

(Attachment B.)

SHULMAN
ROGERS

GANDAL
PORDY
ECKER

NANCY P. REGELIN, ESQUIRE | SHAREHOLDER
T 301.230.5224 E nregelin@shulmanrogers.com

March 26, 2012

David Weitzer, Chairmain
Agricultural Advisory Committee
Montgomery County Department of Economic Development
Agricultural Services Division
18410 Muncaster Road
Derwood, MD 20855

Re: LMA G-909 Glen Aldon Property, Battery Lane, Bethesda
Our File No. 002-052-326

Dear Mr. Weitzer:

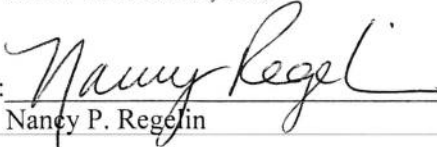
In response to the comments of the Agricultural Advisory Committee (AAC) in your letter of January 17, 2012 submitted on behalf of the AAC, the Applicant has revised its G-909 Local Map Amendment Application to incorporate the provision of TDRs. As you will note from the enclosed revisions, the siting, footprints, heights and massing of the three proposed buildings have not changed upon the revision. In addition, the Development Plan has been separated into individual Development Plans, one for the PD-100 application for up to 692 dwelling units and one for the alternative PD-88 application for up to 644 dwelling units.

The Applicant has carefully evaluated its Application and has made adjustments for the provision of TDRs under both the PD-100 or PD-88 alternatives. The PD-88 Development Plan provides TDRs in lieu of additional affordable housing, and the PD-100 Development Plan provides TDRs as well as a proffered component of additional affordable housing units. The Applicant believes that both are important, albeit competing, public policy objectives in this County and, specifically in the Bethesda CBD.

We would appreciate your support, on behalf of the Agricultural Advisory Committee, for both Development Plans and a stated preference for the PD-100 Development Plan. Please feel free to contact us if you have any questions.

Thank you in advance for your support.

Sincerely,
SHULMAN, ROGERS, GANDAL,
PORDY & ECKER, P.A.

By: 
Nancy P. Regelin

Enclosure

cc : Jeremy Criss MCDED
Anthony Falcone, Aldon Management
Larry N. Gandal, Esquire
Doug Wrenn, Rodgers Consulting

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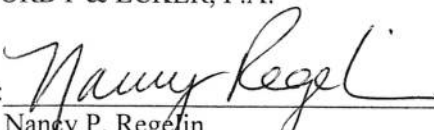
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We would appreciate your support, on behalf of the Agricultural Advisory Committee, for both Development Plans and a stated preference for the PD-100 Development Plan. Please feel free to contact us if you have any questions.

Thank you in advance for your support.

Sincerely,
SHULMAN, ROGERS, GANDAL,
PORDY & ECKER, P.A.

By: 
Nancy P. Regelin

Enclosure

cc: Jeremy Criss MCDED
Anthony Falcone, Aldon Management
Larry N. Gandal, Esquire
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TRANSMITTAL MEMO

To: Department of Housing and Community Affairs
✓ Agricultural Advisory Committee
Montgomery County Fire and Rescue Service
Montgomery County Department of Transportation
Montgomery County Public Schools
Department of Permitting Services, Water Resources/SWM Division

From: Nancy Regelin, Esq. *NPR*

CC: Anthony Falcone, Aldon Management
Jennifer Russel, Rodgers Consulting, Inc.

Date: March 26, 2012

Re: Glenwood Glen Aldon, LLC, Local Map Amendment G-909

Enclosed please find for your reference a copy of the limited revisions in the submitted Development Plan application for Local Map Amendment G-909 on behalf of Glenwood Glen Aldon, LLC (*i.e.*, Glen Aldon Property Battery Lane).

These revisions have been submitted to Planning Staff and do not contain any changes to the Development Plan's proposed siting, layout, building heights, massing, right-of-way, and dedications. Rather, the revisions address the following limited items:

- 1) The Hearing Examiner's request that the Development Plan D-4 exhibit be divided into two alternative Development Plan exhibits: one for PD-100, for up to 692 units and an alternative plan for PD-88, for up to 644 units.
- 2) A change to the proposed binding elements to balance the provision of TDRs and affordable housing within the project.

