Dear Planning Board and Staff,

Over the summer, we submitted several sets of comments regarding the Kensington Regency proposal for development of Westwood II in Bethesda (Site Plan 820200200 and the associated Preliminary Plan amendment), and do not want to be too repetitive. We thought it might be worthwhile to highlight the major outstanding issues as we see them, incorporating a few new concerns that have come to our attention.

Willett Branch Greenway

As you know from our past comments, we are still unhappy with the plans for the greenway. While we recognize the reasons for delay in its construction, the community still expects a park environment on the Westwood II site once the Kensington building is constructed. We ask that Kensington not only provide the structures and regrading requested by the Parks department (whose comments we support), but that it will also provide plantings that can make the area attractive until the greenway construction takes place – which could be 10-20 years! We feel strongly that Kensington should provide a substantial contribution to the greenway – either in work or in cash, if not both. The community deserves no less, particularly because this was to be the “jewel” of the redevelopment.

We also understand that as part of the new road realignment, the water from the Kenwood tributary will continue to merge into the Willett Branch. We strongly believe that the opportunity to have a small outfall or waterfall at that point on the dedicated land should be part of the construction project; otherwise, this feature will not be possible.

It has also come to our attention that the new building may have footings that extend into the dedicated land and that the developer may refuse to accept the new flood plain elevation that will come with stream naturalization. It is imperative that the entire dedicated land must be made suitable for construction of the greenway before dedication. The building owners and operators must not be allowed to use their status as adjacent property owners to impede park construction and stream naturalization for any reason at a later date.

Further, dedication of land for the park tied to the Westwood I development should be required to occur with the construction of Westwood II, if that takes place first. No use and occupancy permit should be approved until engineers from Parks and DPS certify that the dedicated land is in a condition that will allow for the construction of the park, that it is stable, that the footings and unwanted hardscape are not within dedicated land, and that estimated flood plain projections are acceptable to the property owners and users.

The proposed building needs to better integrate with the park—both in function and design. The employee lounge on a parking level appears to look at the back of the micro-bioretention planters rather than at the park. The idea that this area will have eyes on the park is good, but it needs to be expanded in a way that works and invites the park into the building in an attractive manner. Green walls on the building would also help.

Access around the Building

For many reasons – fire safety, ADA accessibility, and for the future development of the greenway park trails, the building needs to be moved back sufficiently to allow a bike and pedestrian path all the way
around it. Kensington should build the path – and if that is not acceptable to the board, it should at least provide the space for it. The current plan does not leave enough room for walkers and bikers at the corner, especially given the steep grade.

**Traffic light**

We met with DOT. Despite Kensington’s assumption that there will be a traffic light at the entrance to the new building in its Statement of Justification, DOT has no current plan to approve a traffic light either at that intersection or at the intersection of Westbard and Ridgefield, where there is an existing light, once the road is realigned. Lights at both of these intersections should be provided for safety regardless of the results of a signal warrant study. Even if DOT is not willing to require lights now, light fixtures should be installed for future lights at both places. Taxpayers should not be required to pay for these lights.

**Trucks**

We are concerned that Kensington’s representations in the Statement of Justification regarding the timing and number of delivery trucks may not be accurate. We ask that the building owner annually study its truck use and certify to the board that it is complying with its promises under penalty of perjury. We would encourage Regency to help trucks for the Kensington property find a safe and efficient way to make a U-turn after leaving River Road, rather than routing them through Massachusetts Avenue.

In general, we support most of the comments of the Parks and Planning Staff. We expect to give more detailed comments after another round of submissions by the developer. Thank you all for your sustained patience and perseverance in working on this project and reviewing our comments.

Thank you again for your attention.

Sincerely,

Westbard Study Group
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   Lynne Battle
   Jenny Sue Dunner
   Marnie Shaul