Plan* prepared by MGH is dated December 11, 2019. This shows the proposed development layout, including proposed areas of right-of-way dedication, and includes a series of standard zoning tables and development notes for the proposed development. The plan also shows typical road cross sections in the vicinity of the proposed development, including the future lane configuration as detailed in the Circulation Plan. The Combined Sketch/Preliminary Plan was approved with conditions on April 2, 2020 and was adopted on April 16, 2020. This building, entrance locations, and future traffic lane configuration appears consistent with similar features from the Circulation Plan.

Board Concerns and O’C&L Responses

In tasking O’C&L with this review, the Board requested O’C&L review specific concerns it has in relation to this project. O’C&L was asked to independently evaluate these concerns and provide comment. The Board’s concerns, and O’C&L’s review of these concerns, are as follows:

Board Concern 1: Line of sight from the proposed parking garage to the corner of Edgemoor Lane and Woodmont Avenue.

O’C&L Response: O’C&L affirms the Board’s concern that there is not a clear line of sight from the proposed entrance to the development’s parking garage to the corner of Woodmont Avenue and Edgemoor Lane to see eastbound vehicles turning right from Edgemoor Lane onto Woodmont Avenue. The Sight Distance Analysis only evaluated the provided sight distance for vehicles traveling south along Woodmont Avenue, but did not evaluate the potential for vehicles turning from Woodmont Avenue to Edgemoor Lane. It did not address sight lines to the corners of Edgemoor Lane.

In reviewing this concern, O’C&L projected the edge of the Edgemoor Lane vehicular travelway to the east, into Woodmont Avenue, and measured from this point to the center of the new garage entrance. This distance is approximately 97’. O’C&L also measured the center of the new garage entrance to the projected edge of pavement on Edgemoor, in the location of the bike lanes. This distance is approximately 81’. These distances are not adequate under the vehicular sight distance requirements for an arterial road. Further, it is critical that suitable sight distances are provided for bicycle traffic, although those sight distances are not defined on the Sight Distance Analysis form.

O’C&L understands that the site is located in the busy Bethesda Downtown Sector and, due to a relatively high density of development, certain considerations may be required for entrances to subject properties. However, O’C&L reiterates the Board’s concern that there have been limited, if any, sight distance considerations made for vehicles and bicycles turning from eastbound Edgemoor Lane to Woodmont Avenue. Therefore, O’C&L encourages Planning Staff to consider this in reviewing this development.

Board Concern 2: The addition of a two-way bike lane and subsequent removal of an existing vehicular travelway on Edgemoor Lane, a proposed condition that has been highlighted by Development Application #320200020.

O’C&L Response: O’C&L understands the conversion of the southernmost eastbound lane on Edgemoor Lane is under consideration for conversion to a two-way bike lane. The conversion of this lane will have an immediate impact on residents

of the Chase at Bethesda, as the garage from this building exits directly on Edgemoor Lane. The new two-way bike lane will remove one of the primary lanes used by Chase at Bethesda residents for exiting their garage. In addition, the removal of this lane will eliminate a vehicular lane in an already-busy area that is anticipated to add additional trips from the subject development in the near future.

Consequently, O’C&L shares the Board’s concern regarding the elimination of this vehicular lane in this area due to the potential for unforeseen future traffic conditions in this area that are to be exacerbated by Development Application #320200020. These conditions should be evaluated in depth prior to the elimination of this lane, particularly to ensure that anticipated traffic back-ups will not block the garage at the Chase at Bethesda and/or make turning from this garage difficult and/or unsafe. Additional sight distance evaluations should be considered at this location.

This concern has the potential to impact residents at other local developments, including those living at the Villages at Bethesda, Edgemoor 1, Edgemoor 2, and the Edgemont at Bethesda, which is currently under construction.

Board Concern 3: Volume of traffic along Woodmont Avenue at/near the Woodmont Avenue/Edgemoor Lane intersection during peak hours. The Board’s concerns include the potential for significant traffic back-up in this area and ability of local residents to safely turn on to Woodmont Avenue, back-up along Woodmont Avenue, and the ability of residents of the proposed development to merge on to Woodmont Avenue and/or walk across Woodmont Avenue during AM peak hours.

O’C&L Response: The Board has expressed concern about impacts of this development on traffic through the Woodmont Avenue corridor, and particularly in the vicinity of the Woodmont Avenue/Edgemoor Lane intersection. In particular, the Board has expressed concern that the addition of peak hour trips, along with the removal of a travel lanes for the two-way bike lane along Edgemoor Lane (as discussed in Board Concern #2) and the two-way bike lane in Woodmont Avenue, will result in significant delay and back-up along Woodmont Avenue. These conditions have not been studied in depth.

O’C&L visited the site in the middle of the COVID-19 Pandemic. Traffic conditions have been drastically altered as part of the pandemic from pre-pandemic conditions. As such, O’C&L’s observations during its site visit regarding traffic back-up in this area are not reflective of pre-pandemic peak rush hour conditions.

As previously discussed, the proposed development is exempted from a complete traffic study, generally due to the net increase of peak hour trips

totaling 50 trips or less. As such, no actual study has been performed on potential traffic back-up in this vicinity based on this development and based on the proposed lane modifications.

It is O’C&L’s understanding that recent traffic studies performed in this area, including the 2017 LART for an existing development at 4885 Edgemoor Lane, did not take into account the proposed lane configuration modifications recently proposed which will reduce the amount of vehicular travelways in the vicinity. O’C&L understands this is of particular concern to the Board. The conditions that are likely to re-appear following the completion of this proposed development and in a post-pandemic state have not been studied, but are likely to have a significant impact on the residents of the proposed development and the Chase at Bethesda. The Board has expressed concerns to O’C&L about the potential for backups behind the existing traffic signals at North Lane and Edgemoor Lane at Woodmont Avenue. Traffic increases in this area will have significant impact on the Chase at Bethesda and the proposed development. Any back-ups in the intersection may impact drivers leaving the garage from the Chase at Bethesda, and back-ups along Woodmont Avenue will impact drivers leaving the proposed development’s garage. Further, any pedestrians leaving either development and heading in the general direction of MD-355 and the busy Bethesda Metro Station will have to navigate these conditions.

O’C&L agrees that additional study regarding this potential traffic condition is warranted based on these factors and is needed to determine what the true congestion requirements through this area are. The developer acknowledges future modifications to the road network in the vicinity of the development but has not reviewed the overall impacts of these modifications with this development for either vehicular or pedestrian traffic.

During its site visit on August 21, 2020, O’C&L measured the distance along Woodmont Avenue between the center of the existing crosswalk at Edgemoor Lane and the center of the existing crosswalk at North Lane at approximately 193’. The documentation reviewed by O’C&L for the proposed development is not clear regarding the location of a proposed crosswalk crossing Woodmont Avenue (just south of Edgemoor Lane), but O’C&L believes this proposed crosswalk will be closer to the existing crosswalk at North Avenue.

Average passenger car lengths vary significantly based on vehicle type, make, and model. Standard perpendicular parking spaces in Montgomery County, Maryland are required to be 18’ in length. Assuming that vehicles are able to fit within this space, and excluding the difference in vehicle spacing between parked vehicles, a total of ten (10) complete parking spaces are able to fit from centerline to centerline of the existing crosswalks. It is credible to assume that approximately 9 – 10 passenger vehicles, per lane,

are able to fit in the space between existing crosswalks before crosswalks will be blocked by stopped vehicles in the event of a back-up on Woodmont Avenue, creating a difficult condition for pedestrians in a pedestrian-heavy area of Montgomery County. Far fewer vehicles are needed to impact the ability of residents at the proposed development to turn from their garage to Woodmont Avenue. Back-ups reaching further back, to the intersection with Edgemoor Lane, could impact residents of the Chase at Bethesda attempting to reach Woodmont Avenue or MD-355.

