

Box 44 ~~CONFIDENTIAL~~
Letters re: Planning Bd hearing. 11/15/84



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11/15/84

LEGALS

LEGALS

NOTICE OF PUBLIC HEARING

Pursuant to Article 28 of the Annotated Code of Maryland and Chapter 24A and Chapter 33A, of the Montgomery County Code, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission hereby gives notice that it will hold a public hearing on the following:

**PUBLIC HEARING (PRELIMINARY)
DRAFT AMENDMENT TO THE
MASTER PLAN FOR
HISTORIC PRESERVATION:
CANADA DRY BOTTLING PLANT
1201 EAST-WEST HIGHWAY
SILVER SPRING, MARYLAND**

**THURSDAY
November 15, 2001
during the Board's regular agenda
in the
Montgomery Regional
Office Auditorium
8787 Georgia Avenue
Silver Spring, Maryland**

to take testimony on whether or not the subject property should be added to the *Locational Atlas and Index of Historic Sites* and/or designated as an individual historic site on the Montgomery County *Master Plan for Historic Preservation*. A summary description and map for the potential historic site are included in the Public Hearing (Preliminary) Draft Amendment.

If the site is designated on the *Master Plan for Historic Preservation*, the property will be protected under the Historic Preservation Ordinance which provides certain controls regarding alteration, demolition, and maintenance of properties.

If not included on the *Master Plan for Historic Preservation*, the resource will not be subject to the provisions of Chapter 24A of the County Code.

Immediately following the public hearing, the Planning Board will hold a work-session and make its determination on this Public Hearing (Preliminary) Draft Amendment using Ordinance criteria and considering the purposes of the law. Following the submittal of the Planning Board's recommendations to the County Council, the designation process will continue as described in the Public Hearing (Preliminary) Draft.

The Public Hearing (Preliminary) Draft Amendment is available for public inspection at the Maryland-National Capital Park and Planning Commission's Regional Headquarters, 8787 Georgia Avenue, Silver Spring, Maryland.

The purpose of the public hearing is to allow all interested persons to express their views concerning this action. Please call the Community Relations Office at (301) 495-4600 the Friday before the hearing for an approximate time. Persons wishing to testify should call (301) 495-4600 to sign up. If you are unable to attend, write your concerns to the Montgomery County Planning Board at 8787 Georgia Avenue, Silver Spring, Maryland, 20910 and they will be made part of the public hearing record.

October 16, 2001

M16500342

NOTICE OF PUBLIC HEARING

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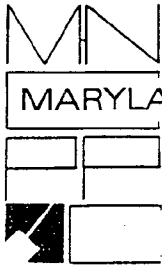
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board
Office of the Chairman

FAX TRANSMITTAL SHEET

DATE: 11/14/01

FROM: Barb Beller

TELEPHONE NUMBER: (301) 495-4605

TO: Robin Ziek

FAX NUMBER: 301-563-3412

TELEPHONE NUMBER: _____

TOTAL NUMBER OF PAGES (INCLUDING TRANSMITTAL SHEET) 5

COMMENTS: Copy given to
MCPB

PHOTOGROUP

1100 Blair Mill Road
Silver Spring, MD 20910
301-495-5800

11/15
#12

November 2, 2001

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Suite 211
Silver Spring, Maryland 20910

RECEIVED
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NOV 9 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Canada Dry Property
1201 East-West Highway

Dear Mr. Holmes:


As one of the first businesses to begin reinvesting in the Silver Spring area, I am writing to express my strong opposition to any historic designation of the Canada Dry property. While I support historic preservation and believe that many buildings in Silver Spring are worthy of such preservation, the Canada Dry building is not one of those.

I operate a photo business and own other properties in Silver Spring. Over the seven years that I have operated my businesses out of South Silver Spring, I have seen a great deal of changes. Most of these changes have been very positive. South Silver Spring, however, has not experienced the degree of revitalization as other areas. The Canada Dry warehouse building is a perfect example. It was minimally used by Canada Dry for many years, and now sits vacant. The time is finally here for redevelopment, yet potential historic preservation roadblocks are being put in its path.

This issue of preservation has been raised numerous times in the past, but each time such was rejected. I personally followed the processes in 1993 when a residential project was proposed for the property. At that time, individuals raised many questions and issues regarding preservation. The Planning Board rejected these requests, and instead ruled that the building could be demolished and redeveloped with residential housing. My understanding is that for market reasons, the residential housing never occurred.

Eight years have now passed, and we as neighbors are still left with a blighted property. With the current economic uncertainties, I strongly urge you to not put further barriers in the path of redevelopment. I therefore respectfully request that you reject the historic designation of 1201 East-West Highway.

Sincerely,


Barry Soorenko
President



11/15 #12
RECEIVED
NOV 13 2001

CORPORATE OFFICES:

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Suite 2
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November 13, 2001

Arthur Holmes, Chairman
Montgomery County
Maryland National Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Opposition to Historic Designation for Canada Dry Bottling Plant Site in South Silver Spring

Dear Chairman Holmes and Fellow Planning Board Members:

I write as Vice President of the Gateway-Georgia Avenue Revitalization Corporation, a 501 c 3 non-profit community development corporation, which has been working for three years toward the revitalization of South Silver Spring. We are a community based organization, with board members from the residential and business community in Silver Spring, Takoma Park, and the northern most neighborhoods of D.C. adjacent to Silver Spring.

We strongly oppose the proposed designation of the Canada Dry bottling plant as an historic structure.

Our opposition is based on many considerations.

First, we find it an ill-advised risk to the revitalization of South Silver Spring, in that historic designation would likely embroil any potential future developer with uncompromising extremists in the Montgomery County preservation movement. We learned how uncompromising and extreme the preservation movement has become during the deliberations over the Montgomery College expansion plan. In this plan the College proposed using one-half an acre of thirteen and a half acre historic Jesup Blair Park for a cultural arts facility that would serve both to enhance the amenities of the Park and provide the College with a critical transitional structure in it's extension of the Takoma Campus to south Silver Spring. This minor concession—approximately 1/27th the area of the Park—is widely supported throughout the Silver Spring and Takoma Park Community. Yet the preservation movement ignored the community consensus, embarked upon aggressive (including unethical*) tactics to thwart the development, and presently foments a lawsuit to upend the decision of the Planning Board to proceed with the development.

We think it is imprudent to subject potential developers to these tactics. If the Canada Dry site were designated historic, and a development proposal suggested altering 1/27th of the site (or 1/10th or 1/4), there is every reason to fear

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-13-01
Corres. No.:

Gateway Georgia Avenue Revitalization Corporation is a interjurisdictional project between the District of Columbia Department of Housing and Community Development, the Montgomery County Department of Housing and Community Affairs, and Potomac Electric Power Company Washington DC.

that your historic designation would be seized upon by extremists in an attempt to thwart the redevelopment of the site. Given the demonstrated behavior of the preservation movement in Montgomery County, potential developers have every reason to fear extreme and uncompromising opposition to even modest proposals to modify historic structures. Historic designation could provide traction for a law suit (as is the case presently with the Montgomery College expansion). Designation would divert decision making from the Planning Board to the Historic Preservation Commission, threatening to escalate the risks and costs of redevelopment. We urge you not to lay this burden upon future developers nor upon the blighted and beleaguered community of South Silver Spring.

