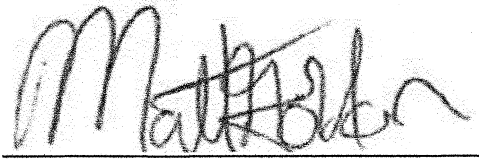


MONTGOMERY COUNTY PLANNING BOARD
AFFIDAVIT OF PRE-SUBMISSION PUBLIC MEETING

PLD Lot 44 Redevelopment

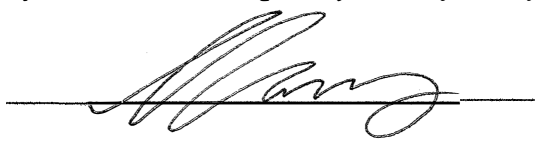
Sketch Plan Amendment and Site Plan and Preliminary Plan Applications

I HEREBY CERTIFY that on January 8, 2024 at 7:00 pm, representatives of BB 4702 Holding LLC, its consultants, and Matthew Gordon of Selzer Gurvitch, held a Pre-Submission Public Meeting in order to discuss the sketch plan amendment and site plan and preliminary plan applications for PLD Lot 44 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 meeting room in the Connie Morella Library (Bethesda), located at 7400 Arlington Road, Bethesda, MD 20814.



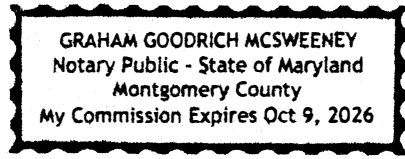
By: Matthew Gordon
Selzer Gurvitch Rabin Wertheimer & Polott, P.C., Attorney
for the Applicant, Lot 25 Associates LLC

Subscribed and sworn to before me, a Notary Public for Montgomery County, Maryland, this 9th day of January, 2024.



My Commission Expires:
10/9/26

[SEAL]





December 18, 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 44 Redevelopment
Applicant: BB 4702 Holding 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 32,375 square feet in tract area (1 buildable lot, and 1 lot to be dedicated to Montgomery County for the Eastern Greenway Public Park)
Geographical Location: Montgomery County PLD Lot 44 (Block 9, Lots 11-14 of the West Chevy Chase Heights Subdivision) and 4702 West Virginia Avenue, comprising 5 abutting record lots located on the south side of West Virginia Avenue, to the west of 4700 West Virginia Avenue and Tilbury Street, to the north of a 10' paper alley and Chase Avenue Urban Park, and to the east of a 10' public alley and 7935 Wisconsin Avenue, in the northern section of the Eastern Greenway District of the 2017 Bethesda Downtown Sector Plan (the "Property")
Proposed Application: Combined amendments to Sketch Plan No. 32019006A and Site Plan No. 820200100, and Preliminary Plan of Subdivision for redevelopment of the property with up to 120,000 square feet of multi-family residential uses (up to 68 multi-family units), up to 5,469 square feet of live/work units and/or co-working space for residents, a public park integrated into the Eastern Greenway, private structured parking spaces, and private amenities (the "Project").

An informational meeting regarding the above-referenced Project has been scheduled for **Monday, January 8th at 7 PM at the Connie Morella Library (Bethesda), at 7400 Arlington Road, Bethesda, MD 20814**. A copy of the presentation will be posted by Friday, January 5, 2024 at the following website: <https://sgrwlaw.sharefile.com/d-sf05ee76ddd5482d940a729ae10a9fe6>.

The Property that is the subject of the Sketch Plan consists of approximately 32,375 square feet of tract area and is comprised of five (5) abutting lots, including Montgomery County Parking Lot District Lot 44 and 4702 West Virginia Avenue, which are located on the south side of West Virginia Avenue, to the west of 4700 West Virginia Avenue and Tilbury Street, to the north of a 10' paper alley and Chase Avenue Urban Park, and to the east of a 10' public alley and 7935 Wisconsin Avenue, in the northern section of the Eastern Greenway District of the 2017 Bethesda Downtown Sector Plan. The Sketch Plan amendment, Site Plan amendment, and Preliminary Plan of Subdivision propose to redevelop the Property with up to 120,000 square feet of multi-family residential uses (up to 68 multi-family units), up to 5,469 square feet of live/work units and/or co-working space for residents, a public park integrated into the Eastern Greenway, private structured parking spaces, and private amenities. The purpose of this meeting is to review the combined Sketch Plan amendment, Site Plan amendment and Preliminary Plan of Subdivision, and 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; gmcsweney@sgrwlaw.com) of Selzer

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Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

4416 East West Highway • Fourth Floor • Bethesda, MD 20814-4568 Phone:
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www.selzergurvitch.com

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.

