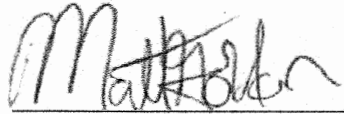


MONTGOMERY COUNTY PLANNING BOARD
AFFIDAVIT OF PRE-SUBMISSION PUBLIC MEETING

PLD Lot 25 Redevelopment

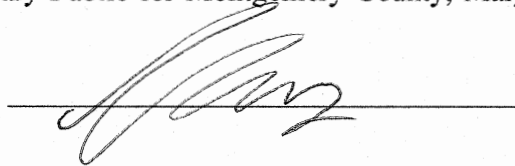
Sketch Plan Application

I HEREBY CERTIFY that on December 4, 2023 at 7:00 pm, representatives of Lot 25 Associates LLC, its consultants, and Matthew Gordon of Selzer Gurvitch, held a Pre-Submission Public Meeting in order to discuss the sketch plan application for PLD Lot 25 Redevelopment. The purpose of this meeting was to comply with Section 59.7.5.1 of the Zoning Ordinance and the Administrative Procedures for Development Review, which require a Pre-Submittal Public Meeting to be held no more than 90 days prior to initial application submittal. The meeting was held at the Bethesda-Chevy Chase Regional Services Center, in Conference Room West-A, located at 4805 Edgemoor Ln, Bethesda, MD 20814.



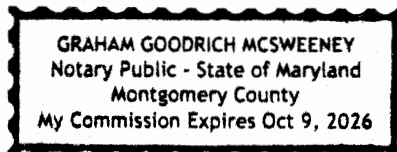
By: Matthew Gordon
Selzer Gurvitch Rabin Wertheimer & Polott, P.C., Attorney
for the Applicant, Lot 25 Associates LLC

Subscribed and sworn to before me, a Notary Public for Montgomery County, Maryland, this 29th day of December, 2023.



My Commission Expires:
10/9/26

[SEAL]





November 14, 2023

Matthew M. Gordon, Esquire
mgordon@sgrwlaw.com
Direct Dial: 301-634-3150

FIRST CLASS MAIL
NOTICE OF PRE-SUBMISSION PUBLIC MEETING

Name of Plan: PLD Lot 25 Redevelopment

Applicant: Lot 25 Associates LLC

Current Zoning: Commercial-Residential (CR-3.0, C-2.0, R-2.75, H-70), Commercial Residential Town (CRT-0.5, C-0.25, R-0.5, H-70) and Bethesda Overlay Zone (BOZ)

Number of Proposed Lots/ Area Included 2 lots totaling approximately 82,063 square feet in tract area (1 buildable lot, and 1 lot to be dedicated to Montgomery County for the Eastern Greenway Park)

Geographical Location: 4700 through 4704 Maple Avenue and 4701 through 4705 Highland Avenue and several adjoining parcels without addresses on Maple and Highland Avenue, comprising the entirety of Montgomery County Parking Lot District Lot 25 that is located to the south of Maple Avenue, to the west of Tilbury Street, to the north of Highland Avenue, and to the east of 8101 through 8125 Wisconsin Avenue, in the northern section of the Eastern Greenway District of Downtown Bethesda (the “Property”)

Proposed Application: Sketch Plan application for redevelopment of the property with approximately 230,000 square feet of multi-family residential uses (including a minimum of 15% Moderately Priced Dwelling Units, or “MPDUs”), public and private structured parking spaces, a public park integrated into the Eastern Greenway, and private amenities (the “Project”).

An informational meeting regarding the above-referenced Project has been scheduled for **Monday, December 4th at 7 PM at the Bethesda-Chevy Chase Regional Services Center, in Conference Room West-A, located at 4805 Edgemoor Ln, Bethesda, MD 20814.** A copy of the presentation will be posted by Friday, December 1, 2023 at the following website:

The Property that is the subject of the Sketch Plan consists of approximately 82,063 square feet of tract area and is comprised of several assembled lots comprising Montgomery County Parking Lot District Lot 25 that is located to the south of Maple Avenue, to the west of Tilbury Street, and to the north of Highland Avenue, and to the east of 8101 through 8125 Wisconsin Avenue, in the northern portion of the Eastern Greenway District of Downtown Bethesda. The Sketch Plan application proposes to redevelop the Property with approximately 230,000 square feet of multi-family residential uses (including a minimum of 15% MPDUs), public and private structured parking spaces, a public park integrated into the Eastern Greenway, and private amenities. The purpose of this meeting is to review the proposed Sketch Plan application, obtain feedback from the community, and answer any questions regarding the proposed Project.