I would also point out that there are many methods by which the legacy of architect Walter Monroe Corey and the era of Silver Spring's industrial development can be honored short of designating such a large urban parcel as historic. The preservation movement could work on the creation of scale models, architectural renderings, and photographic documentation of the building for display in libraries or other public venues.


Also, South Silver Spring is filled with older buildings that are reused without significant alteration in the absence of any historic designation. The premises of Photogroup, of Aceco, of National Tire and Battery, and soon the headquarters of Inner Visions Worldwide Institute all have renovated older buildings without making major changes to original architectural facades. Your refraining from designation of the Canada Dry site does not, therefore, eliminate the possibility that (all or part of) the building will be preserved by future developers.

Finally, we recognize that historic preservation is one, but only one, among many desirable goals in urban revitalization. We have used historical buildings and settings in South Silver Spring as major props in our recruitment of business to South Silver Spring. You can see from our web site, www.gatewaycdc.com that we are actively engaged in leveraging historical elements in South Silver Spring in the cause of revitalization.

But historical preservation should be balanced with other pressing needs of the greater Silver Spring community. In downtown Silver Spring, the competing needs are many. In particular the worst affordable housing crisis in the greater metropolitan area since the Second World War needs to be addressed, and it would be a tragedy if a housing development proposed for this site were thwarted by historic preservation designation. The need for infill development and the elimination of urban blight are also goals that we worry could clash with historic designation. As I write this, so-called preservationists are trying to wreak tragedy upon Montgomery College's expansion with a law suit. There is every reason to fear that the same extremist impulse will leverage your designation in order to wreak tragedy upon future development of this site.

Accordingly we urge you in the strongest terms to refrain from making the designation of the Canada Dry site.

Sincerely,


Randy Bbehm
Vice President, GGARC

* Among the ethically objectionable tactics employed by the preservation movement in the Montgomery College development proposal, were the swindling of an elderly heir of the estate that bequeathed the Park property to the County and the aggressive publicizing of that heir's defective "endorsement" of a petition opposing the College. The heir in question later clarified his position before the Planning Board and repudiated the "endorsement" of the preservationist position.

Montgomery County Planning Board
 For inclusion in Public Hearing Record
 Re: Hist. Site - Canada Dry Bottling Plant
 Date of Hearing: 11-15-01
 Date Rec'd: 11-14-01
 Corres. No.:

301-585-1555

p.2 Ziek

Canada Dry Ginger Ale Bottling Plant, A Building for All Seasons,
 Master Plan for Historic Preservation Designation,
 Creative and Economically Vital New Uses,
 Art Deco Treasure for the Renaissance of Silver Spring,
 Let the Collaboration Begin!

RECEIVED

NOV 14 2001

Testimony by Marcie Stickle & George French, Save Our Legacy,
 Before the Planning Board, 11/15/01

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Imagine yourself in Walter Monroe Corey's mind, what skill and cleverness you would call upon in designing the Montgomery County Canada Dry Ginger Ale Bottling Plant: in Silver Spring, to be productive, utilitarian, easy and enjoyable to use, and full of grace; imagine your joy at designing and selecting your building materials, glass brick, blond brick, yellow glazed and terrazzo tile, wrought iron, mahogany wood, strip glass windows, to name only a few, then to mix them together exuberantly in a recipe to create a (functional and artistic) building for all seasons, for all time; a Streamline Moderne structure built to last, worked in, used, and enjoyed; and now to be reused creatively, and in an economically vital way.

Imagine the men and women who took these elements and built these structures; steel beams and girders rising proudly into the sky; skillfully placing brick upon mortar upon brick, creating streamline moderne art deco curves which are as functional inside the Plant as they are aesthetically beautiful on the outside! Imagine the energy, care and craftsmanship with which they worked; this (creativity and) vitality is a central part of its intrinsic worth, the heart and soul of the (creation and history) of the building, and its meaning to Mo County and S.S.

Imagine working in the building, coming through its awesome circular rotunda, 2 stories high, like being inside an effervescent elegant soda pop bottle of the finest materials, light suffusing in from the glass curvilinear wall, then either entering the Plant component through the rotunda or spiraling up cantilevered steps with decorative wrought iron bannister to second floor offices, heading across a dynamic, dramatic bridge and catwalk, then down into the vast and cavernous bottling arena! All the workers are a central part of its intrinsic worth, they too are heart and soul of the use of and history of the building' and its meaning to Mo Co and S.S.

We request, recommend, and will be grateful that the Planning Board take a tour of the Canada Dry Building accompanied by HPC Staff Gwen Wright and Robin Ziek, and a member of the Preservation community. We believe you will be delightfully surprised! Let your imaginations freely roam!

I can picture the vast open space as an entertainment center with music, dance, song, and multimedia performances, movies, retail, shops, museums and restaurants! Incorporating also an exercise and recreational facility for all ages! I speak to an exciting collaboration:

HPC Amendment: Critically importantly, the HPC unanimous Amendment clearly indicates that "development at the site is anticipated and welcomed." Canada Dry Bldg is 66,000 sq. ft. in an environmental setting of 2.93 acres. Endless possibilities to working with this site in conjunction with its elegant art deco centerpiece building. (Master Plan designation protects the outside; through HPC's legal checks & balances review processes, the outside can be considered to be changed; interior can be changed in any way desired; although in this case, a purchaser/developer, I believe, would want to preserve & promote our whole distinctive structure; rotunda & bridge/catwalk overlooking the vast, cavernous former bottling component, because they will draw myriad Tourists to Silver Spring from Mo Co and beyond!)

Historic Inventory: Remember the Inventory! Canada Dry Bldg. and site should already be on the Historical Architectural Inventory/Survey for potential National Register designation of S.S.'s Central Business District, which was to have been initiated in 9/99!, "with a strong potential for the nomination of a thematic Art Deco District," initially stated as a condition in the 6/23/98 HPC "Historic Area Work Permit," allowing destruction of the historic Armory. This is an extremely exciting and useful requirement. The Maryland (State) Historical Trust Inventory is a state requirement, a top priority required "mitigation" for the loss of our Master Plan for Historic Preservation 1927 National Guard Armory. This Inventory is to be a blue print, a road map of our treasures in the CBD which we should be respecting and treating with (great) sensitivity; and especially, incorporating into our redevelopment projects; expressing the drama of combining the best of the old with the best of the new! Doing so leads to the Renaissance of Silver Spring! We do not understand why it is now Nov. 2001, and although so much long, hard work has already gone into it by the HPC staff; the consultant even has been chosen, the County has yet to carry out its legally required (long overdue) commitment; which is beneficial to us all! We would not be in this situation this evening if the Inventory were already in place as it should be. We ask tonight for a moratorium on demolition of significant buildings approaching 50 years or older, structures that will be embraced by the Inventory, long overdue, and advantageously for us all.