Further, the area of development has significant truck and passenger bus traffic. Buses, trucks, and other vehicles are longer than an average passenger car, so fewer vehicles are required to cause a backup in the existing intersection. Even a single bus will result in a reduction of the number of possible cars anticipated to congest the intersection.

According to the Board, “[b]ackups of eight vehicles were observed on a regular basis, pre-pandemic.” Further, “[p]re-pandemic observations of the morning traffic at [the intersection of Woodmont Avenue and Edgemoor Lane] show backups between the crosswalks as the rule rather than the exception during morning peak hours.” These backups can potentially cause difficulty for pedestrians to cross roads and will make it more difficult for drivers along Woodmont Avenue to navigate traffic conditions. Further, because traffic back-up

O’C&L understands that the guidelines requiring an LATR review have not been met by this proposed development. However, O’C&L generally agrees with these concerns presented by the Board, and echoes the sentiments that back-ups in this area are realistic and problematic for drivers and pedestrians, and encourages further traffic study in this area based on pre-pandemic conditions *and* the proposed loss of vehicular lanes in this area.

Conclusion

Based on the information provided herein, O’C&L agrees with the Board’s concerns regarding line of sight and overall traffic conditions in the vicinity of the proposed development due to lane reconfiguration and number of trip increases. As such, O’C&L believes further traffic study is warranted for this development, despite the findings as set forth in the LATR Exemption Letter.

Very truly yours,
O’Connell & Lawrence, Inc.



Douglas G. Tilley, P.E.
Vice President of Engineering and Surveying

From: [Penny](#)
To: [Jackson, Molline](#)
Cc: [Folden, Matthew](#); [Mencarini, Katherine](#); [Dickel, Stephanie](#)
Subject: : Comments for Art Review Panel regarding proposed mural at 4824 Edgemoor Lane - Site Plan Application 820210040
Date: Thursday, December 10, 2020 3:37:30 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Ms. Jackson,

Thank you for the opportunity to express concerns on the proposal by developer, Acumen, of the high rise condominium at 4824 Edgemoor Lane in Downtown Bethesda, to install a mural on the west facade of the building. I am writing as a member of the Committee authorized by the Board of Directors of The Chase at Bethesda, the condominium adjacent to the new Edgemoor development.

First, we would like to bring to the attention of the Art Review Panel the concerns of the Chase with respect to installation and maintenance of any art mural placed on the West facade of the new Edgemoor condominium.

The developer's plan would erect the Edgemoor condo on the property line with the Chase. Therefore, a mural on the west facade would require developer to enter adjacent Chase property or encroach on Chase air rights to access the west side of its building. Assuming the developer were to install a mural without utilizing Chase property, a major concern is how would the art be maintained over the years? Inevitably, the mural would sustain wear over time and require restoration work. But that too would require access to the outside of the Edgemoor building, again involving Chase land or air rights. Accordingly, prior to approval of this installation, the developer should be required to provide to the Art Review Panel confirmation of any legal authority that it has to enter the Chase property to install and/or maintain the artwork.

Beyond that, as developer's interest in the building concludes, when all units are sold, any maintenance will be in the hands of the owners of the condo units and their Board of Directors. As the new condo owners will not see the mural, it will provide no benefit to them. It is unclear whether there are or can be placed any legally binding guarantees on the new owners and their condo board that they will budget for and properly maintain an art mural on the outside of their building. As a prerequisite to approving a mural to be installed, the developer should be required to demonstrate the manner in which the new condo unit owners and their Board of Directors will be legally bound in the future to maintain properly a mural on its west facade. Otherwise, any mural will inevitably become an eyesore in the future.

Second, adjacent to the west side of the new development is the outside recreational areas of the Chase, including a swimming pool, tennis courts and grilling/picnic areas. In other words, the area is completely open, unobstructed, to the west, and highly visible to Chase residents enjoying their outdoor amenities all spring, summer and fall. We do not consider this artwork as an enhancement for Chase residents, but rather a detraction in the use of our space, and oppose it on that grounds.. Nevertheless, should developer be permitted to proceed with this art installation, then the Art Review Panel should provide the Chase residents with a meaningful opportunity to provide input into any proposed art mural.

Thank you again for the opportunity to raise concerns about the proposed artwork mural for the above-referenced development.

Sincerely,

Penny Dash
 Committee of the Board of Directors

From: [Morgan, Benjamin](#)
To: [Folden, Matthew](#)
Cc: [Souders, Jeremy](#); [Mencarini, Katherine](#); [Dickel, Stephanie](#)
Subject: Re: Bethesda PLD Garage Utilization
Date: Wednesday, November 25, 2020 10:16:17 AM
Attachments: [image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Matt,

See the table below for Bethesda peak occupancy averages for June 2019 - March 2020. When Marriott moves into their new HQ's in Q3 2022 they will have exclusive use of Garage 11 (Woodmont Corner Garage) displacing the existing 800 or so parkers (pre-pandemic) to other facilities and instantly change the parking dynamics in Bethesda. We anticipate a portion of the G11 parkers will re-locate to G49 (Metropolitan Garage) and the Parking Study we completed in 2017 projected a public parking deficit in the area. However, given the changing work and commuting patterns - even with a successful vaccine - I don't think anybody has a handle on where parking demand will be in even the 2-year horizon. Let me know if you have questions. Thanks -

<u>Facility</u>	<u>Occupancy</u>
G11	76%
G31	74%
G35	89%
G36	59%
G40	84%
G42	60%
G47	90%
G49	62%
G57	78%

Benjamin Morgan
Senior Planning Specialist
[MCDOT - Division of Parking Management](#)
 100 Edison Park Drive, 4th Floor
 Gaithersburg, Maryland 20878
 240.777.8704 (Office)
 240.876.3217 (Mobile)

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Sent: Wednesday, November 25, 2020 8:21 AM
To: Morgan, Benjamin <Benjamin.Morgan@montgomerycountymd.gov>

Cc: Souders, Jeremy <Jeremy.Souders@montgomerycountymd.gov>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>

Subject: Bethesda PLD Garage Utilization

[EXTERNAL EMAIL]

Hi Benjamin,

When you have a moment, can you please send me the most recent (pre-COVID 19) summary of garage utilization in downtown Bethesda? I am working on a development application at the corner of Edgemoor Lane and Woodmont Avenue and have been getting some inquiries of nearby residents who would like to know if there is capacity in the garage.

Thanks,

Matt



Matthew Folden, AICP

Planner Coordinator

DownCounty Planning Division

Montgomery County Planning Department
2425 Reedy Drive, 13th Floor | Wheaton, MD 20902
matthew.folden@montgomeryplanning.org
o: 301.495.4539



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THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902



For COVID-19 Information and resources, visit:
www.montgomerycountymd.gov/COVID19

From: Folden, Matthew

Sent: Wednesday, November 25, 2020 8:22 AM

To: Penny <pennydash@verizon.net>

Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>; Jackson, Molline <Molline.Jackson@montgomeryplanning.org>

Subject: RE: 4824 Edgemoor Lane - Site Plan Application 820210040 - DRC meeting follow-up

Ms. Dash,

Thank you for your inquiry.

1. In response to your first question, regarding public input in the Art Review Panel's public process, I am forwarding your inquiry to Ms. Molline Jackson, Art Review Coordinator, and asking her to respond to you.
2. The question of the Parking Lot District (PLD) pertained to the current location of the PLD boundary. The discussion of the PLD didn't have relevance to this project except that the applicant's statement of justification incorrectly stated the site was within the PLD.

The PLD has existed in Bethesda for decades as a means of sharing parking within the downtown area and expansion of the boundary was recently endorsed by the County Council as part of the Bethesda Downtown Plan. Once expanded, the PLD would include additional properties in Bethesda, including 4824 Edgemoor due to their proximity to the Metro station. Formal expansion of the PLD will require separate action by the Council. As it related to yesterday's conversation, my comments to the applicant clarified that the subject property is not currently within the PLD limits.