If you are interested in receiving more information about the proposed Project, you may contact either Matthew Gordon (301-634-3150; mgordon@sgrwlaw.com), or Graham McSweeney (301-634-3177; gmcswweeney@sgrwlaw.com) of Selzer Gurvitch Rabin Wertheimer & Polott, P.C.. You may also contact the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) if you have general questions about M-NCPPC’s process. The Information Counter may be reached at (301) 495-4610. The Development Applications and Regulatory Coordination Division may be reached at (301) 495-4550 or www.montgomeryplanning.org/development.

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Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

4416 East West Highway • Fourth Floor • Bethesda, MD 20814-4568 Phone:
(301) 986-9600 • Fax: (301) 986-1301 • Toll Free: (888) 986-9600

Thank you in advance for your interest and attention.

Very truly yours,

Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

Matthew M. Gordon

Matthew M. Gordon

PLD Lot 25 Redevelopment**Sketch Plan Application
Pre-Submission Community Meeting
*Monday, December 4, 2023, 7:00 PM*****Bethesda-Chevy Chase Regional Services Center,
Conference Room West A, 4805 Edgemoor Ln, Bethesda, MD 20814****MEETING MINUTES****Attendees on behalf of the Applicant (Lot 25 Associates LLC):**

Ryan Kim, Monument Realty
 Russell Hines, Monument Realty
 Patrick La Vay, Macris Hendricks & Glascock, Civil Engineer/Landscape Architect
 Jeremy Sharp, Torti Gallas Partners, Architect
 Chris Kabatt, Wells + Associates, Traffic Engineer
 Matthew Gordon, Selzer Gurvitch, Land Use Counsel

Start time: 7:05 PM

End time: 8:21 PM

1) Applicant's presentation:

Matthew Gordon of Selzer Gurvitch began the meeting by welcoming everyone to this required pre-filing community meeting that relates to a Sketch Plan application for a multi-family residential project at Montgomery County PLD Lot 25, which is bounded by Maple Avenue to the north, Tilbury Street to the east, Highland Avenue to the south, and 8101 through 8125 Wisconsin Avenue to the west. The assembled Property consists of approximately 1.88 acres of tract area and is currently improved with approximately 129 public parking spaces.

The Property is split zoned Commercial-Residential (CR-3.0, C-2.0, R-2.75, H-70), Commercial Residential Town (CRT-0.5, C-0.25, R-0.5, H-70) and Bethesda Overlay Zone (BOZ), in the northern portion of the Wisconsin Avenue Corridor and Eastern Greenway Districts of Downtown Bethesda as identified in the Bethesda Downtown Sector Plan, approved and adopted in May of 2017 (the "Sector Plan").

The Applicant, Lot 25 Associates LLC, is part of a joint venture that was selected by the County through a competitive RFDP to redevelop Lot 25 and 44 (two blocks to the south along West Virginia Avenue). The redevelopment of Lot 25 will deliver several public benefits recommended by the Sector Plan, including a plus/minus ½ acre park integrated into the Eastern Greenway, replacement public parking, and deeply affordable rental units (20% of the project will be affordable)

If you have not already asked to be added as a party of record and wish to receive future notices relating to the project, please sign-up at the front of room with Graham McSweeney. We are

taking meeting minutes and will submit meeting minutes and the attendance list with the Sketch Plan application.

A sketch plan is an illustrative plan or model that shows the maximum densities for residential and non-residential development, including building massing and height, locations of public use and other spaces, and the relationship to existing and proposed buildings and properties.

Ryan Kim of Monument Realty explained Monument is one of the development partners in the Lot 25 redevelopment and the proposed project is a product of years of planning/preparation, which included the execution of a general development agreement with the County. As part of the redevelopment, the Applicant will be replacing existing surface parking with a structured parking deck from the first floor to subgrade levels. In addition, we are excited to deliver our contribution to the Eastern Greenway that is recommended in the Bethesda Downtown Plan to extend/connect across several properties. Included in the 20% MPDUs, the project will deliver 11 deeply affordable units at 50% Area Median Income (AMI).