Rodney Little, MHT, Director, 6/19/98, to Gary Stith, "If an eligible historic district exists, then the Inventory form would identify all the contributing and noncontributing buildings to the district. The overall redevelopment project would benefit greatly from this step because it could accelerate the rehabilitation of buildings that qualify for federal and state historic preservation tax credits. This intensive architectural survey should be one of the first priorities of the mitigation measures."

"MHT & County Executive Office MOA, Architectural Survey: By September 1999, the County will initiate an intensive architectural survey of the SS CBD....one of the primary products of this survey will be a determination of National Register eligibility of the CBD." 10/1/99

We are all eager to have the Historic Inventory "kickoff," so we can all collaborate together, in this wonderful interplay of the best of the old and the best of the new; it flows also into the Mo County Entertainment Master Plan; with the use of "older buildings" as exciting venues! We will all benefit. We request that the Planning Board require now that the Inventory commence; (find out and unstick what is unnecessarily preventing it from doing so, give it the Green Tape go ahead!), that we all start NOW, setting the marvelous precedent with our precious Canada Dry Building; allowing no harm to befall it; raising up and praising the purchaser/developer who works with it! Let the collaboration begin! Unleash our mutual energies!

Heritage Tourism: The Canada Dry Building and setting will be an intrinsic part of the State of Maryland Certified Heritage Tourism Management Area, in the "Railway Cluster," as is B&O R.R. Station, on the Master Plan for Historic Preservation. Mo County was approved for this Certification, Fall 2000. Heritage Tourism is Economic Development: David Ederly, County Economic Dev. Chief, and Kelly Groff, Conference and Visitors Bureau Executive Director have pledged to work energetically together with us to promote Heritage Tourism in Mo County, bringing folks from around the County to visit our vital treasures, our vital reference points and signs. If we destroy our heritage treasures, how will we ever compose a Heritage Cluster? We will have nothing to put into it!

Heritage Tourism is a State/County collaboration. The State offers broad economic and program support through its many agencies, through Target Investment Zones, Grants, Loans, income tax credits, and much more!

Allow this important State & Mo County economic incentive to come to fruition! Economic development and education is inextricably linked with the burgeoning Heritage Tourism arena. HPC staff, the preservation community, the County Council, and the State, have so diligently worked in concert together to make this happen. Now we must allow it to thrive and prosper!

Adaptive Reuse! Bottling Plant Dressed/Retrofitted for Success!

Davis Business Center, Portland, Oregon, AKA Canada Dry West!

Our West Coast Twin by Walter Monroe Corey is a 20-year success story!

The Dan and Andrew Davis family who retrofitted it say:

"The distinctive architecture of the DBC building makes it easy to find." (And we're "At the Center of It All," "ideally located at the center of Portland . . . visible and accessible," close to transportation and other amenities, which sounds so clearly like our own centrally located situation in downtown S.S., near our transportation hub!

"DBC is convenient to shopping, restaurants and exercise facilities. One block from DBC is the Hollywood Transit Center where you can use the TriMet bus and MAX light rail systems," sound familiar?!"

Dan Davis, lifelong Portland resident, developed, constructed, and leased buildings, offices, and warehouse space for over 30 years. He was recognized as one of the first on the Pacific Coast to develop the concept of the modern industrial park. His best known industrial parks include Banfield Industrial Park, Davis Industrial Park, Oregon Office/Industrial Park and Yakima Industrial Park.

"Committed to Excellence," the Davis Business Center has transmuted, through the alchemy and magic of the Davis family, Canada Dry West into a successful arena for individuals and organizations to carry out their business enterprises, in the "finest facility" and with the "highest quality of service found anywhere." Each business is treated as DBC only business.

DBC offers:

Extensive personalized and individualized administrative office services and office space, including storage and warehouse; its myriad gracious services includes:

"First Impressions:

Impressive. Inviting. Beautiful. Elegant. Visitors to Davis Business Center describe our building in this way. The décor gives your company not only a professional, first-class image but also lends credibility to your business.

"Building Features:

"Reception and Waiting Areas - The central reception area is beautifully appointed. The professional receptionist staff personally greets you and your clients. The staff also provides you with updated information, phone and personal messages, and notification of your clients' arrival. Your clients receive a warm, welcoming smile and the attention they deserve.

"The features, amenities, and services provided by Davis Business Center are designed to make your business day run smoothly.

"Conference Rooms - Five private conference rooms are available for small or large meetings. All conference rooms feature audio-visual equipment such as televisions, VCRs and marker boards.

"Kitchens and Break Areas - Complete with microwave ovens, refrigerators, dish washing machines, vending areas and complimentary coffee and tea service.

"Tax Library - An extensive tax library is provided.

"Lockers and Shower Facilities - Modern facilities for the fitness-minded.

"Reader Board - An outdoor electronic message display board for your business advertising needs.

"Security - The entire Davis Business Center building is secured and monitored at all times by ADT Security Systems. Davis Business Center staff and clients have 24-hour access.

"Exceeding Your Expectations, Providing the Best

"DBC offers a wide range of administrative services to meet your every business need. We assure you of the highest quality, fast turnaround and, of course, complete confidentiality with all of your work.

Office Services:

"Telephone Answering and Voice Mail - Calls are answered using your company's name. If you are unable to take the call, a message can either be left with the receptionist or directed to our voice mail system.

"Receptionists - Professional, warm, with a friendly greeting for you and your visitors.

"Word Processing and Desktop Publishing - From correspondence, extensive proposals, and repetitive letters to legal documents, medical reports, and newsletters.

"Mail Services - Personal and prompt delivery of your incoming mail; complete outgoing mail and delivery services including all types of postal service mailings, Federal Express service, UPS, bulk rate mailings, and other delivery services.

"Laser Printing - High quality and high speed to provide you with a first-class document.

"Dictation and Transcription Services - Quick and accurate transcription of dictation from equipment we provide.

"Computer Assistance - If you have your own computer system, we can assist you in setup and trouble-shooting.

"Fax - Send and receive facsimile transmissions with prompt service and complete confidentiality.

"Office Supply Service - We will order your office supplies with prompt delivery.

"Travel Arrangements - Complete reservations made for your business trips.

"Coffee and Tea - Always complimentary and always fresh.

"Parking - Ample off-street parking for you and your clients.

"Building Maintenance and Security - Always assuring you of a pleasant and safe environment to work in

Cost-Effective:

Our concept makes you more efficient and at the same time saves you lots of money. We help to reduce the time and money required to operate a business.

"Lease Agreements Flexible & Individual Lease Agreements "allows our clients to easily adjust their office sizes and services, or warehouse space and services, according to their specific requirements. We never forget that no two businesses are alike, and each deserves our special attention."

Time Share Office Program

DBC also offers part-time or time-share offices. This arrangement is ideal for those who need an office and professional staff on a part-time basis, while still receiving the high level of professional attention our full-time clients receive.

Warehousing Program

Davis Business Center provides warehouse and storage space. Our program allows you the flexibility to change your requirements as your inventory changes. Warehousing services are available as you need them.

We have request into DBC to provide us with their retrofitted floor plans for Canada Dry West to be able to achleve this level of success since 1982!

Its Web site contains many glowing testimonials, one below.