3. The project is providing an acceptable number of parking spaces per the requirements set forth in the Zoning Ordinance. I have requested garage utilization rates from MCDOT for public garages in Bethesda.

Respectfully,

Matt

Matthew Folden, AICP | Planner Coordinator

DownCounty Planning Division

301.495.4539 | matthew.folden@montgomeryplanning.org



WE'VE MOVED!
THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Penny <pennydash@verizon.net>

Sent: Tuesday, November 24, 2020 10:52 AM

To: Folden, Matthew <matthew.folden@montgomeryplanning.org>

Subject: Re: 4824 Edgemoor Lane - Site Plan Application 820210040 - DRC meeting follow-up

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

After the meeting, I have a couple of questions. First, is there any avenue for members of the community to have input into the Art Review Panel's January meeting to approve the art chosen by the developer? It sounded as if Shawn wanted community input but Pat Harris swatted that notion away. So it is not obligatory for the developer to reach out, But this is will be a permanent decision affecting not just the Chase community, which has its pool, tennis courts, etc faciing that side, but to the Edgemoor and Bethesda community at large who drive and walk that portion of Edgemoor Lane on a regular basis.

Second, an issue of the parking lot district boundary was raised, and I am unfamiliar with this impact on the new development. Would you be able to explain it?

I am aware, however, that the developer has talked about visitors and residents without parking spaces in the new development will be using the county lot across the street. But this ignores the reality that the residents of the two new apartment buildings across Edgemoor Lane will similarly seek to use that same parking lot which is already heavily used (pre-pandemic and presumably post-pandemic times). How is the issue of county parking lot capacity addressed in this Planning Dept review process or is it outside the purview of any upcoming meetings or review of the development?

Penny Dash

From: [Penny](#)
To: [Folden, Matthew](#)
Cc: [Hisel-McCoy, Elza](#); [Dickel, Stephanie](#); neilsgoldstein@verizon.net; bwallach@tortigallas.com; lwandner@gmail.com; Robert.Gonzales@montgomerycountymd.gov; [Mencarini, Katherine](#)
Subject: Re: 4824 Edgemoor Lane - Site Plan Application 820210040 - DRC meeting tomorrow
Date: Tuesday, November 24, 2020 9:33:30 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Thank you for your prompt reply and clear explanation.

Penny Dash

Sent from my iPhone


On Nov 24, 2020, at 8:23 AM, Folden, Matthew
 <matthew.folden@montgomeryplanning.org> wrote:

Ms. Dash,

Thank you for your inquiry. Today's DRC meeting is the Applicant's opportunity to seek clarification of the agency comments they received during the first review. As a result, the Applicant will guide the conversation so that they may prepare the most comprehensive resubmittal. If comments or conditions from previous approvals are not satisfactorily addressed, they may result in additional comments, denial, or conditions at the time of approval.

Based on review during the first submittal, Planning Staff did not find the loading management plan sufficient and has asked for more detail.

Respectfully,

Matthew Folden, AICP | Planner Coordinator
 DownCounty Planning Division
 301.495.4539 | matthew.folden@montgomeryplanning.org
 <008.jpg>

From: Penny <pennydash@verizon.net>
Sent: Monday, November 23, 2020 3:53 PM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Cc: Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; neilsgoldstein@verizon.net; bwallach@tortigallas.com; lwandner@gmail.com; Robert.Gonzales@montgomerycountymd.gov
Subject: Re: 4824 Edgemoor Lane - Site Plan Application 820210040 - DRC meeting tomorrow

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi. Will there be a discussion at the meeting tomorrow as to the sufficiency of Acumen's "loading management plan" as required by the Staff Report dated April 2, 2020 ? See particularly page 15, under topic "Transportation", "Access and Circulation" and page 4, paragraph 9 (d) and (d). If these requirements are not going to be discussed tomorrow, when a DOT representative will be in attendance, then when would this be addressed? And by whom?

Thank you very much.
Penny Dash

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

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>
To: Penny <pennydash@verizon.net>
Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; neilsgoldstein@verizon.net <neilsgoldstein@verizon.net>; bwallach@tortigallas.com <bwallach@tortigallas.com>; lwandner@gmail.com <lwandner@gmail.com>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Gonzales, Robert <Robert.Gonzales@montgomerycountymd.gov>
Sent: Thu, Nov 12, 2020 3:56 pm
Subject: RE: 4824 Edgemoor Lane - Site Plan Application 820210040

Ms. Dash,

Thank you for your inquiry.

WMATA does not participate in the DRC meeting and has, in the past, deferred to MCDOT regarding roadway operations. The separated bicycle lanes along both Edgemoor Lane and Woodmont Avenue are being designed by MCDOT and have been shown as part of the drawings for the Subject Application for context only.

The project manager for the bicycle lanes project is Mr. Robert Gonzales. Mr. Gonzales will not be at the DRC meeting but a representative from MCDOT will be present. Please direct specific inquiries about the bicycle lane project to Mr. Gonzales at robert.gonzales@montgomerycountymd.gov.

Respectfully,

Matt

Matthew Folden, AICP | Planner Coordinator
DownCounty Planning Division
301.495.4539 | matthew.folden@montgomeryplanning.org
<image002.jpg>

From: Penny <pennydash@verizon.net>
Sent: Tuesday, November 10, 2020 10:26 PM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; neilsgoldstein@verizon.net; bwallach@tortigallas.com; lwandner@gmail.com
Subject: Re: 4824 Edgemoor Lane - Site Plan Application 820210040

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I appreciate your email alerting us to the upcoming DRC meeting. Please send me the virtual meeting link as I would like to observe. Do you know the time of the meeting on Nov 24th?

One question. Will representatives from WMATA be at the DRC meeting? It seems to me that they are a major stakeholder in this development as the Edgemoor building will be directly across from the Bethesda Bus Depot. There are buses turning in at the corner of Woodmont and Edgemoor and buses coming out onto Woodmont going south. A question has been raised as to whether the buses will be able to turn left (south) onto Woodmont once the building is built and the median is in Woodmont just off the Edgemoor corner -- to set off the bicycle lane and provide pedestrians a stopping point. Also the additional traffic arriving at that location due to the presence of a new condo building will exacerbate traffic for commuter buses running south on Woodmont and buses trying to enter the Depot from Woodmont. It does not appear that MCDOT's interests would necessarily align with WMATA. Is there a way to reach out to WMATA to get their input or is this already done as part of MCDOT's participation?

Also, we have concerns about the proposed bicycle lane on Edgemoor, shown on the site plan documents. It will reduce the eastbound traffic to one lane and our Chase garage exits onto Edgemoor, next to the new development. As we have mentioned previously, we have grave concerns about our ability to exit our garage once this building is built and the bicycle lane established as inevitably, delivery trucks and other vehicles will be stopping in front of 4824 Edgemoor's lobby-- on Edgemoor Lane. Will County representatives who are responsible for planning bicycle lanes also be at this meeting? Can you tell me which office handles this and a contact name and email?

Thank you.

Penny Dash

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

From: Folden, Matthew <matthew.folden@montgomeryplanning.org>
 To: Penny <pennydash@verizon.net>; Neil Goldstein <neilsgoldstein@verizon.net>; Bob Wallach <bwallach@tortigallas.com>; Laura Wandner <lwandner@gmail.com>
 Cc: Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>
 Sent: Mon, Nov 9, 2020 11:42 am
 Subject: 4824 Edgemoor Lane - Site Plan Application 820210040

Good Morning,

I'm following-up with you on our previous discussions regarding the development proposed at 4824 Edgemoor Lane because the Site Plan Application has been accepted for review. The project will be discussed at the Development Review Committee (DRC) Meeting on November 24th and the Applicant team is currently working with the DAP to get on their January agenda. As you may recall from the previous round of review for the Sketch and Preliminary Plan applications, members of the public are permitted to observe, but not participate in, the DRC meeting. Please let me know if you would like to observe the DRC meeting and I will forward the virtual meeting information to you.