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 44 Redevelopment

**Sketch and Site Plan Amendment and Preliminary Plan Applications
Pre-Submission Community Meeting
*Monday, January 8, 2024, 7:00 PM***

**Meeting room at Connie Morella Library (Bethesda)
7400 Arlington Road, Bethesda, MD 20814**

MEETING MINUTES

Attendees on behalf of the Applicant (BB 4702 Holding LLC):

Shane Crowley, Broadbranch Partners LLC
Jason Weinstein, Broadbranch Partners LLC
Jeremy Sharp, Torti Gallas Partners, Architect
Steven Sattler, ParkerRodriguez, Landscape Architect
Patrick La Vay, Macris Hendricks & Glascock, Civil Engineer
Matthew Gordon, Selzer Gurvitch, Land Use Counsel

Start time: 7:05 PM
End time: 7:50 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 and Site Plan amendment, and Preliminary Plan of Subdivision for a multi-family residential project at Montgomery County PLD Lot 44 and 4702 West Virginia Avenue, which is bounded by West Virginia Avenue to the north, 4700 West Virginia Avenue and Tilbury Street to the east, a 10' paper alley and Chase Avenue Urban Park to the south, and to the west of a 10' public alley and 7935 Wisconsin Avenue.

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 applications.

The assembled Property consists of approximately 0.74 acres of tract area and is improved with approximately 54 public parking spaces and a single-family detached dwelling.

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").

On June 6, 2019, the Montgomery County Planning Board approved the Sketch Plan for redevelopment of 4702 West Virginia Avenue with a maximum of 20,000 square feet of multi-family residential square feet, including an allocation of up to 14,750 square feet of BOZ density.

On May 14, 2020, the Planning Board approved the Site Plan and a Sketch Plan amendment allowing for up to 21,500 square feet of multi-family residential square feet (up to 19 dwelling units), including an allocation of up to 16,250 square feet of BOZ density. No MPDUs or dedicated parkland were required as part of these previous approvals. The Applicant is proposing to amend the Sketch Plan and Site Plan to incorporate PLD Lot 44 and increase the allowable density and public benefits and amenities delivered through redevelopment.

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 public benefit points.

A site plan is a more detailed plan, required only in certain zones, that shows proposed development on a site in relation to immediately adjacent areas. It indicates roads, walks, parking areas, buildings, landscaping, open space, recreation facilities, lighting, etc.

Preliminary plans show how a property or set of properties will be subdivided or re-subdivided, based on the regulations found in Chapter 50 of the Montgomery County Code. At the time of preliminary plan, an Adequate Public Facilities finding is made to determine whether the existing transportation and school networks can handle the intensity and types of uses proposed.

The Applicant, BB 4702 Holding LLC, is part of a joint venture that was selected by the County through a competitive RFDP to redevelop Lot 44 and Lot 25 (two blocks to the north along Highland and Maple Avenues). The redevelopment of Lot 44 will deliver several public benefits recommended by the Sector Plan, including a plus/minus 7,000 square foot public park integrated into the Eastern Greenway and deeply affordable for-sale MPDUs. The Applicant is proposing up to 68 for-sale multifamily units, and up to 5,469 square feet of live/work units or co-working space for the residents.

Shane Crowley of Broadbranch Partners LLC explained the project is the culmination of years of planning and negotiations with the County via a Request for Proposal (RFP) and subsequent General Development Agreement (GDA). Since Broadbranch Partners LLC already owned 4702 West Virginia Avenue, it was the only applicant to the RFP able to include the Greenway in the project, which was a key part of the Bethesda Downtown Plan adopted in 2017. The County Executive, Marc Elrich, got involved in the GDA with regards to affordable housing, so extra time was needed to negotiate a different type of Moderately Priced Dwelling Unit (MPDU) structure than typically required. However, the GDA is executed, and we are excited to move forward with the project.

Jeremy Sharp described the site, project's design, and connectivity to the neighboring Lot 25 and 8001 Wisconsin Avenue projects that will allow the Eastern Greenway envisioned by the Bethesda Downtown plan to be realized.

Slides were displayed titled Vicinity Map, Regional Aerial View, Existing Context, Wisconsin Corridor & Eastern Greenway, Landscape Concept Design, Building Form - Eastern Greenway, Massing in Context, Setback Diagram, Illustrative Building Sections, Building Floor Plans, Precedents, and Building Views.

Steve Sattler described the landscape plans for the project, which emphasized the connectivity of the Eastern Greenway for the benefit of the neighborhood and development of public spaces. Outdoor public spaces have become increasingly important and a primary focus of public life. As the landscape architect for the Lot 25 and 8001 Wisconsin Avenue projects, we are able to create a cohesive design that is accentuated by public nodes and spaces. For this project, we found an opportunity with the townhouse units to activate the public space in front by creating a range of activities and public seating.

Jeremy Sharp added that the design process for the site was heavily influenced by the Bethesda Downtown Plan and its various recommendations, including compliance with the Bethesda Design Guidelines. Height, setbacks, and massing are several factors determined by the site’s unique location, street frontage, and proximity to a residential neighborhood. By introducing townhouse units along the Eastern Greenway, we have moved the bulk of the building’s massing away from the residential neighborhood and towards Wisconsin Avenue.