"As my law practice continues to grow, Davis Business Center is always there to provide me with the support I need." Michael Redden. Attorney at Law "

"I have been at DBC for over seven years because it's so conveniently located for my clients - and for me. It only takes me minutes to get to where I need to go." Carol Marr, Vreeland, CFP, Certified Financial Planner, First Investment Advisors"

Let our Canada Dry (East) have our opportunity for success! Through its rightful place on the Inventory, through its rightful place in the Heritage Tourism Railway Cluster, through its rightful place on the Historic Preservation Master Plan, let us ALL PROUDLY carry our S.S. history forward from our vibrant past through our present and into our exciting future, all in concert with each other, the best of the old with the best of the new, promoting each other at every opportunity through Mo Co Economic Development Dept., Conference and Visitors' Bureau, HPC and Historian's Office, Heritage Organizations, Mo Co & S.S. Chambers of Commerce, Mo Co Entertainment District, HOC, Library System, School System, and Md. State Depts., the possibilities are endless, all working together at the same table, in a marvelous collaboration, in an uplifting mutual harmony from this time forth!

**Marcie Stickle & George French
Save Our Legacy, 301-585-3817
8515 Greenwood Ave., Silver Spring, MD 20912
Marcipro@aol.com**

Item #12



UNIVERSITY OF MARYLAND

SCHOOL OF ARCHITECTURE
ARCHITECTURE • HISTORIC PRESERVATION • URBAN STUDIES AND PLANNING

College Park, Maryland 20742-1411
301.405.6284 TEL 301.314.9583 FAX
http://www.inform.umd.edu/ARCH

November 12, 2001

Mr. Arthur Holmes, Jr., Chair
Planning Board
Montgomery County
8787 Georgia Avenue
Silver Spring, MD 20910

By fax: 301.495.1320

Re: Canada Dry Building

<p>Montgomery County Planning Board For inclusion in Public Hearing Record Re: <u>Hist. Site - Canada Dry Bottling Plant</u> Date of Hearing: <u>11-15-01</u> Date Rec'd: <u>11-15-01</u> Corres. No.: _____</p>
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RECEIVED
NOV 15 2001

Dear Mr. Holmes---

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

I write to urge careful consideration of the proposed preservation and re-use of the Canada Dry building on East-West Highway.

Other scholars and experts have testified, no doubt, to the artistic and cultural value of the Canada Dry building as an exemplar of Modern architecture. (Indeed, my colleagues and I are presently engaged in a research project, funded by the Maryland Historical Trust, to document just such landmarks of 20th-century architecture across the State.) The scholars could not be more correct in their assessment of the building's value. But such buildings as Canada Dry are valuable not only as cultural assets—great works of architecture, markers of a community's achievements, sites of important historic events, and the like—but also as economic assets and seeds for community development.

I want to emphasize the economic and community-building values embodied in the Canada Dry building. It is immeasurably better to develop the local economy while using historic buildings rather than replacing them—when preservation is at all technically feasible. Why "immeasurably"? Because the benefits flowing back to the community from an attitude of preservation are literally not measurable. Such benefits cannot be expressed in dollars alone, but they fuel the historical and aesthetic richness of a town, they hold great educational value for our children, and they announce our intention to pursue sustainable ("smart") growth rather than wasteful clearance and development. Development interests looking for the quickest and highest returns on their investment often overlook (indeed, often have little interest in) these longer-term and non-economic returns to be gained from preservation and the adaptive reuse of historic structures.

Page 2

Historic preservation does not mean putting all old buildings under glass. Indeed, the best way to preserve a building is to use it. The modern preservation ethic urges us to identify the buildings and places of greatest value to the community (now and in the future), and form partnerships to reuse and renew them.

So the matter of the Canada Dry building should not be seen as an all-or-nothing decision, preservation or development. I would urge consideration of the several viable options that combine preservation of the most important qualities of the Canada Dry building with newer development on the site. This approach has been successfully adopted all across the country, in cities and towns near (Washington, Alexandria, Baltimore) and far (Charleston, Denver, San Francisco, to name a few).

The experience of many cities has proven adaptive reuse to be not just economically viable but profitable—and not just for individual investors but for whole communities such as the one you represent.

I hope and trust that you and your colleagues will help retain the Canada Dry building as one of Silver Spring's undeniable community assets.

Yours sincerely,



Dr. Randall Mason

Director and Assistant Professor
Graduate Program in Historic Preservation
School of Architecture, University of Maryland
College Park, MD 20742
tel 301.405.6309
email rmason@umd.edu

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
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Item #12

November 15, 2001

Arthur Holmes, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RECEIVED
NOV 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Holmes and members of the Planning Board:

Please save the Canada Dry building by designating it on the County's Historic Master Plan.

I moved to Silver Spring nine years ago. I was attracted to the older character of the town. I liked the Art Deco buildings. I saw the new Lee building, which complimented the old shopping center and Silver Theatre at Colesville and Georgia. The new City Place mall also picked up on the Art Deco elements of the town from its heyday. Along with the Tastee Diner, the Amory, the train station and small business buildings on Georgia Ave I knew that this is where I wanted to live.

Everyday that I ride the Metro back from work, the Canada Dry sign was my signal that I am home. The long, sleek distinctive building fits nicely beside the railroad tracks. This building contributes to what makes Silver Spring unique and not just the same anyplace in the metropolitan area. It is a truly irreplaceable asset.

The historic elements of Silver Spring are being demolished. Please don't let another treasure shortsightedly be torn down. Once the Silver Theatre was considered an eyesore by some, but now as Mr. Duncan says, it is the crown jewel of the redevelopment effort. The Canada Dry building can make the same contribution to Silver Spring's revitalization.

The only way to have historic 100-year old buildings is not to allow them to be torn down when they are historic 50-year old buildings. The Canada Dry building is historic, attractive, functional, architecturally significant and worthy of Master Plan designation. Please follow the Historic Preservation Commission's recommendation for designation.

Thank you.

Sincerely,
Dale Tibbitts
9511 St Andrews Way
Silver Spring, MD 20901
(301) 587-9358



Item # 12

SILVER SPRING URBAN DISTRICT ADVISORY BOARD

November 15, 2001

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: <u>Hist. Site - Canada Dry Bottling Plant</u>
Date of Hearing: <u>11-15-01</u>
Date Rec'd: <u>11-15-01</u>
Corres. No.:

Arthur Holmes, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring MD, 20910

RECEIVED
NOV 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Holmes:

The Silver Spring Urban District Advisory Board has taken a position against historic designation of the Canada Dry building or site. The Board is concerned that historic designation would prevent private investment in the property and significantly reduce the possibility for its redevelopment.

Although it only makes economic sense for a developer to consider some of the redeeming characteristics of the existing building, however it may not be practical to preserve the building as part of a development project. The Canada Dry site is important as one of the few remaining large pieces of land in downtown Silver Spring and should not be burdened by a historic preservation requirement.

We believe it is important to work with any redeveloper to find practical ways to preserve the existing architectural features, but it would be wrong to constrain redevelopment activity if preservation is not practical. Furthermore, it would cause irreparable harm to the redevelopment of this part of Silver Spring's urban district.

Thank you for considering this recommendation.