The latest submittal materials are available on the Department's Development Applications Information Center (DAIC) website via the following link:

<https://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=820210040&projname=4824%20Edgemoor%20Lane>.

Please contact me with any questions or if you would like to discuss this application further. Please also feel free to distribute this email and my contact information to anyone else interested in the project. I look forward to further discussions with you.

Respectfully,

Matthew Folden, AICP
 Planner Coordinator
 DownCounty Planning Division

<image003.png>

Montgomery County Planning Department
2425 Reddie Drive, 13th Floor | Wheaton, MD 20902
matthew.folden@montgomeryplanning.org
o: 301.495.4539

[<image004.png>](#)

[<image005.png>](#)

[<image006.png>](#)

[<image007.png>](#)

<image002.jpg>

From: [Penny](#)
To: [Mortensen, Paul](#); [Hisel-McCoy, Elza](#); [Folden, Matthew](#)
Cc: [bwallach@tortigallas.com](#); [neilsgoldstein@verizon.net](#); [lwandner@gmail.com](#)
Subject: Confirming our Meeting of July 29, 2020 regarding 4824 Edgemoor, Bethesda
Date: Tuesday, August 4, 2020 1:52:19 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Mortensen, Mr. Hisel-McCoy and Mr. Folden,

Thank you again for meeting with me and with members of the Chase Condominium Committee, Bob Wallach and Neil Goldstein, on Wednesday, July 29, 2020. The purpose of this email is to confirm the substance of that meeting. As I stated in my opening remarks, the Chase was hopeful that the Edgemoor design would evolve in a positive way, but it has not moved in the right direction.

I noted that the meeting objectives were two-fold. We wished to bring attention to two crucial omissions of fact from the Design Advisory Panel (DAP) meeting on June 24, 2020 (at which time they made their decision to approved the design). The other objective was to talk about what comes next in the process.

I briefly reviewed the status of we have been calling the "tower separation" or building distance issue as it existed prior to the Design Advisory Panel's June 24th meeting. At previous meetings on this project, the DAP was sympathetic to the Chase concerns that building the Edgemoor Condo on the property line, at a mere 29' away from the primary building face of the Chase, was too close. In a February, meeting the DAP approved the design with the condition that the Applicant would "endeavor" to provide a step-back on the South side (facing the Chase building) with a minimum of 30' and an average of 40' to begin above the fourth floor. At the Planning Board hearing on April 16, 2020, the Applicant proposed one design, they designated "Option 2" that achieved an average separation between the buildings of 37.5'. However, at a June 11 public meeting, the Applicant showed the present design with an average building separation (above the fourth floor) of only 35.05'. I asked at the June 11th meeting to be furnished with a copy of the diagram building separation distances, as it was not contained in the public link to all other sketches and documents discussed at the meeting. I followed up with the lawyer for Applicant, Pat Harris, with approximately 5 or so emails over the next 18 days but the distance diagram was withheld from me until June 29, 2020.

After a recitation of the history, I turned to the two crucial facts that were omitted from the June 24 presentation to the DAP. First, I explained that the Applicant used an unorthodox method of calculating the tower separation or building distance that overstates the separation distances and that results in an advantage to the Applicant and a disadvantage to the Chase residents. Applicant's figure was obtained by including in its calculation areas where the face of the Chase building is recessed -- not the primary building face as discussed in DAP meetings.

I further explained that the Applicant was well aware from land use records furnished to them that the Chase's primary building face is 29' at one end and 29.2 feet at the other end for an average of 29.1' and Applicant represented in emails to us that they would use this figure. But

they did not when subsequently calculating the tower separation and presenting it to the DAP.

Their Architect, Robert Kuentzel, who spoke to the DAP on June 24 gave an inadequate explanation of how they calculated this distance without once mentioning the Chase building, the primary building face or the recesses or indentations in the primary building face, thus concealing from the DAP the Applicant's aberrational methodology. I explained that we believe the DAP intended that the calculation would be consistently from the primary building face, and DAP's determination to allow the project to move forward was based on incomplete information.

I then explained the second omission of fact. The Applicant was to "endeavor" to find a full average building separation above the fourth floor of an average of 40'. At the April 16th hearing they presented their Option 2, a design with an average separation of 37.5'. At the June 24th meeting, one of the DAP members was heard saying, "I guess this is the best they can do" with respect to their current design with a 35.05' average separation. I explained at our meeting that this was clearly not true, as known by all who attended or listened to the April 16th hearing. The fact that Applicant had endeavored and achieved a separation of 37.5' was concealed from the DAP. With the belief that an average of 35.05' "was the best" Applicant could do, the DAP approved the project. I questioned the integrity of a process whereby an Applicant can conceal relevant facts without repercussions.

After concluding my recitation of crucial facts that were omitted from the DAP hearing on June 24, I turned to seeking advice on what are the next steps, and how can the public as well as Chase residents get their voices heard in more than a perfunctory manner on this project.

We were told in no uncertain terms that because the building at issue is 118' and not 120' that the Design Guidelines allow for exceptions for tower separation.

I asked about and we discussed Exceptional Design Points.

The next steps were explained, and we were encouraged to file written comments which would then be considered by the Planning Board. Suggestions for our comments included waiting until the site plan was filed to submit written comments, identifying specific modifications we would like to see in the building, and addressing compatibility with the Chase, rather than focus on the separation condition which has already been approved by the DAP.

We were also told that Chair Anderson has complete discretion as to how to run the meetings and how and when and if public testimony would be permitted. With respect to questions about public testimony being scheduled first, we were told that there is no right for any member of the public to have an opportunity to correct anything an Applicant might say (or omit) at a hearing.

Again, I wish to thank the Planning Department staff for meeting with us and taking the time to explain the ins and outs of the process. We appreciate it.

Sincerely,

Penny Dash

From: Folden, Matthew

Sent: Wednesday, July 15, 2020 2:07 PM

To: Michele Rosenfeld <rosenfeldlaw@mail.com>; Balmer, Emily <Emily.Balmer@montgomeryplanning.org>

Cc: Hisel-McCoy, Elza <Elza.Hisel-McCoy@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Laura Wandner <lwandner@gmail.com>; bwallach@tortigallas.com; neilsgoldstein@verizon.net; Penny <pennydash@verizon.net>; RSummers@cmc-management.com; Amanda Faber <amandafarber@hotmail.com>; Balmer, Emily <Emily.Balmer@montgomeryplanning.org>; Bogdan, Grace <grace.bogdan@montgomeryplanning.org>

Subject: RE: 4824 Edgemoor Lane Site Plan

Dear Ms. Rosenfeld,

Thank you for your letter, dated July 13, 2020, requesting the DAP to reconsider their recent recommendation on the subject project.

The DAP's Rules of Procedure (https://montgomeryplanning.org/wp-content/uploads/2019/05/Design-Advisory-Panel-Rules-of-Procedure_Approved052319.pdf) do not currently have a provision for reconsideration. As a result, staff will have a discussion item with the DAP during its regularly scheduled July 22, 2020 meeting to discuss this request and determine next steps. If the Panel decides to reconsider their recommendation, staff will schedule a the subject project for discussion at a future DAP meeting.

If you or anyone else would like to participate in the DAP meeting this Wednesday, July 22nd, please coordinate with Ms. Emily Balmer at Emily.Balmer@montgomeryplanning.org.

Matt

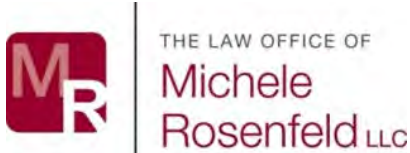
Matthew Folden, AICP | Planner Coordinator

301.495.4539 | matthew.folden@montgomeryplanning.org



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THE NEW PARK AND PLANNING HEADQUARTERS WILL BE LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902 IN AUGUST 2020.



