

Item 7 - Correspondence

From: [Dave Brown](#)
To: [MCP-Chair](#); Elsa.Heisel-McCoy@montgomeryplanning.org; [Dickel, Stephanie](#); [Gatling, Tsaiquan](#)
Cc: [Jad Donohoe](#); spsilber@lercheary.com; [Julian Mansfield](#); [Mezey, Michael](#)
Subject: Recommendation in Support of Plan Approvals for 5500 Wisconsin Avenue
Date: Thursday, April 6, 2023 1:58:36 PM
Attachments: [CCF_000413.pdf](#)

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Dear Chair Zyontz,

Attached please find a letter submitted on behalf of the Village of Friendship Heights in support of the Sketch Plan Amendment and Site Plan for 5500 Wisconsin Avenue, to be considered by the Board on April 13, 2023.

I intend to attend the hearing in person to further explain and answer any questions the Board may have about the Village's ancillary request made in this letter regarding implementation of your anticipated project approval.

David W. Brown
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LAW OFFICES OF

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April 6, 2023

Jeff Zyontz, Chair,
Montgomery County Planning Board
2425 Reddie Drive, 14th Floor
Wheaton, Maryland 20902

**Re: 5500 Wisconsin Avenue, Sketch Plan Amendment
No. 32022001A & Site Plan No. 820230040**

Dear Chair Zyontz and Members of the Board:

I write to express the affirmative support of my client, the Village of Friendship Heights (the "Village"), for Board approval of the Sketch Plan Amendment and the Site Plan for 5500 Wisconsin Avenue, to be reviewed by the Board on April 13, 2023 (the "Project"). By a decisive 5-1 vote in a duly noticed meeting on August 25, 2022, the Village Council voted to support the Project and a Settlement Agreement with the developer, discussed in more detail below. In particular, Councilmembers appreciated how the updated design transfers density from elsewhere in the Village to the Wisconsin Avenue corridor, and how architectural and circulation changes were made in response to Village concerns.

I take up my role here with deep personal regret, because preparing this letter was a last item of unfinished business for my former partner, Norman Knopf, counsel to the Village, when he lost his life in a tragic fall last month. The Village has retained me to complete his work, which I do so here with great humility.

While the Village's support for the Project is unequivocal and unqualified, the Village nonetheless has one modest request that it would very much hope can be fulfilled in conjunction with the Board's anticipated approval of the Plans now before the Board, which apparently face no opposition from neighboring property owners. Before detailing the particulars of the Village's request, I need to provide a brief background for it.

As the Staff Report (at 3) makes clear, the Project site is within the boundaries of the Village, which does not have jurisdiction over land use issues arising within the Village. It does, however, have the responsibility for and control over roadways within the Village. In exercising that responsibility, the Village had substantial concerns about the impact of

the Project on its streets, with particular focus on the prospect for increased street congestion that might be ameliorated with some Project design changes. Dissatisfied with how this issue was addressed in the initial Sketch Plan approval, the Village appealed the Sketch Plan to Montgomery County Circuit Court. That Court, applying traditional judicial review standards that are deferential to Board decisions, affirmed the Board's Sketch Plan approval.

Despite its earlier Circuit Court appeal, the Village wishes to reiterate to the Board, as it stated in the initial Sketch Plan review process, that it has always been in favor of the basic plan inherent in this Project, which is to revitalize and enhance that part of the Village where the Project is to be located. The Village looks forward to the Project's achievement of the many benefits to the community predicted to follow Project execution. Thus, what took place after the Circuit Court ruling was the negotiation and execution of a Settlement Agreement between the Developer and the Village on September 22, 2022 (the "Agreement"). The Agreement resolves the outstanding issues between the Developer and the Village, includes specific commitments by the Developer that will moderate concerns relating to vehicular and pedestrian circulation, and includes a commitment by the Village to support the Plans before the Board. In addition, as reported by the Applicant in its Updated Statement of Justification (at 2-5), the Agreement includes Village-Developer agreement on a number of detailed Development Restrictions. The Development Restrictions directly relate to the Village's responsibilities to maintain its streets. The Development Restrictions were negotiated and agreed to in order to supplement the Staff recommended conditions of approval, and the parties agree that they are not inconsistent with the Plans before the Board or the proposed approval conditions.