Please contact us if you have any questions.

Enclosure

(Attachment B.)

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NANCY P. REGELIN, ESQUIRE | SHAREHOLDER
T 301.230.5224 E nregelin@shulmanrogers.com

March 19, 2012

By hand delivery

Mr. Robert Kronenberg
Development Review Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Glenwood Glen Aldon, LLC, Local Map Amendment G-909
Revisions to Development Plan application

Dear Robert:

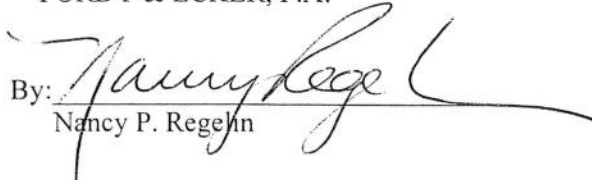
Enclosed please find five (5) sets of the following *revised* items which reflect last week's discussions with Planning Staff in respect to G-909, Local Map Amendment Application of Glenwood Glen Aldon, LLC:

- Statement of Applicant
- Land use and Engineering Report
- Development Plan for PD-100 (D4a)
- Development Plan for PD-88 (D4b)

Both paper and electronic versions are provided for Planning Staff's use. Please let us know if you have any questions.

Very truly yours,

SHULMAN, ROGERS, GANDAL,
PORDY & ECKER, P.A.

By: 
Nancy P. Regelin

Enclosure

cc: Larry Gandal, Esq.
Anthony Falcone, Aldon Management
Office of Zoning and Administrative Hearings
Department of Housing and Community Affairs
Department of Permitting Services, Stormwater Management Division
Montgomery County Fire/Rescue
Montgomery County Department of Transportation
Montgomery County Public Schools
✓Agricultural Advisory Committee

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(Attachment B.)

Criss, Jeremy

From: Criss, Jeremy
Sent: Monday, January 23, 2012 4:33 PM
To: 'MCP-Chair@mncppc-mc.org'
Cc: 'David Weitzer'; 'Jim Humphrey'; Zawitoski, John
Subject: TDR Receiving Area in Bethesda-Map Amendment G-909

Hello Madam Chair,

On behalf of the Montgomery County Agricultural Advisory Committee-AAC please accept the attached letter as our recommendations surrounding the above referenced subject.

The AAC discussed this issue at our meeting last Tuesday and we recommended against this Map Amendment G-909 because it will eliminate Transferable Development Right receiving capacity.

Please let us know if you have any questions.

Thanks Jeremy

Jeremy V. Criss
Agricultural Services Manager
Department of Economic Development
Agricultural Services Division
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830
301-590-2839 (Fax)
jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agsservices>

1/23/2012

(Attachment B.)



AGRICULTURAL ADVISORY COMMITTEE

January 17, 2012

Francoise Carrier, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland
20910

Dear Madam Chair:

RE: Limited Map Amendment G-909

On behalf of the Montgomery County Agricultural Advisory Committee, AAC please accept this letter as our recommendations surrounding the Limited Map Amendment G-909 that is located at 4858, 4890, 4900 Battery Lane in Bethesda referred to as Site 2 & 3 all of which are designated Transferable Receiving Area Zones.

It is our understanding the County approved the 1994 Bethesda CBD Sector Plan that changed the zoning for Sites 2&3 to R-10/TDR zone with a recommended density of 100 dwelling units to the acre. The AAC is concerned regarding the request for rezoning that will remove the TDR receiving designation. The TDR program was created to provide opportunities to landowners in the Rural Density Transfer zone to sell their TDRs to developers that would use them in TDR receiving zones like these properties in Bethesda. The removal of the TDR receiving zones represents a reduction in equity opportunities for RDT landowners.

Even though the TDR program has now been in place for over 30 years, we continue to need additional TDR receiving capacity for the remaining TDRs in the RDT zone. The removals of these properties in Bethesda will further exacerbate the existing imbalance of TDRs.

The AAC encourages the Planning Board to not support this rezoning request in Bethesda that will remove the TDR receiving component.

Thank you for considering the views of the Montgomery County Agricultural Advisory Committee.

Sincerely,

David Weitzer, Chairman