July 13, 2020

Ms. Emily Balmer, Contact Person
Bethesda Design Advisory Panel
MNCPPC
8787 Georgia Avenue
Silver Spring MD 20910

RE: 4824 Edgemoor Lane Site Plan
Request for Additional DAP Meeting

Dear Ms. Balmer:

On behalf of my client, The Chase at Bethesda Condominium, I ask that you forward this request for an additional DAP meeting on the 4824 Edgemoor Lane Site Plan to the DAP committee members.

As the DAP Committee, Planning staff and the applicant all know, my client has been very engaged with respect to this project since the Sketch Plan phase. Unfortunately, under the current circumstances, they were not aware that the DAP Committee was taking the Site Plan for this project up for consideration on June 24. As a result, no representative of The Chase was present to discuss design issues specific to that property.

The Planning Board sent these plans back to the DAP for review, and particularly in connection with the setback from The Chase. In our view, the setback has not been properly calculated, and we think it is important for the DAP to consider this significant issue with the information that we will provide.

These are overriding considerations for the DAP Committee with respect to the upcoming Site Plan review. Given that the Board will consider the Committee recommendation during its evaluation of the Site Plan, we think that it is important that the most affected neighboring property owner provide its comments to the Committee during the course of its evaluation of the latest design.

We respectfully request that the DAP Committee add this item to its next agenda for the purpose of allowing my client to address design issues with the Committee so that it can take those into consideration, in addition to the comments already presented by the applicant and Park and Planning staff.

This additional meeting will not be prejudicial in any way to the applicant. Next month's DAP meeting will occur well before the Planning Board takes the case up for consideration



THE LAW OFFICE OF
Michele
Rosenfeld LLC

and so will not cause any delay to the applicant. In fact, as of the date of this letter, we understand that the application has not yet even been accepted for review.

Sincerely,

Michele McDaniel Rosenfeld

Cc via Emily Balmer:

Karl Du Puy, Registered Architect Representing Academia
George Dove, Registered Architect from the Greater Montgomery County Community
Damon Orobona, Member of the Development Community
Rod Henderer, Bethesda Community Member
Qiaojue Yu, Registered Landscape Architect
Paul Mortensen, Ex-officio Member, Senior Urban Designer in the Director's Office

CC: Laura Wandner
Bob Wallach
Neil Goldstein
Penny Dash
Randy Summers
Amanda Farber

From: Penny <pennydash@verizon.net>
Sent: Saturday, July 4, 2020 12:16 PM
To: paharris@lerchearly.com
Cc: Folden, Matthew <matthew.folden@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>; shawn@acumencos.com
Subject: Re: followup to June 11, 2020 public meeting on 4824 Edgemoor development

Pat,

If the architect was out the week of June 22nd, as you stated in your email, below, then I presume he was not present at the DAP "secret" meeting on June 24?

You and I, along with my cc'ing the staff of the Planning Board, had been in constant contact from June 15 through June 29 in my attempt to get the diagram from the June 11 meeting. But I learned now, that you and the developer met in secret with the DAP on June 24 where the tower separations distances were overstated, as they were before the Planning Board, and we were given no notice of this meeting (although planning board staff represented to us that we would have an opportunity to present our views).

It appears that you deliberately withheld the tower separation drawing until AFTER the secret DAP meeting. I regretfully am going to look into the Maryland code of ethics for lawyers as your conduct appears, on its face, a breach of professional conduct and ethics.

Penny Dash

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

From: Harris, Patricia A. <paharris@lerchearly.com>
To: 'Penny' <pennydash@verizon.net>
Cc: Matthew.Folden@montgomeryplanning.org <Matthew.Folden@montgomeryplanning.org>; Stephanie.Dickel@montgomeryplanning.org <Stephanie.Dickel@montgomeryplanning.org>; elza.hisel-mccoy@montgomeryplanning.org <elza.hisel-mccoy@montgomeryplanning.org>; 'Shawn Weingast' <shawn@acumencos.com>
Sent: Mon, Jun 29, 2020 10:36 am
Subject: RE: followup to June 11, 2020 public meeting on 4824 Edgemoor development

Penny,
Attached please find the attachment. I am not sure why it did not transmit previously and unfortunately, the architect was out of the office last week and was not able to re-send it until today.
Please confirm receipt. Thank you.
Pat

Patricia A. Harris, Attorney
Lerch, Early and Brewer, Chtd. rising to every challenge for 70 years
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
T 301-841-3832 | F 301-347-3756 | Main 301-986-1300
paharris@lerchearly.com | Bio

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From: Penny <pennydash@verizon.net>

Sent: Friday, June 26, 2020 10:15 AM

To: Harris, Patricia A. <paharris@lerchearly.com>

Cc: Matthew.Folden@montgomeryplanning.org; Stephanie.Dickel@montgomeryplanning.org; elza.hisel-mccoy@montgomeryplanning.org

Subject: Re: followup to June 11, 2020 public meeting on 4824 Edgemoor development

Pat,

Unfortunately, page 21, to which you referred me in your email of yesterday, is a blank page. Perhaps something is going wrong in transmission? Thus, please ask your client's architect, Robert Kuentzel, to email me directly the drawing he displayed and discussed at the June 11 public meeting showing the tower separation distances between the new design, which I am calling "Option 3" to avoid confusion, and the Chase north side. Robert must have it on his computer.

I take it from your response that the tower separation calculation methodology (referring to Bob Wallach's conversation with Robert Kuentzel regarding Options 1 and 2), remains the same for the June 11 Option 3. That is, the architect arrived at the average tower separation by measuring from the Chase building where it is indented from the primary building face, but does not account for the protrusions beyond the primary building face or for the protruding balconies. This method was done in lieu of using the primary building face, as it should be done. Your client's architect's methodology adds significantly more to the average separation for Option 3 than if calculated from the primary building face.

The Chase primary building face distance from the property line, as depicted in land survey documents provided to the Planning Board on March 31, 2020, and discussed at the DAP meetings, show the Chase building line is between 29.0' and 29.2' from the property line. Had it been properly calculated using the primary building face, the average tower separation distance would be only 33.90'.

The average tower separation distances provided for Options 1 and 2 at the April 16 Planning Board meeting were similarly overstated.

Finally, I had asked in my June 15 email for a citation to or copy of the professional architectural standard underlying your client's calculation methodology. That there is no response indicates that there is no professional standard for this approach.

I trust that before too much longer, I can be furnished with the tower separation calculation document architect Robert Kuentzel displayed and discussed during the public June 11, 2020, meeting. Thank you for your attention to this matter.

Penny Dash

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

From: Harris, Patricia A. <paharris@lerchearly.com>

To: 'Penny' <pennydash@verizon.net>

Cc: Matthew.Folden@montgomeryplanning.org <Matthew.Folden@montgomeryplanning.org>; Stephanie.Dickel@montgomeryplanning.org <Stephanie.Dickel@montgomeryplanning.org>; elza.hisel-mccoy@montgomeryplanning.org <elza.hisel-mccoy@montgomeryplanning.org>

Sent: Thu, Jun 25, 2020 6:20 pm

Subject: RE: followup to June 11, 2020 public meeting on 4824 Edgemoor development

Penny – attached please find the civic presentation. Please see sheet 21.

In regard to the methodology, I understand that our architects previously explained to Bob Wallach how the distances were calculated.

Pat

Patricia A. Harris, Attorney
Lerch, Early and Brewer, Chtd. rising to every challenge for 70 years
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
T 301-841-3832 | F 301-347-3756 | Main 301-986-1300
paharris@lercheearly.com|Bio

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From: Penny <pennydash@verizon.net>
Sent: Thursday, June 25, 2020 10:33 AM
To: Harris, Patricia A. <paharris@lercheearly.com>
Cc: Matthew.Folden@montgomeryplanning.org; Stephanie.Dickel@montgomeryplanning.org; elza.hisel-mccoy@montgomeryplanning.org
Subject: Re: followup to June 11, 2020 public meeting on 4824 Edgemoor development

Pat,

The email attachment you sent me yesterday of the requested drawing was BLANK. Something went wrong in the transmission either from the architect to you or from you to me.