Accordingly, the request made here is that the Development Restrictions, as set forth in the Applicant's Updated Statement of Justification, be incorporated in full into the Board Resolution, with such explanatory language for that inclusion as the Board deems appropriate, such as noting that doing so would be respectful and mindful of the Village's sovereign responsibilities with regard to the streets it is obliged to maintain.

Finally, while the Village strongly urges that the Board implement this request, the Village, in keeping with its obligations under the Agreement, wishes to be very clear that its unqualified approval of the Plans before the Board is not conditioned on the Board's willingness to include the Development Restrictions in its Resolution.

Sincerely,



David W. Brown
Knopf & Brown
Counsel, Village of Friendship Heights

From: [Peter Dougherty](#)
To: [MCP-Chair](#)
Cc: [Bartley, Shawn](#); [Hedrick, James](#); [Pedoeem, Mitra](#); [Piñero, Roberto](#); [Bogdan, Grace](#); [Hisel-McCoy, Elza](#); [Dickel, Stephanie](#); [Gatling, Tsaiquan](#); [Stern, Tanya](#)
Subject: 5500 Wisconsin Project Site Plan Review / letter of support for project
Date: Tuesday, April 4, 2023 3:13:40 PM

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Dear Montgomery County Planning Board Members and Staff,

I am writing to you in support of the 5500 Wisconsin development project, which I understand you will be considering soon. I am a resident of the Village of Friendship Heights, the neighborhood for which the project is planned, and an architect with extensive urban design, commercial building, and regional sustainability experience. I am not a member of the 5500 Wisconsin project team, and comment only as an interested neighbor, parent, (with two young children in the MCPS system) and professional.

The written record on this project is extensive, and the approval process covers many specific and technical points addressed elsewhere, so my letter of support is focused only on density, housing, and some related points. In my view,

- More housing is good for economic growth and fairness in this expensive region, and every neighborhood should do its part;
- This neighborhood can handle the added density just fine;
- Given our proximity to metro and the potential climate benefits of Transit-Oriented Development (reducing car traffic & road-building emissions, sprawl/runoff, etc., as you all know very well), this project is an opportunity that we should take;
- Local traffic/parking volumes are minor problems, if that;
- Local traffic safety (road design, traffic calming, landscape, etc) is very important, in particular because we have a lot of kids and older folks in the neighborhood. The older (1970s/80s) developments in the neighborhood weren't great on these issues, but I think the attention to landscape in the 5500 project represents a turn in the right direction, and I hope it sparks a trend of more landscape- and pedestrian-oriented thinking in our neighborhood and in development generally;
- The development review process must obviously follow existing law, but any discretionary review should be aggressive with respect to the issues above (more density, more traffic safety), and skeptical with respect to aging or outdated local development guidelines. As noted above and elsewhere in the record, climate, affordability, retail, and other concerns have changed.

I submitted an earlier letter to the Planning Commission and others during the Sketch Plan process for this project, on 27 October 2021. That letter was consistent with the above but went into greater detail on some local issues. Please feel welcome to contact me with questions about either letter, or

for further respectful discussion.

Thank you for your consideration.

Sincerely,

Peter William Dougherty
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From: [Gatling, Tsaiquan](#)
To: [MCP-Chair](#)
Subject: FW: 5500 Wisconsin - 32022001A and 820230040
Date: Tuesday, April 4, 2023 9:14:39 AM
Attachments: [Greater Bethesda Chamber sent email 3-9-23.pdf](#)

Tsaiquan Gatling

Planner III, DownCounty Planning

Montgomery County Planning Department
2425 Reddie Drive, Wheaton, MD 20902
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From: Silber, Stacy P. <spsilber@lercheearly.com>
Sent: Tuesday, April 4, 2023 1:16 AM
To: Gatling, Tsaiquan <tsaiquan.gatling@montgomeryplanning.org>; Silber, Stacy P. <spsilber@lercheearly.com>
Subject: Fwd: 5500 Wisconsin

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Hi Tsaiquan. Confirming you received the attached letter from the Chamber. I didn't see in the staff packet. Could you include in the board's packet or circulate to the Board? Thanks. Stacy

Stacy P. Silber, Attorney
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GBCC Support of Sketch Plan Amendment and Site Plan Application 320220010A