Sincerely,

Robert Blaker
Chairman

"We Deliver Service"

Post-it® Fax Note	7671	Date	11/15/01	# of pages	One
To	Arthur Holmes Jr	From	Eileen McGuckian		
Subject	Monte. Co. Planning Bd.	Co.			
Phone #		Phone #	301-762-0096		
Fax #	301-495-1320	Fax #	301-762-0961		

Montgomery County Planning Board For inclusion in Public Hearing Record Re: <u>Hist. Site - Canada Dry Bottling Plant</u> Date of Hearing: <u>11-15-01</u> Date Rec'd: <u>11-15-01</u> Corres. No.: _____
--

#12

Eileen McGuckian
 11807 Dinwiddie Drive
 Rockville, MD 20852
 November 15, 2001

RECEIVED

NOV 15 2001

Re: Canada Dry designation

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Arthur Holmes, Jr., Chairman
 Montgomery County Planning Board
 8787 Georgia Avenue
 Silver Spring, MD 20910

Dear Mr. Holmes and Members of the Planning Board:

I write to urge a favorable vote by the Planning Board to designate the Canada Dry Bottling Plant in Silver Spring on the Master Plan for Historic Preservation.

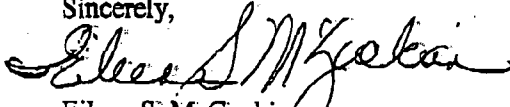
There should be no doubt that the Canada Dry building meets a number of criteria required in the ordinance for designation. Simply, it is an excellent example of streamlined Art Deco by a major American architect. The plant qualifies on its own merits or as a fine contributing property in a thematic Silver Spring Art Deco Historic District.

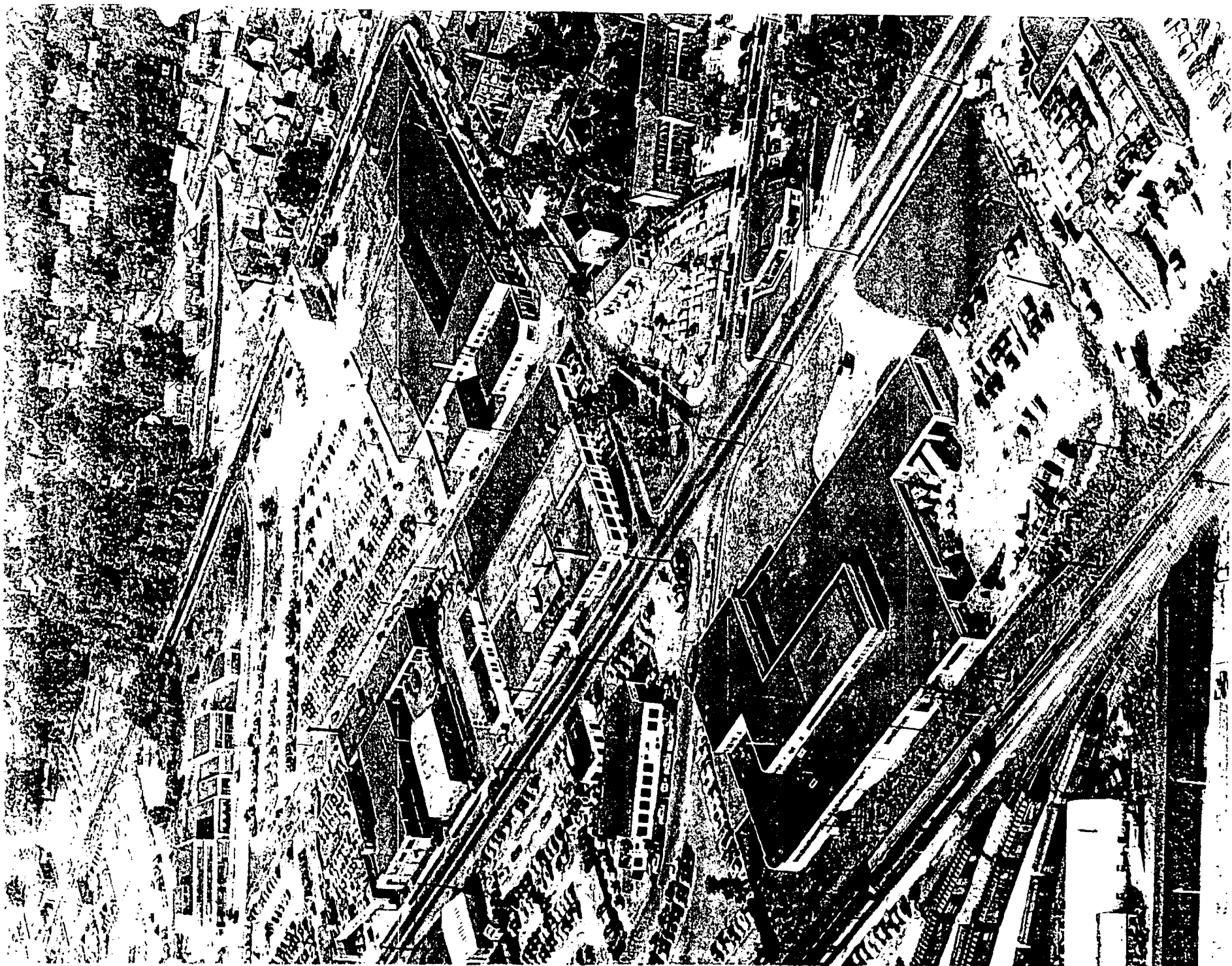
Beyond the letter of Montgomery County's historic preservation law, it makes common planning sense to preserve Canada Dry. The building is a strong anchor to increasingly fruitful private and public efforts to revitalize Silver Spring. The potential for adaptive use is well documented. Designation will encourage the property owner to incorporate existing architectural features into new development on that parcel.

Since the passage of Montgomery County's Master Plan for Historic Preservation and Ordinance more than twenty years ago, the practice has been to designate the entire property - building(s), appurtenances, and environmental setting. Sometimes, for example in the case of a farmstead, the size of the parcel was later reduced, when portions of the land went to different ownership. Maintaining the entire property as an entity makes sense for designation, and still leaves the option for later reduction. There are so many unknowns and variables in this case that reduction now would be premature.

Development of the entire Canada Dry parcel will benefit from historic designation. County and Federal financial incentives are in place to provide any future owner with real assistance. Silver Spring as a community will benefit from designation, in holistic economic terms and in aesthetic cohesion that is quite clear to the public eye.

Thank you for your consideration.