I suggest that you forward to me Architect Robert Kuentzel's email so that I may obtain a copy of the tower separation drawing directly from him. This will expedite matters.

It is now two weeks from the meeting at which I requested a copy of the drawing discussed at the June 11 public meeting, but which was not included on the public website link for the drawings. The drawing has never been posted to that link.

And I am still waiting for responses to my questions posed in my original email to you about the methodology used to arrive at the separation distances depicted in the elusive drawing.

Thank you for your attention to this matter.

Penny Dash

From: [Neil Goldstein](#)
To: [Folden, Matthew](#)
Subject: Fwd: Comments on June 24 meeting
Date: Tuesday, July 7, 2020 3:10:47 PM

Hi Matthew,

Hope all is well with you.

Back in March 2020 I sent you my comments regarding the litany of misleading statements made by the developer proposing to construct a condominium at 4824 Edgemoor Lane. After the June 24 meeting between the developer and the DAP, I find that I must amend that letter with yet another set of misleading statements:

The developer stated, at that meeting, that the average separation distance between their proposed building and its immediate neighbor to the south was 35'. **They failed to describe the methodology they used to calculate that figure.**

Their calculations measured from the face of the wall, including where the wall is recessed from the predominant building face at the balconies.

Making the calculations from the predominant building face, which is what was referenced in the previous DAP meetings would have resulted in a much lower number for the average separation distance. Note that 29' of the total separation distance is property of The Chase.

Let's remember the County Guideline is 45' - 60'. The DAP had already allowed some leniency from the Guideline by recommending an average of 40' above the fourth floor,...

The developer can do better, as exemplified by the fact that a previous submission had proposed a design which had greater separation than this one. It is not true that they **can't** abide by the Guideline or the DAP recommendation, as they've stated.. It is because they **won't**. They should **not** be allowed to make that decision. That is a function of the DAP and the Planning Board.

Best regards,
Neil

From: [Hisel-McCoy, Elza](#)
To: [Laura Wandner](#); [Folden, Matthew](#)
Cc: [Rosenfeldlaw@mail.com](#); [Dickel, Stephanie](#); [Kronenberg, Robert](#)
Subject: RE: Chase Ad Hoc Committee Regarding the Edgemoor Lane Development
Date: Tuesday, July 7, 2020 4:57:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Dear Dr. Wandner,

Thank you for your email. We regret any unmet expectations or miscommunication regarding notification for the June 24 DAP meeting. As stated on the Planning Department's DAP website (<https://montgomeryplanning.org/planning/communities/area-1/bethesda-downtown-plan/bethesda-downtown-design-advisory-panel/>), we encourage public participation in the DAP process, and have indeed welcomed participation from your community during the three previous DAP sessions for the 4824 Edgemoor Lane proposal. Consistent with standard practice, the meeting agenda and presentation materials for the June 24 meeting were posted on the website in advance. We did have one member of the public sign up for another item, but none for 4824 Edgemoor Lane.

Over the previous three DAP meetings for this project – November 2019 and January and February 2020 – panel members, staff, and Chase Condominium residents repeatedly raised the issue of compatibility between the Chase and the proposed building, resulting in the condition of Sketch Plan approval to further explore ways to improve the design to that end. At the outset of the Panel's discussion was a summary of this and other issues and the DAP's discussion focused primarily on the southern façade and its associated compatibility with your building. At the conclusion of the discussion, the DAP voted unanimously to endorse the project and declined an opportunity to review the project again prior to the Planning Board's public hearing on the Site Plan. A video recording of the June 24th DAP discussion is available at the website above.

In the context of the upcoming Site Plan application for 4824 Edgemoor Lane, the final determination of compatibility lies with the Planning Board. The DAP is an essential element to the review process, but is only advisory and has provided staff their assessment of the proposal's conformance with the Design Guidelines. I strongly recommend continuing to work with Staff on the finer points of the building design, and concerns about any more technical elements once the Site Plan is accepted for review. To date, the applicant has yet to submit their Site Plan application. Matt Folden is an excellent and conscientious lead reviewer. Please provide him some times convenient for you all to meet and he will coordinate on our end.

We look forward to continued coordination with you and your neighbors on the forthcoming Site Plan application review for this project.

Sincerely,

Elza

Elza Hisel-McCoy


Chief, Area 1 Division

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 8787 Georgia Avenue, Silver Spring, MD 20910
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From: Laura Wandner <lwandner@gmail.com>

Sent: Saturday, July 4, 2020 4:26 PM

To: Folden, Matthew <matthew.folden@montgomeryplanning.org>

Cc: Rosenfeldlaw@mail.com; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>

Subject: Chase Ad Hoc Committee Regarding the Edgemoor Lane Development

Dear Mr. Folden,

Unfortunately, the Chase Ad Hoc Subcommittee formed to address the 4824 Edgemoor Lane development was not aware of the June 24th DAP meeting which included the project. We were surprised to hear from Amanda Farber that a DAP meeting occurred on June 24th. You had told Penny Dash, Neil Goldstein, and myself in separate emails that you would notify us when the next DAP meeting would be scheduled. We did not receive an email from you. Given the interest our group has shown at previous DAP meetings and at the Planning Board meeting, we are surprised that we were not notified by someone in Montgomery County Planning. As you may or may not know, we have been very recently in contact with the developer and the developer's zoning attorney, and there was no mention of the DAP meeting. We find that improper at best.

Regardless, we have reviewed the drawings presented in the DAP meeting as well as the notes. Although the "main issue" is stated as "the treatment of the south façade and the relationship with the Chase Condominium", there is virtually no comment on the tower separation in the meeting notes. The developer is currently proposing only 35.05 ft of average tower separation distance, instead of the 40 ft average separation previously conditioned at the DAP. Moreover, the developer is calculating that average distance from the ins and outs of the Chase façade, not the primary building face that was referenced in the previous DAP meetings. If the primary building face is used to calculate the separation, the average distance is slightly more than 34'.

The design as it relates to the tower separation is clearly going in the wrong direction. Option 2, before the planning board meeting on April 16th showed more tower separation (37.5") so to say that they now meet the "endeavor" requirements is faulty. Can you please provide a rationale for this change in what was a clear directive from DAP previously?

Since we were unable to address the DAP at the meeting on June 24th, **we would like to have to opportunity for a time to address the DAP virtually to respond to the latest iteration of the Edgemoor Lane** development and to counter their claims of their efforts to "endeavor" to find the

space when the Option 2 before the Planning Board had more space.

We have also been discussing concerns with the developer, his lawyer, and the architect about issues related to: a set back from the property line on the south side so as to not impact the generator on our property line and proper sheeting and shoring, making sure the new development (especially floors 1-4) do not have windows that look directly into our building, building having a Woodmont Ave address vs a Edgemoor Lane address so as to not block our parking lot, we have also been looking into a traffic study to assess some of our safety concerns, etc. However, it does not appear that these topics were scheduled to be addressed in the DAP meeting.

We look forward to having an opportunity to speak to the DAP as well as Montgomery Planning Committee. Thank you very much for your help. I hope you are enjoying your long weekend.

Best Regards,

Laura

From: Amanda Farber <amandafarber@hotmail.com>
Sent: Friday, July 3, 2020 4:45 PM
To: Wright, Gwen <gwen.wright@montgomeryplanning.org>; Anderson, Casey <Casey.Anderson@mncppc-mc.org>
Cc: Folden, Matthew <matthew.folden@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>
Subject: Re: 4824 Edgemoor Lane - Concerns with Project Approval

All -

I wanted to write to follow up with you about this project. I was pleased to hear that there has been discussion about broader solutions for delivery vehicles in this vicinity so they do not block the future bike lanes or sidewalks. Thank you.