1 message

Allie Williams <awilliams@greaterbethesdachamber.org> Thu, Mar 9, 2023 at 3:55 PM
To: "mcp-chair@mncppc-mc.org" <mcp-chair@mncppc-mc.org>
Cc: "Shawn.Bartley@mncppc-mc.org" <Shawn.Bartley@mncppc-mc.org>, "James.Hedrick@mncppc-mc.org" <James.Hedrick@mncppc-mc.org>, "Mitra.Pedoeem@mncppc-mc.org" <Mitra.Pedoeem@mncppc-mc.org>, "Roberto.Pinero@mncppc-mc.org" <Roberto.Pinero@mncppc-mc.org>, "grace.bogdan@montgomeryplanning.org" <grace.bogdan@montgomeryplanning.org>, "elza.hisel-mccoy@montgomeryplanning.org" <elza.hisel-mccoy@montgomeryplanning.org>, "stephanie.dickel@montgomeryplanning.org" <stephanie.dickel@montgomeryplanning.org>, "tsaiquan.gatling@montgomeryplanning.org" <tsaiquan.gatling@montgomeryplanning.org>, "tanya.stern@montgomeryplanning.org" <tanya.stern@montgomeryplanning.org>, Allie Williams <awilliams@greaterbethesdachamber.org>



Dear Chair, Zyontz,

I am writing on behalf of the more than 550 members of the Greater Bethesda Chamber of Commerce in support of Sketch Plan Amendment and Site Plan Application **320220010A**, the proposal by Donohoe Development and Carr City Centers to redevelop a portion of the 5500 block of Wisconsin Avenue in Friendship Heights.

The Greater Bethesda Chamber supports government policies that focus on creating new housing that is affordable to a variety of incomes, as well as building new housing near high-capacity transit. The application for an 18-story (maximum) apartment building just steps away from Metro is certainly consistent with those policies.

Friendship Heights offers no affordable housing to potential residents. We have an opportunity to finally make homes affordable to those who earn a good living but can't afford the high prices commanded by market-rate housing in the area. With the proposed apartment building offering 15% of its units as MPDUs, approximately 45 of those units will be affordable to a variety of potential tenants. This is a significant addition to the County's affordable housing stock and will bring with it the age and cultural diversity that will enliven the entire community and help attract new retail.

The proposed height and density of the building is most certainly appropriate for the site. It is located within one quarter mile from Friendship Heights Metro and will be attractive to potential residents that don't rely on vehicles for transportation. And the location of the building on Wisconsin Avenue places it away from the center of the Village, causing little disruption to current residents, preserving views, and casting no shadows on Humphrey Park or neighboring multifamily buildings.

From a compatibility standpoint, the proposed 18-story building is similar in height to other multi-family buildings in the area, some of which go as high as 21 stories. Additionally, we understand that the applicant re-sited the building to make it less obtrusive to the Village after receiving comments from Village officials and residents, making it even more compatible.

From a pedestrian safety standpoint, the plans include moving all loading, unloading and garbage pickup to a new Shared Street to avoid creating additional traffic and safety issues on the surrounding streets. We applaud the Applicant for making the Shared Street extremely wide to ensure that pedestrians can safely traverse on their own dedicated pathways, away from vehicle traffic.

Finally, we believe that this application is in substantial conformance with the Friendship Heights Sector Plan. The Sector Plan "seeks to encourage economic growth in Friendship Heights" and recommends "concentrating new growth in the Metro-served area while preserving the surrounding neighborhoods, in support of County policies." This is most certainly the case with this proposal.

While one building alone will not resolve all of Friendship Height's challenges, it will most certainly move the needle in a positive way. We therefore request that the Planning Board vote to approve Sketch Plan Amendment and Site Plan Application 320220010A.

Thank you for your excellent service and dedication to making Montgomery County the best it can be.

Sincerely,

Allie Williams, IOM**President & CEO****The Greater Bethesda Chamber of Commerce***BETHESDA | CABIN JOHN | CHEVY CHASE | FRIENDSHIP HEIGHTS | GARRETT PARK**GLEN ECHO | NORTH BETHESDA | POTOMAC | PIKE DISTRICT | ROCK SPRING | WESTBARD***7910 Woodmont Ave., Suite 1204, Bethesda, MD 20814**

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