Sincerely,

 Eileen S. McGuckian



1953























Canada Dry Plaza

JSA

ARCHITECTS
INTERIORS
PLANNERS

To Gwen

from

Jeff

11/30

Add to the
submission of
Richard Rorer
submitted Nov. 15

LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

1010 Wayne Avenue, Tenth Floor
Silver Spring, MD 20910-5600
301.588.8580
Fax 301.495.9044
Website: www.linowes-law.com

November 30, 2001

C. Robert Dalrymple
301.650.7008
crd@linowes-law.com

The Honorable Arthur Holmes
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

HAND DELIVERED

Re: Draft Amendment to the Master Plan for Historic Preservation -- Canada Dry Bottling Plant (No. 36-44); 1201 East-West Highway, Silver Spring/ JBG Companies ("JBG"), Contract Purchaser

Dear Mr. Holmes:

In furtherance to our testimony at the public hearing, we hereby submit for the record this letter, an attached letter from JBG and an attached letter from Lessard Architectural Group, Inc., all in opposition to the historic designation of the Canada Dry building or any part thereof. JBG is the contract purchaser of the 3.03± acre property which is the subject of this proposed historic designation. For the many reasons discussed herein, JBG strongly opposes the designation of the site formerly used as a Canada Dry Bottling Plant (the "Subject Property") as an individual historic Master Plan site. In opposing this designation, we contend that in balancing the strong desire to attract new development opportunities with the weak rationale for designating the existing improvements as a historic site worthy of historic protection, the designation would be contrary to public policy goals and objectives for South Silver Spring.

In addition to being the contract purchaser of the Subject Property (which is currently in the "test and studies" phase, and proceeding further will largely hinge on the Planning Board's actions pertaining to this proposed designation), JBG is also the owner of an assembled 1.41±/- acre parcel located across Blair Mill Road to the south of the Canada Dry site. JBG currently envisions development of the Subject Property with a mix of uses (primarily residential), intending to also coordinate this development with the development of its adjacent property to ensure the best utilization of both parcels. Included in this is a partnership with Montgomery County to provide needed incubator space in this strategic location and the potential for sharing public spaces and other amenities to support redevelopment. The County's incubator facility is planned to be built on the assemblage of land which includes the JBG parcel and the adjacent parcel owned by Montgomery County which directly abuts the facade of the Canada Dry

The Honorable Arthur Holmes
November 30, 2001
Page 2

building office. The designation of the existing improvements as historic would significantly impact the creation of a viable development plan for the incubator space in a manner which could be integrated into the ATT site.

The uncertainty and difficulties which would attach to the Subject Property should it be designated either fully or partially for historic preservation would significantly impair the desire and ability of JBG to proceed with redevelopment of the Subject Property. Attached hereto is a letter from JBG further explaining the economic and practical difficulties which would result from full or partial designation and also a letter to JBG by the site architect relating to the potential redevelopment of this property relative to the proposed designation; it is clear that preservation of all or any portion of the existing improvements in a mixed use-residential or other redevelopment project would be economically challenging if not entirely prohibitive. Furthermore, the redevelopment of the Subject Property carries with it already numerous physical and practical difficulties; layering further unnecessary burdens on potential redevelopment will likely retard redevelopment efforts and desires. There is no rationale for encumbering the Subject Property with historic designation, and the Planning Board should recognize the Canada Dry Bottling Plant approvals as merely an interim use of the land which now must give way to progress (just like the process gone through with other properties in developing urban areas).

The recently adopted Silver Spring Sector Plan Update for this area went to great lengths to make redevelopment of properties within the Ripley/South Silver Spring Overlay District more attractive for redevelopment opportunities, addressing the strong public interest and desire to have this section of Silver Spring redeveloped quickly and productively. The Subject Property was upzoned to CBD-2, and efforts to attract more density, better quality development and better utilization and maximization of public use spaces and amenities, all goals of the Sector Plan Update, will be frustrated entirely through the designation of this property as an individual historic site. Instead, what is necessary to attract the investment needed in this area by JBG and other potential developers within the Overlay District is to provide greater certainty and predictability in the development approval processes necessary to effectuate redevelopment. Subjecting redevelopment proposals to review by the Historic Preservation Commission or otherwise requiring preservation of all or any part of the existing improvements through any future development approval processes is a huge disincentive to any private sector investment in the redevelopment of this area. We would suggest that the negative effects of historic designation would extend beyond the limits of the Subject Property, given that the success of this area relies upon the synergy of the redevelopment of all of the properties in this vicinity.

The reasons cited in the Historic Preservation Commission's recommendations for designation of the Subject Property are, at best, fabricated and merely serve as bootstrap arguments for designation of a site not worthy of designation. As can be attested to by others with greater

■ LINOWES AND BLOCHER LLP

The Honorable Arthur Holmes
November 30, 2001
Page 3

levels of expertise, there is nothing remarkable about the architecture or the historical use of this property which merits protection under the Historic Preservation Ordinance. The merits of historical preservation of the site and/or improvements was considered and rejected in previous reviews of the Subject Property, and had the previously approved redevelopment plans for the Subject Property moved forward the issue of historic designation would be entirely moot at this point. The only thing that has changed between then and now is an additional 17 years have gone by without any private or public investment in making this section of Silver Spring and Montgomery County more economically viable. Certainly, nothing has occurred during this time period which renders the Canada Dry improvements any more historic than they were in 1984. Simply because the existing improvements (which have outlived their purpose and useability) represented an era in the history of Montgomery County where this section of Silver Spring was used for industrial and manufacturing purposes, while interesting, is totally unremarkable and an inappropriate basis for designating the site historic in the general context of the need to make the Silver Spring Central Business District an economically viable district.

In sum, designation of the Subject Property for historic protection where there are no compelling reasons for preservation will act as an economic disincentive to redevelop this section of Silver Spring and will run counter to the very goals, objectives and intents of the recently enacted Sector Plan Update. The designation would be detrimental to the successful planning of a vibrant mixed-use complex on both this parcel and the County incubator site and would, therefore, materially impair the value of the County's investment in the adjacent property. The residents of this area and Montgomery County in general have waited numerous years for redevelopment to occur, and to now frustrate this through unnecessary and cumbersome regulatory process would constitute poor planning and ultimately could lead to further derailed efforts to redevelop the property.

Thank you for your attention to our position, and we would be happy to answer any questions that you might have during the public hearing or subsequent worksessions.

Very truly yours,

LINOWES AND BLOCHER LLP


C. Robert Dalrymple

Enclosures

■ LINOWES AND BLOCHER LLP

The Honorable Arthur Holmes

November 30, 2001

Page 4

cc: Mr. Glenn Kreger
Ms. Gwen Wright
Mr. Pete Jervey

#270062 v4

THE JBG COMPANIES

November 30, 2001

VIA HAND DELIVERY

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Canada Dry Property
1201 East-West Highway

Dear Chairman Holmes:

On behalf of The JBG Companies ("JBG"), contract purchaser for the Canada Dry Property, I am writing to provide you with our development background and experiences, and to further explain why any preservation of the existing building located at 1201 East-West Highway (the "Property") is not economically feasible. Specifically, we discuss: (1) how Sector Plan, zoning and site limitations restrict the developable area of the Property; (2) why total or partial preservation is not supportable economically or from a planning perspective; and (3) why rehabilitation that has worked elsewhere will not be successful on the subject property.

I. JBG'S DEVELOPMENT HISTORY

JBG has been developing in the Washington area for over 35 years and has been involved as an owner, developer, and/or manager of over 20,000,000 square feet of office development, 4,000 residential units, and 4,000,000 square feet of retail development. JBG has developed a number of projects in Montgomery County and has participated in "adaptive re-use" projects in Montgomery County and throughout the region.