I was hopeful the design of the project would evolve in a positive way. However, I am very discouraged that at the June 11, 2020 online community meeting, and again at the June 24, 2020 Design Advisory Panel meeting, the developer revealed that they were actually moving in the *opposite* direction from what the design guidelines recommended, what the DAP previously required, and what community asked for with regards to tower separation.

The developer is proposing only 35.05 ft of average tower separation distance, instead of the 40 ft average separation previously discussed at the DAP, and the 45-60 ft minimum which had been outlined in the guidelines for buildings over 120 ft (this building would be just 2 ft shy at 118 ft but with a penthouse rising considerably higher). In addition, there are questions about the use of creative calculations.

The current proposed tower separation is too narrow and will considerably and negatively impact the current Chase Condominium homeowners in terms of air, light, view, and privacy. The canting will do too little to reduce the impacts. It is helpful to stand in the actual location and stand on the actual Chase Condominium balconies facing north to appreciate the impacts. And there are no setbacks along Woodmont Ave or Edgemoor Lane.

Every resident who participated in the Bethesda Plan was told repeatedly that the Design Guidelines were "crucial in Downtown Bethesda due to several factors, including the scale of future development" and were needed to "control the shape of future buildings" and "because of their importance to achieving the planning goals of Downtown Bethesda, these guidelines should be met even where it may not be possible for a site to be developed to its maximum theoretical density." (page 4, Design Guidelines).

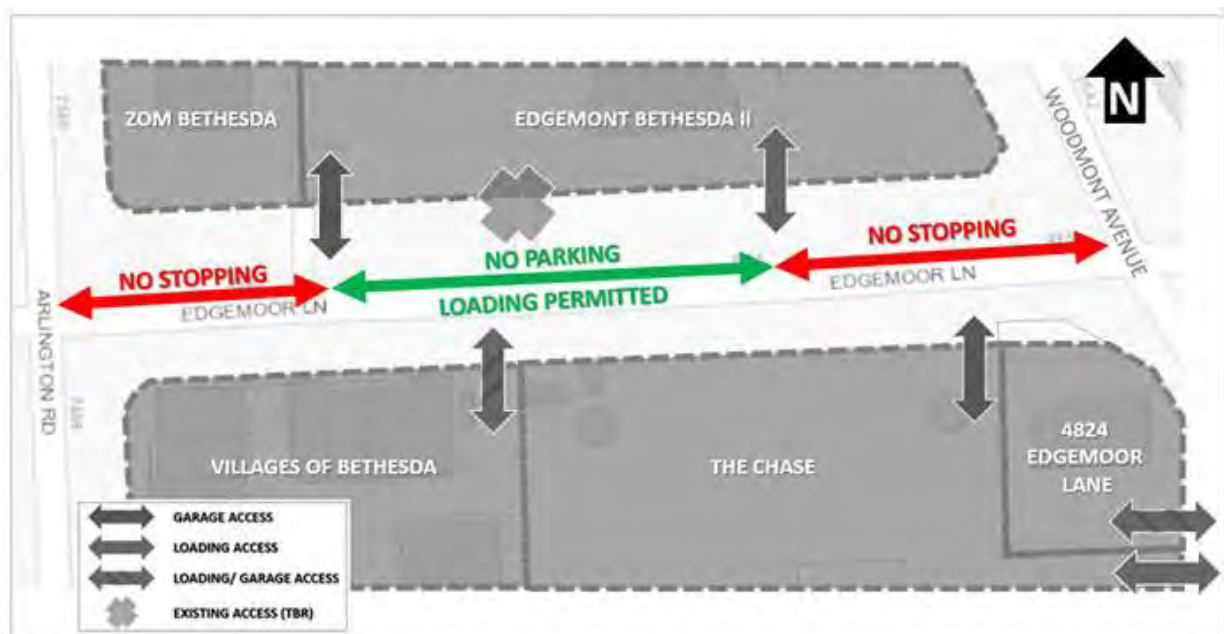
However, it really feels like for this project, density is taking priority over respectful design. And it has now unfortunately become a good example as to why there is sometimes community distrust of the development process.

From: [Folden, Matthew](#)
To: [Amanda Farber](#)
Cc: [Wright, Gwen](#); [Kronenberg, Robert](#); [Hisel-McCoy, Elza](#); [Dickel, Stephanie](#); [Mencarini, Katherine](#)
Subject: 4824 Edgemoor Lane Loading
Date: Wednesday, June 24, 2020 10:19:00 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Amanda,

This email is in response to your April 24, 2020 email regarding loading, within the Edgemoor Lane block, related to the 4824 Edgemoor Lane development application, on-going construction of the ZOM and Edgemont at Bethesda II projects, and future construction of the separated bike lanes on both Edgemoor Lane and Woodmont Avenue.

Planning staff has been coordinating with MCDOT on a potential common on-street/ off-peak loading space on Edgemoor Lane that would serve the buildings on this block and respond to new constraints placed by the separated bike lanes along the south side of the street. Based on that coordination, MCDOT determined that a common loading space within the middle of the block (on the north side) would be feasible. This loading space will be signed as "No Parking" and will maintain the Edgemoor Lane turn lanes onto both Woodmont Avenue and Arlington Road during the peak periods. Please see the image below for more detail.



Planning staff has directed the applicant to coordinate with MCDOT, as they prepare their site plan application, and expects to have more detail during the course of the site plan review.

Let me know if you have any questions.

Respectfully,

Matthew Folden, AICP
 Planner Coordinator



Montgomery County Planning Department
8787 Georgia Avenue, Silver Spring, MD 20910
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o: 301.495.4539



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From: Amanda Farber <amandafarber@hotmail.com>
Sent: Monday, May 11, 2020 5:07 PM
To: Wright, Gwen <gwen.wright@montgomeryplanning.org>; Anderson, Casey <Casey.Anderson@mncppc-mc.org>; Verma, Partap <Partap.Verma@mncppc-mc.org>; Natali Fani-Gonzalez <natalifanigonzaalez@gmail.com>; Cichy, Gerald <Gerald.Cichy@mncppc-mc.org>; Patterson, Tina <tina.patterson@mncppc-mc.org>
Cc: Jane Lyons <jane@smartergrowth.net>; jasonyang9@gmail.com; andrew.friedson@montgomerycountymd.gov; Folden, Matthew <matthew.folden@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>
Subject: Re: 4824 Edgemoor Lane - Concerns with Project Approval

Gwen and All -

Thank you so much for responding - I really appreciate it. I hope everyone is hanging in there and staying healthy.

First I actually want to apologize if my original email sounded rather harsh. I am very grateful for - and impressed by - the work of the DAP and the Planning Staff. Recently we have seen a number of really good projects approved due in large part to their efforts. And as you said we have seen other projects evolve significantly. I do hope that can be the case with this one.

Second I should clarify about the delivery solution I was suggesting. I realize there may not be additional space onsite for more than one loading bay (I do think it should be deeper if possible), but this may end up being a prime vicinity to provide an alternate solution - especially for the quick delivery vehicles (or service vehicles) for Edgemont 1, Edgemont 2, and 4824 Edgemoor which are not likely to use an actual loading bay. In DC they have set up designated on street delivery zones and just now in Bethesda (and elsewhere) they have provided specific on-street quick pick up spaces. Something similar could work on the north side of Edgemoor Lane. I raised this during the IAC and will make this suggestion to MCDOT.