Slides were displayed throughout the Applicant's presentation showing a Vicinity Map, Regional Aerial View, Existing Context, Wisconsin Corridor & Eastern Greenway, Landscape Concept Design, Allowable Height, Massing in Context, Setback Diagram, Building Section, Building Floor Plans, Precedents, and Schedule. Jeremy Sharp of Torti Gallas Partners explained the site serves as an important transition between the residential neighborhood on one side, and the more intense commercial development closer to Wisconsin Avenue. Lot 25 is also the anchor to the Eastern Greenway on the northern end and our includes project incorporates a half-acre public park in response to the Bethesda Downtown Plan's recommendation for this area.

Trini Rodriguez of ParkerRodriguez explained there is almost never an opportunity quite like this to contribute to a connected, activated greenway across several properties with flexible space that will serve a variety of functions. Whether it is playing a game, just sitting down with a blanket and having a picnic, or potentially planning a movie on the green – these activities are all included and encouraged as intended uses of the public park. Strong edges, defined terminus, and multi-purpose promenades will create an activated space that will emphasize the large green area and its incorporation into the Eastern Greenway. In consultation with Parks Department staff, the Applicant concluded a large green space was much needed in this area.

Mr. Sharp explained the zoning of the property, which includes a 70-foot maximum height limit as recommended for the property by the Bethesda Downtown Plan. However, where the building faces residential zoned lots across from Maple Avenue, we are required to match the height of those lots, which is 35 feet. The building will then slope back at a 45-degree angle to create a step-back effect that, in combination with other architectural features of the building, will help break down the mass of the building facing the residential lots. We oriented the building and courtyard to allow for more natural light to enter from the West end.

Summary of Lot 25 Public Benefits:

- +/- 145 Public Parking Spaces
- +/- 21,780 SF Public Park integrated into the Eastern Greenway
- Dedicated to Montgomery County & Constructed by the Applicant per the General Dev. Agreement Terms.

- 11 Deeply affordable rental Moderately Priced Dwelling Units (“MPDU’s) at 50% Area Median Income (in addition to 15% MPDU’s otherwise required at 70% AMI).

Lot 25 Project Schedule (Estimated):

- Presentation of Sketch Plan to Design Advisory Panel: November 29, 2023 [Past]
- Pre-Submission Community Meeting for Sketch Plan: December 4, 2023 [Tonight]
- Sketch Plan Filing with M-NCPPC: December 2023/January 2024
- Development Review Committee (DRC) for Sketch Plan: January/February 2024
- Planning Board Hearing for Sketch Plan: April/May 2024
- Preliminary Plan and Site Plan Filing: 3rd quarter of 2024
- Planning Board Hearing on Preliminary Plan and Site Plan: 1st quarter of 2025

An additional pre-submission community meeting will be held in connection with the Preliminary and Site Plan applications.

2) Questions/comments from the audience:

- Is there going to be any coordination to tie in the Eastern Greenway with BF Saul’s Lot 44 redevelopment?

Applicant response: Yes, although the BF Saul project is currently on hold for the time being, our development team is also designing that project as well, so there will be coordination among the projects with regards to the Eastern Greenway and overall design of the buildings.

- The County graded Highland Avenue about two years ago and we have had problems with water retention. The sewer drain has had to be replaced seven times in 22 years because it’s not satisfactory. How do you plan to deal with removal of water so the existing problem does not get worse?

Applicant response: We will adhere to all stormwater management laws/regulations and implement mitigation/treatment/retention techniques as required by the County.

- How big is the Greenway area?

Applicant response: Approximately a half-acre, or around 22,000 square feet.

- Where is the entrance for the new building?

Applicant response: Along Highland Avenue.

- So there will be 145 parking spaces in total?

Applicant response: 145 public parking spaces in addition to the number of spaces required for the residential portion of the project which will be determined as the project progresses through the development review process.

- What kind of amenities will be adjacent to the park?

Applicant response: Actual amenities will be limited to the apartment building residents, but the public park will include features that activate it, along with allowing for safety and security. The half-acre park will be dedicated, owned, and operated by the County, and will no longer be private property.

- You have the trash/loading located along Maple Avenue - will I smell it? What does that look like? Is it going to be visually appealing when walking by or not? Why does Maple Avenue have the trash/loading and vehicle parking entrance? I am concerned we will have a lot of cars coming/going on Maple Avenue.

Applicant response: Trash will be picked up approximately once or twice a week by truck. There will be a door blocking the loading/trash area from view that will not open except for when trash is being picked up or residents are moving in/out. The primary reason the trash/loading and vehicle parking entrance are located on Maple Avenue is because there are already several existing curb cuts along Highland Avenue for the BF Saul project. Highland Avenue is also a bit higher in elevation, making it harder to ramp into parking from that side. In addition, there are limitations when it comes to digging up/around rock formations that we have found to exist in certain areas of the site.