In Bethesda, JBG redeveloped the Perpetual Bank Building and the adjacent office properties into the Bethesda Crecent office complex. This project was a three building redevelopment that encompassed a total of about 265,000 square feet. In addition, JBG converted a 60,000 square feet warehouse at 12725 Twinbrook Parkway into a state-of-the-art lab facility for FDA. Currently, in Washington, D.C., JBG is renovating 1601 K Street (Solar Building), is redeveloping the Blue Cross Building into the FEMA headquarters for GSA, and is redeveloping the

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 2

Columbia Women's Hospital office and the adjacent parking facility into a mixed-use project.

As evidenced above, JBG is not adverse to taking on adaptive re-use projects where it makes economic and practical sense. Each of the above projects is distinguished from the subject property by strong market demand for an end-use which is compatible with the existing building structure and configuration (i.e. commercial end-use for a fundamentally commercial structure). For instance, at Twinbrook and 1601 K Street, the buildings were adaptable in their basic original form into the final use and configuration and there was tremendous demand for this use (office and lab) at each location. In contrast, the Canada Dry Building is a commercial/ industrial building – there is little or no demand for this product at this location and it is not adaptable to a use which the market wants or can be economically justified. There exists at the Property a conflict between the building structure and a potential, new mixed-use project, as is further described below. In situations encountered by JBG where the original structure is not compatible with a use which is in demand and can utilize that structure, the existing building is torn down to make way for progress.

In addition, because this site is located on the edge of the urban Silver Spring Core and does not have a distinctive tone which sets the market for its use, a new tone for the area will have to be created by the redevelopment itself. The redevelopment of the site will require a completely new mixed-use environment. A totally new plan will be required, and this plan will be severely handicapped by maintaining any portion of the building. JBG envisions residential use as a foundation for the redevelopment and other uses potentially integrated into this residential core. As is further described below, the maintenance of the building does not lend itself to this mixed-use plan. Therefore, our experience is that a distinctive fit between the building's original structure and the end-use is the key element to adaptive re-use, and this element does not exist at the subject property.

II. LIMITATIONS ON REDEVELOPMENT

There are numerous factors which restrict the redevelopment of the Property. First, the Sector Plan anticipates mixed-use development, including a probable residential component. The railroad and WMATA tracks adjoining the site

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 3

require a sound buffer for residential uses. An intervening above-ground parking deck will be required, at a minimum, in order to act as a sound wall to the adjoining residential use. The existing building in the rear is not tall enough and is not designed to accomplish this, and thus will need to be demolished. Similarly, underground parking (as one preservation advocate has suggested) is not an option on this Property as market rental rates do not support the significant cost of building underground garage, which cost is compounded by the existence of underground rock formations and associated blasting and excavation requirements. The only property being developed or redeveloped in Silver Spring which in the current economic environment can afford the costs of underground parking is Discovery Communications. Unlike the redevelopment of the Canada Dry Property, Discovery not only received substantial financial incentives from the County and the State, but Discovery was also able to spread the costs associated therewith over a large development. Because underground parking is not an option, an above ground parking garage will be required and the developable area of the site is severely limited by this planning requirement.

When one considers that the open space and entrance are best positioned at the front of the Property (on East-West Highway across from the Blairs), and that the parking is best positioned at the back of the Property to provide the aforementioned screening and buffering (the southwest corner and against the railroad tracks), it is easy to understand that the maintenance of the building and the office façade directly impinges on where the parking structure needs to be located. This is particularly true when one considers the potential implications for combining the Property with the adjacent projected JBG project, planned at 1139-1141 East-West Highway (south of Blair Mill road and across from the Discovery Building). The Montgomery County Department of Economic Development is planning on combining its parcels of land on Blair Mill Road with the JBG parcels to create the Innovation Center Incubator facility. The combination of the sites will create a three-acre parcel which would, when joined with the Canada Dry site, form a contiguous six-acre parcel. The combination of the sites creates tremendous planning benefits for the improvement of the South Silver Spring District and the East-West Highway corridor. With the Canada Dry building façade squarely in the middle of this planning area, the entire redevelopment, stretching over 800 feet along East-West Highway, will be jeopardized.

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 4

In addition to the site limitations caused by the need for above ground structured parking, the developable area of the Property is further limited by the site layout, Sector Plan recommendations and Montgomery County Zoning Ordinance requirements. First, due to the urban location and site planning issues, the building needs to be oriented to East-West Highway. This configuration is similar to recent developments that have occurred along this right-of-way. Second, the Silver Spring CBD Sector Plan requires wide promenades along East-West Highway. This pushes the developable envelope back towards the railroad track. Third, the Montgomery County Zoning Ordinance requires under the standard and optional method of developments that 10% to 20%, respectively, of the site be reserved for public use space. Last, as indicated, JBG intends to develop this property in a manner which coordinates this development with the development of JBG's property immediately south of Blair Mill road and with other developing properties in the area (including the County's Incubator facility). An adaptive re-use of all or any part of the Canada Dry Property will greatly frustrate the goals of coordinating development in this area relative to zoning restrictions and Sector Plan recommendations, mix of uses, public space, amenities, parking and pedestrian and vehicular circulation.

III. THE PRESERVATIONIST REDEVELOPMENT PLAN, INCLUDING PARTIAL PRESERVATION IS NOT SUPPORTABLE ECONOMICALLY OR FROM A SITE PLANNING PERSPECTIVE.

The proposed "Canada Dry Site Concept Plan" prepared by Richard Rosen, dated November 15, 2001, and presented to the Planning Board at the public hearing (the "Preservationist Plan") is, incomplete, conceptually flawed, and untenable from a site planning and financing perspective. First, and most obvious, no experienced developer would construct apartments directly adjacent to railroad tracks. Instead, any residential development would be physically separated from such railroad by some form of screening or buffering (in this instance, by necessity, most likely structured parking). Second, the Preservationist Plan presumes a ten-story building with an unusually large portion of the site as open space. While this is permitted under the optional method, it is not realistic for this site at this location. Primarily, the rents associated with constructing such a high-rise (taller than five stories) building will not justify the costs of doing so. Instead, any development will need to be lower and with a larger footprint to achieve necessary

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 5

densities, with structured parking in the rear. Third, the Preservationist Plan presumes preservation and restoration of part of the Canada Dry building. The rents received from such project will not cover the costs associated with such preservation and rehabilitation. Fourth, significant American with Disabilities Act (ADA) and Life Safety Code issues are likely to be present in such an old, two-story structure. In light of the rehab costs, and the foreseeable moderate rents (and the need for an affordable, MPDU allocation of units), compliance will likely be economically infeasible. In addition, rehab costs would be tremendously increased by the need for significant environmental remediation associated with turning an industrial building into a residential/ mixed-use building; these costs include the removal and abatement of lead paint, asbestos and other materials which are of particular sensitivity to residents in a multi-family development. Furthermore, tax credits for any small portion of the building which might be preserved would be far too little to have a material impact on the projects economics.

In summary, the proposed development suggested by the Preservationist Plan, while intended to demonstrate how new development could occur to subsidize the costs of preserving part of the Canada Dry building, instead reinforces the fact that redevelopment at the subject property while preserving all or part of the existing improvements is economically and realistically infeasible.

