

THE WHITE FLINT PARTNERSHIP

June 7, 2010

Mr. John Carter
Ms. Piera Weiss
Mr. Luis Estrada
The Maryland-National Capital Park
& Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear John, Piera, and Luis:

Following up on our meeting on May 25th, members of the White Flint Partnership have taken the opportunity to review the draft White Flint Urban Design Guidelines and have some suggested changes and comments, as detailed further below. In general, we agree with the overall direction of the guidelines, which appear to be very comprehensive. However, we believe that certain modifications would help to clarify the intent of the guidelines, and to accommodate the diversity of site conditions, market factors, building efficiencies, and construction costs.

One of the Partnership's overarching concerns is that the current draft of the guidelines frequently refers to standards that appear to be mandatory. Since the Guidelines are intended to supplement the White Flint Sector Plan and the CR zone Incentive Density guidelines, we believe that the current draft should be modified to clearly convey that the design guidelines are *recommended* standards rather than *mandatory* ones. In effect, we suggest replacing references to "must" and "shall" with "should." The Planning Board agreed that there should not be hard and fast requirements in the guidelines.

Our specific comments are noted below. For ease of understanding, we have itemized the comments on a page-by-page basis:

1. **Page 10 – Guidelines for Streets**

- In the first paragraph, after the highlighted excerpt from the Sector Plan, add "*Except as provided in the sector plan, any deviation from the road code standards will require a waiver.*" This change will address changes that have already been agreed to for Woodglen Drive, as well as for private streets. The discussion should clarify that private streets are permitted, so long as they adhere to the private road standards previously agreed upon with the County.
- With respect to the underground utilities, add a provision that the utilities can be under the street, as well as under the sidewalk, or in the space between the sidewalk and curb.

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- The Guidelines should show the 162' design section for Rockville Pike that includes the BRT in addition to the 152' design section currently provided.

2. Page 13- Parking

- Change the 2nd bullet to read “Buildings above structured parking should make the facades of the garage and building compatible, in order to enhance the overall architectural quality of the building. The current language says that there should be no distinction between the facades of the garage and the building, which we believe is too restrictive.

3. Page 14 – Guidelines for Open Space

- Public use spaces should be described as “desired” spots. Under the list of public use space elements, clarify that there is flexibility to choose from the design elements that are listed as well as other design elements that could be beneficially incorporated into public use spaces. For example, while water elements are included in the list, it should not be interpreted that all public use spaces must have water elements. Water elements should be included where appropriate, practical, and where it furthers the design of the public use space. The same concern holds true for other design elements that are specified here.

4. Page 15 – Guidelines for Open Space (cont'd)

- Neighborhood Open Space- Bullets #1 and #4 are not design features, per se. Bullet #2 may apply to larger properties, but not to smaller ones. Given the variation of parcel sizes, and thus, the disparate impact of providing a specified amount of open space, we recommend deleting the reference to ½ acre and replacing it with the term “meaningful” open space.

5. Page 18- Guidelines for Buildings

- Clarify podium height of two to five stories versus three to five stories. Both are stated in different places on this page. In the same vein, the discussion of podium height needs to reflect an understanding that certain uses might have higher ceiling heights and, therefore, the statement that the “minimum should be three to five floors of active uses” might not be accurate or feasible. Should the guidelines require that every single building require a podium? To the extent that podiums are required, the guidelines need to make certain that the standards are not overly prescriptive.
- In the Stepback or Podium setback paragraph, add “*Subject to the CR Incentive Density Guidelines*, this distance should generally be 10' to 15.’ This modification should help minimize confusion, since the incentive guidelines call for 6-12' setbacks.

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- Second box on the right says that “maximum height equals 143.” We are not sure what that is referring to, since heights can go up to 300’ in the zone.

6. Page 19- Guidelines for Buildings (cont’d)

- The reference to mixed use buildings in #2 of 3-5 stories should be modified. The height could be six stories using Type III construction on top of retail.

7. Page 20 – Guidelines for Buildings (cont’d)

- MNCPPC should define a story as approximately 10’-12’ in height. Most retail is already two stories tall at 20,’ so, at 10’, 3 to 5 stories is effectively 30’ to 60’. If a property owner were to construct a double height retail base at 40’, this should not only be considered 2 stories.
- Page 20-(#2)-On retail priority streets, there should be the flexibility to have breaks in the frontage. The current language prohibits such breaks.

8. Page 21 – Guidelines for Buildings (cont’d)

- Box 4- In the discussion regarding tower separation, it should be made clear that 100% of the tower does not need to be set back.
- Box 5 – At the end of the current sentence, add the phrase “...or where the depth of the parcel does not allow for the tower to be perpendicular to the street and achieve a market floorplate size for the building.”

9. Page 24 – Design Excellence

- We are concerned about the ambiguity of guidelines that recommend using “contemporary building materials” or “creating walls with higher percentage of glass.” Many residential buildings have punched window openings that may not meet this standard. We also recommend deleting the sentences “Architectural design quality must improve beyond what has been built recently in the County, particularly in the residential sector,” and, in the last paragraph on Page 24, “Owners must consider these goals when potential tenants are courted.”

10. Page 27-43- Districts

- Update the maps of the various neighborhoods to reflect the most current zoning.

11. Page 32 - Midpike Plaza District

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- The plan should be updated to match latest iteration of design concepts, including the locations of retail uses.

Please let us know should you have any questions about our comments and suggested changes, or if you would like to meet again to review them together in greater detail. As noted earlier, MNCPPC's guidelines, as originally drafted, are a good starting point for discussion. However, we want to ensure that the guidelines can be realistically achieved.

Best Regards,

The White Flint Partnership

Federal Realty Investment Trust

Gables Residential

Lerner Enterprises

The Holladay Corporation

The JBG Companies

The Tower Companies