- The park in the plan shows green areas but also concrete, which is it?

Applicant response: Concrete is necessary for circulation but the intent is to maximize green area. There be a plaza-type area at the northern terminus of the park, above a large lawn with various nodes/elements such as benches and similar features.

- Can you implement anything into the design of the park to discourage high school kids and homeless people from loitering, leaving trash, smoking, etc.? It is a problem currently at Chase Avenue Park.

Applicant response: Yes, part of the project's design includes high visibility and numerous lines of sight, allowing for visual access and control.

- I am worried about driving in the area and the amount of traffic the project will create?

Applicant response: A traffic study will be performed at the time of preliminary/site plan to review any impacts and propose traffic mitigation techniques as needed. The public parking spaces that are being replaced will yield the same traffic as there currently exists for those spaces.

- Have you submitted the application yet? Is there assigned staff at the County we can contact regarding the project?

Applicant response: We haven't submitted the application yet – this is the very beginning of the process. Once the application is submitted, five or six County staff will be assigned – transportation planner, master planner, site planner, architectural

planner, etc. and their contact information will be available on the County's DAIC website. In addition, we can provide their contact information once staff is assigned to the application.

- Will the loading/trash door be closed at all times? Will you put some greenery in somewhere in front to enhance the visual look of the loading/trash area?

Applicant response: We are going to work with our landscape architect to create visually appealing frontages along Highland Avenue and Maple Avenue, but also need to comply with the County's requirements for streetscape in terms of sizes of sidewalks and accessibility.

- Will you be removing any trees or plantings?

Applicant response: We have no intention of doing so but that will be studied and determined at the time of Preliminary Plan - a "Tree Save Plan" will need to be submitted. Given the size of the proposed greenway, we don't anticipate too much disturbance to trees/plantings, however we are required to comply with the streetscape standards that, among other things, call for wider sidewalks.

- What do you mean by the terminus of the Greenway?

Applicant response: The end of the Greenway, where we will have most of the trees located at the edge to allow for the creation of a shady space.

- Assuming everything goes to plan, how long until construction starts and how long will it last? Will there be a lot of noise associated with construction?

Applicant response: If everything goes to plan, we hope to obtain building permits and begin construction by late Q4 of 2025, with an estimated construction time of 2 years. So, best case scenario, the project will be completed and open in late 2027 or early 2028. The County has regulations controlling what times construction activities can occur and the amount of noise that can be produced in order to minimize any impact of the construction on local residents.

- How many housing units are being proposed? What is the required ratio of private parking spaces to residents? Can you assure us that the building residents will not be parking on our streets?

Applicant response: The total number of units is to be determined, but we are assuming around 230 units total. Residents of the building will not be able to legally park along your streets, as a permit is required and they will not be eligible to apply. The parking ratio is still being studied but will likely fall around 0.5 space/unit, not counting the 145 public parking spaces that are being replaced.

- How do you control the noise caused by all those air conditioning units on the roof?

Applicant response: If there is any generator on the roof, the sound regulations will require a noise dampener and the AC units will also be screened from view. The sound regulations allow approximately no more than 70 decibels at the property line. The new rooftop AC units are also very quiet when compared to older units.

- Who will maintain the public park?

Applicant response: As of now, the Parks Department would maintain the public park but that is still subject to further negotiations.

- What will be the unit mix of one-bedroom, two-bedroom, etc.?

Applicant response: We are still working through those details so don't have a final answer on that yet, but the unit mix will likely include studios, one-bedroom, and two-bedroom.

- How many school-aged children are projected to be generated as a result of this project?

Applicant response: That number will be calculated at the time of the Preliminary Plan and Site Plan applications. In summary, Park and Planning uses a formula based on the number of units to calculate approximately how many elementary, middle, and high school students will be generated. As it stands today, the schools assigned to the project are not over capacity. However, if capacity becomes an issue, a fee-in-lieu is an option for the Applicant to pay, which will go to help fund school improvements while also keeping development projects moving forward.

3) Conclusion

- Mr. Gordon reminded all attendees that they should feel free to contact him via email or phone at any time with any comments, questions, or concerns they may have. Mr. Gordon thanked the attendees for their interest in the project and participating in the community meeting. The meeting concluded at 8:21 PM.

Meeting minutes taken by Graham McSweeney, paralegal at Selzer Gurvitch.