For now everyone please be well and safe! And thank you again,

Amanda

From: Wright, Gwen <gwen.wright@montgomeryplanning.org>
Sent: Thursday, May 7, 2020 3:29 PM
To: Amanda Farber <amandafarber@hotmail.com>; Anderson, Casey <Casey.Anderson@mncppc-mc.org>; Verma, Partap <Partap.Verma@mncppc-mc.org>; Natali Fani-Gonzalez <natalifanigonzaalez@gmail.com>; Cichy, Gerald <Gerald.Cichy@mncppc-mc.org>; Patterson, Tina <tina.patterson@mncppc-mc.org>
Cc: Jane Lyons <jane@smartergrowth.net>; jasonyang9@gmail.com <jasonyang9@gmail.com>; andrew.friedson@montgomerycountymd.gov <andrew.friedson@montgomerycountymd.gov>; Folden, Matthew <matthew.folden@montgomeryplanning.org>; Dickel, Stephanie

<Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>

Subject: RE: 4824 Edgemoor Lane - Concerns with Project Approval

Dear Amanda,

I apologize for not responding to your email sooner. I hope you are keeping well and appreciate your taking the time to share your concerns with us regarding the 4824 Edgemoor Lane project.

First, I want to emphasize that the Bethesda Design Guidelines and the Design Advisory Panel (DAP) are critical components of the Bethesda Downtown Plan. To achieve the goals of the plan, these elements are paramount. Our staff regularly reminds applicants that they should not expect to receive the full amount of density from the Bethesda Overlay Zone pool of density that would “max out” their assigned height. The density will only be assigned if the Guidelines are met and if the DAP review is successful.

Because of this, we have had a number of projects that have positively changed and evolved as a result of the application of the Guidelines and the DAP process. I am pleased with the quality of design that has been required in Bethesda.

During Sketch Plan review for 4824 Edgemoor, staff and the DAP focused primarily on the urban design and building massing elements of the Design Guidelines. For this project, the primary concern was the building separation from the adjacent Chase Condominium. After several sessions with the DAP, panel members and staff still had significant reservations about the building setback and were only able to reach agreement for the project to move forward with explicit direction on tower separation, included in a Condition of Approval:

At the time of Site Plan submission, the Applicant must explore methods to increase the tower separation, along the south façade, to the existing Chase Condominium building. Above the base (i.e., four stories) the Applicant must endeavor to achieve a minimum separation of 30 feet and an average separation of 40 feet, consistent with the DAP’s February 26, 2020 meeting minutes.

As the applicant team moves forward to Site Plan with a more-developed design, our staff, the DAP, and neighbors and members of the public will have an opportunity to assess this critical design element. We expect the project to evolve in a positive way, as has been the case with a number of other such projects.

Regarding your concerns about access and loading, the off-street loading space required by the Zoning Ordinance may not be in the right-of-way. At Site Plan review, staff will work with the applicant, MCDOT and DPS to address loading for this site to make it as efficient, safe and workable as possible.

Please let Matt Folden, lead reviewer for this project, know if you have further comments or questions. He may be reached at matthew.folden@montgomeryplanning.org.

All the best,
Gwen



Gwen L.M. Wright


Planning Director

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From: Amanda Farber <amandafarber@hotmail.com>

Sent: Friday, April 24, 2020 1:18 PM

To: Anderson, Casey <Casey.Anderson@mncppc-mc.org>; Verma, Partap <Partap.Verma@mncppc-mc.org>; Natali Fani-Gonzalez <natalifanigonzalez@gmail.com>; Cichy, Gerald <Gerald.Cichy@mncppc-mc.org>; Patterson, Tina <tina.patterson@mncppc-mc.org>

Cc: Jane Lyons <jane@smartergrowth.net>; jasonyang9@gmail.com; andrew.friedson@montgomerycountymd.gov; Wright, Gwen <gwen.wright@montgomeryplanning.org>; Folden, Matthew <matthew.folden@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>

Subject: 4824 Edgemoor Lane - Concerns with Project Approval

To All It May Concern:

I have been closely following the development proposal for 4824 Edgemoor Lane thorough the DAP, IAC, and now Sketch Plan approval at the Planning Board on April 16th, 2020.

I am concerned with two particular aspects of this project which were not adequately addressed during the Sketch Plan approval. I am also concerned that by the time the community is presented with the Site Plan, it will be "too late" to address these issues (even though they have been raised repeatedly throughout the process.)

1) Adherence to the Design Guidelines and the minimal tower separation on the south side of the project next to the Chase Condominium.

A main premise of the Bethesda Plan is that applicants need to work with the Design Guidelines in order to obtain additional density. This property is zoned for 120 ft and is proposed to be 118 ft (just 2 feet shy of 120 ft; and with a penthouse level that is an additional 19 ft). The project is not adhering to the recommended stepbacks for a 120 ft building on either Woodmont Ave or Edgemoor Lane. There are zero stepbacks proposed on these sides at this time. That may be considered allowable due to the "constrained site."

However, much more concerning is that the project is not meeting the recommended tower separation of 45-60 ft in the Design Guidelines on the south side of the project immediately next to The Chase Condominium. The Design Guidelines are pretty clear on this being an important element of the Plan. The current DAP/Planning Staff guidance is that the developer provide "a minimum of 30 ft of tower separation and an average of 40 ft tower separation." This is less than the minimal recommended distance in the Design Guidelines, is almost entirely being provided by The Chase property, is less than the conditions on the south side of The Chase, and will have a considerable impact on the units on the north side of the The Chase Condominium.

During the hearing the applicant indicated that The Chase residents "had not had the luxury" of seeing the most recent massing options for the project. Seeing plans prior to a public hearing should not be considered a luxury - and what was presented during the hearing still did not meet the minimal conditions put forth by the DAP.

During the hearing the applicant also used an example of the 30 ft tower separation conditions allowed for the Edgemont 2 project under construction across the street. However, that is not an appropriate comparison because that is an attached rental building with 30 ft of separation between the two associated Edgemont 1 and 2 buildings. There will actually be 43.5 ft of separation between the Edgemont 2 and the Christopher Condominium to the north (the applicant did not mention this).

In addition, the images presented to the Board did not provide an accurate reflection of site conditions. The existing condition photos were from angles that did not show the proximity of the proposed building; and the large existing tree - which would be removed - blocked the fact that there are windows and balconies on the entire north side of The Chase Condominium. (I have attached a photo which better shows the current conditions).

Solution: There should be a 40 ft tower separation required for this project consistent with the conditions on the south side of The Chase Condominium and also between the Edgemont 2 and Christopher Condominium.

2) Need for a holistic design for pedestrian and bike safety in the vicinity.

There are no pull off areas planned for the Edgemont 1, Edgemont 2, or 4824 Edgemoor buildings for passenger drop-off/pick up, deliveries, and building service vehicles. The existing Edgemont 1 pull off/service vehicle parking area is being removed and is becoming the public open space for the Edgemont 2. There will be a protected bike lane along Woodmont and Edgemoor Lane. There will be no parking on Woodmont and Edgemoor Lane. Edgemoor Lane headed east will be reduced to one lane (for both vehicles turning and going straight). I guarantee this is setting up a dangerous situation where vehicles will stop in travel lanes or the protected bike lane. Enforcement is not the answer for poor design and planning - and there is no enforcement. (See attached image.)

In addition, a length of 30 ft for a delivery bay at 4824 Edgemoor Lane is not enough. Many trucks require additional space to actually load/unload so they end up sticking out and blocking the sidewalk. We have seen this problem over and over again. A delivery management plan will not work if the design is poor.

Solution: The Planning Board/County should require a clear, well-marked delivery/loading zone be established on the north side of Edgemoor Lane in what is currently a westbound travel lane.

Thank you,
Amanda Farber

Comments made by the DAP on 2/26/2020 (most recent meeting) about the 4824 Edgemoor Lane project:

"I maintain significant concerns regarding the tower separation, particularly to the south. Very few things in the Design Guidelines have been met and more effort needs to be put in to make the tower separation work."

"I don't think a site like this would need to completely meet the tower separations on all sides, but you do need it on the south side as a minimum."

"There is the spirit of the tower separation which there has been no effort to meet."