Summary of Lot 44 Public Benefits:

- +/- 7,000 SF Public Park integrated into the Eastern Greenway
- Dedicated to Montgomery County & Constructed by the Applicant per the General Dev. Agreement Terms.
- A minimum of 7 for sale MPDUs at deeply affordable sales prices (50% AMI) with discounted condominium assessments, 5 of which will be 3 bedroom units.
- If market conditions do not support a for-sale condominium project, the Applicant will provide deeply affordable rental MPDUs as part of the project.

Estimated Project Schedule:

November 29, 2023:	Concept Plan presentation to Design Advisory Panel
January 8, 2024:	Pre-Submission Community Meeting for Sketch Plan / Site Plan amendment and Preliminary Plan applications
January 16, 2024:	Development Review Committee (DRC) meeting on Concept Plan
End of January 2024:	Sketch Plan / Site Plan amendment and Preliminary Plan Filing with M-NCPPC
January/February 2024:	Sketch Plan / Site Plan presentation to Design Advisory Panel
February 2024:	Development Review Committee (DRC) for Sketch Plan / Site Plan amendment and Preliminary Plan
May/June 2024:	Planning Board Hearing on Sketch/Site Plan amendment and Preliminary Plan

2) Questions/comments from the audience:

- Will construction on this project coincide with the Lot 25 project?

Applicant response: The Lot 25 project is bigger with public parking spaces and an approximately half-acre park, so it will take longer to get approved and build. Lot 25 submitted a sketch plan only for approval first and then will proceed with preliminary plan and site plans. With this project, we estimate all approvals by May/June 2024 and

then an additional 6-8 months for record platting and permits before construction could begin. By the time this project breaks ground, Lot 25 should have all of its approvals and be not too far behind in beginning construction. However, market conditions and financing affect construction timeframes, and are not ideal at the moment, which could cause potential delays.

- I have a concern about the lack of loading bay and the impact that will have on traffic from delivery and moving vehicles standing in the street in the proposed “Loading Area” located on West Virginia Avenue?

Applicant response: We have just started studying this issue and the benefit of this project is proposed to be all for-sale units (versus rental), so move-in and move-out traffic will be much more sporadic than rental units. Delivery drivers such as UPS/FedEx already do not use loading bays and incorporate the associated traffic tickets into their cost of doing business. Also, Park and Planning staff are studying urban loading in areas like Bethesda and are finding loading bays to be more suitable for higher trailer volume uses such as grocery stores. We could incorporate a loading bay, but the concern is a loading bay creates an additional conflict with the pedestrians and the sidewalk and then if nobody's ever using the loading bay, you basically just destroyed the streetscape. So, if we can accommodate the deliveries and loading on the street, it's a better design that reflects how people behave.

- Where will the trash go?

Applicant response: The trash would be wheeled out to the West Virginia Avenue right-of-way as is the practice of almost every other building in the area. The garage truck parks along West Virginia Avenue when picking up the trash.

- Can you explain the statement on slide 3 (Vicinity Map) under Lot 44 Public Benefits that states “if market conditions do not support a for-sale condominium project, the Applicant will provide deeply affordable rental MPDU’s as part of the project”? What could cause the switch from for-sale to rental?

Applicant response: The project is being designed and built with the intention of for-sale units and we are confident there is currently a strong market for these units. As it stands today, thousands of rental units are coming to downtown Bethesda but there is little/no inventory of for-sale units. We do not anticipate this demand changing by the time of construction, however, if future market conditions dictate otherwise, we would need the flexibility to switch to all rental based on financing considerations.

- Would the loading configuration change as well if the units are switched from for-sale to rental?

Applicant response: Yes, the loading configuration would need to be changed if the units were switched to all rental.

- In front of the townhouses will there be public greenspace all the way up to the doorstep or will the townhouse owner have some landscaping as part of their property?

Applicant response: There will be a couple feet of shrubs for landscaping by the townhouse owner but the person buying the townhouse will understand beyond that will be an active and engaging park that will be used by the public.

- Will there be lighting beyond streetlights?

Applicant response: Yes, there will be adequate lighting throughout the site, especially in the park area.

- Would the only access for the townhouse owners be through the park?

Applicant response: No, the townhouse owners will also have access through the parking garage.

- Will the 7000 square foot park area be constructed with the rest of the project? How will that coincide with the proposed rehabilitation of Chase Avenue Urban Park that will connect to it?

Applicant response: The 7000 square foot area will be dedicated and constructed as part of the project. The County/Parks Dept. has already earmarked funds for the rehabilitation of Chase Avenue Urban Park, but we have no control over when that actually occurs. We will continue to encourage the Parks Dept. to coincide the rehabilitation of Chase Avenue Urban Park with the construction of this project for the benefit of the community.

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 7:50 PM.

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