IV. REHABILITATION THAT HAS OCCURRED ELSEWHERE IS DISTINGUISHABLE AND WILL NOT BE SUCCESSFUL AT THE SUBJECT PROPERTY.

The preservation groups cited several properties around the country as examples of how historic properties were successfully rehabilitated and reused. Some of these properties were examples of total preservation, while others were examples of partial preservation.

As we have learned from experience, all projects are different. Thus, while the preservation groups have listed buildings that have been reused, this has no bearing on whether the Canada Dry building can be reused. All markets are different, as are all buildings. We ask the Planning Board to use its experience and expertise in evaluating the circumstances unique to this property (including the failed attempts over the years to stimulate South Silver Spring through meaningful

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 6

redevelopment) and in evaluating the various projects referenced by the preservationists. In balance, the strong desire to stimulate redevelopment and the benefits therefrom, when compared to the practical and financial realities of preservation, can only result in a conclusion that preservation of this building, or any part thereof, especially considering the relatively weak historic basis for preservation (as opposed to the other examples cited by the preservationists), is not merited.

The preservationist groups have referenced three projects in Baltimore, and a project in New York, as examples of successful redevelopment. These included the American Can Company, the Tide Point Project, the Montgomery Ward building, and the Starrett-Lehigh building. These buildings are completely different from the subject for a number of reasons, including their large size as well as the nature of each. Specifically, the Montgomery Ward building is 1.3 million square feet, American Can is 300,000 square feet, Tide Point is 450,000 square feet, and Starrett-Lehigh is 2.3 million square feet. The subject building is only 65,000 square feet. To put the size differences into perspective, one could fit 35 Canada Dry buildings into the Starrett-Lehigh building. The possible functions of such buildings are as different as night and day and the ability to absorb fixed costs from preservation are spread over significantly larger projects.

In addition, many of these properties have large floor to ceiling heights and weight bearing floors, a structural amenity which does not exist within the Canada Dry building. Furthermore, the projects cited in Baltimore and New York are being leased to high tech companies and for commercial office uses. The tech market is shrinking and the commercial office market is in a recession. Office vacancy in Silver Spring, at 12%, is the highest in Montgomery County and there are significant large blocks of office space sitting vacant. The redevelopment of the site cannot be supported by the uses sited in the other markets. It is noteworthy that, due to the recession and the tech downturn only one-half of the Tide Point Center was being utilized as of August 2001. Others are converted to loft apartments. The Canada Dry building has no such potential. Being realistic, the past several years have demonstrated that the market for this area of Silver Spring has been weak, and establishing further market barriers is a mistake.

Furthermore, the preservationists described all of their examples of successful adaptive re-use projects as having received substantial federal, state

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 7

and/or local grants and loans beyond any preservation tax credit. The County Executive has already made it very clear that, unlike with the Theater and Shopping Center projects in Silver Spring which received tens of millions of dollars in State and County funding, Montgomery County has no intention of purchasing the Property or contributing to the rehabilitation thereof. The subsidy programs are not readily available and JBG cannot afford rehabilitation, or create an economically viable development, if the Property is partially or completely designated. Requiring redevelopment to be contingent upon gaining subsidy programs and/or financing is yet another barrier to achieving redevelopment of this property and this area.

The preservation groups also cite the Greyhound building in Washington, D.C. and Anthony Lanier's project in Georgetown. As we all are too familiar, the Washington, D.C. market is very different than that found in Silver Spring, and both of these properties are totally distinguishable from the subject. First, the Greyhound building was developed to a 10 FAR, thus allowing approximately 550,000 square feet of development on a 55,000 square foot property. This high-density allowance (and having the market in place to gain tenancy) inherently provides the necessary finances to help support the costs of preservation. In addition, the rents per square foot that are generated at the Greyhound facility were cited by the preservationists as the highest in the City. These rents far exceed (more than double) rents that could be generated at the subject property. These higher commercial rents not only support the cost of renovation, but also allow for underground parking and high-rise construction, alternatives which are not viable at the Canada Dry building.

Mr. Anthony Lanier also discussed his preservation efforts in Georgetown. Mr. Lanier is not offering his company's services, however, to replicate what he did in Georgetown in Silver Spring nor do we believe he could. The market in Georgetown is obviously very different than that found in Silver Spring. The rents alone in Georgetown would pay for much of the rehabilitation, thereby making such redevelopment economically viable. Such is not the case in Silver Spring. This lack of similarity also is evident with the cited Bottling plants, particularly the Davis Property in Portland, Oregon. Unlike with the subject building, the Davis building is in a very different market with low office vacancy rates. In addition, the Davis building has unique, and excellent access to transportation facilities, including

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 8

prompt access to the local highway, and being only minutes from the airport. None of these conditions exist at the subject site.

V. CONCLUSION

In conclusion, JBG is looking forward to the opportunity to redevelop the Property and integrating it into the adjacent properties in order to transform this section of South Silver Spring. Our intended financial commitment to the Property is real and substantial. The preservation groups have indicated how they believe this Property can be preserved and redeveloped, but they have not considered the fiscal realities of doing so. As a developer in this area for more than 35 years, we tell you that the proposed historic designation will jeopardize development of the property, will put at risk the redevelopment of the entire area of East-West Highway, and will impinge on the exciting planning opportunity derived by the combination of this site with the adjacent JBG/County Incubator site.

We appreciate your consideration of our thoughts and experience, and please contact me should you have any questions.

Sincerely,

THE JBG COMPANIES



J. Trapier Jervey

THE LESSARD ARCHITECTURAL GROUP INC.

8603 WESTWOOD CENTER DRIVE, SUITE 400 VIENNA, VA 22182 • 703/760-9344 • FAX 703/760-9328 • WWW.LESSARDGROUP.COM

November 15, 2001

Mr. J. Trapier Jervey
The JBG Companies
5301 Wisconsin Avenue, NW
Washington, DC 20015

RE: 1201 East-West Highway

Dear Mr. Jervey:

Per your request, we have studied the feasibility of developing a mixed-use development at 1201 East-West Highway (the "Property"). For your reference, we are attaching to this letter a concept plan entitled "Silver Spring Gateway Mixed-Use Center," which depicts our recommendations.

Prior to developing the concept plan, I walked the site and the surrounding area. I also studied different implementation strategies for the site with respect to the building that currently sits vacant on the Property. After review, these are my professional observations.

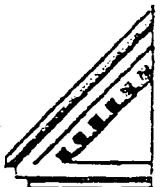
1. Mixed-Use Centers require a residential component. The railroad and WMATA tracks adjoining the site require a sound buffer for residential uses. An above ground parking deck will be required, at a minimum, in order to act as a sound wall to reduce the sound to levels for residential uses. Thus, the existing building in the rear will need to be demolished.
2. In addition to the site limitations caused by the need for structured parking, the developable area of the Property is further limited by the site layout, Sector Plan recommendations and Montgomery County Zoning Ordinance requirements. First, due to the urban location and site planning issues, the building needs to be situated close to East-West Highway. This configuration is similar to recent development that has occurred along East-West Highway. Second, the Silver Spring CBD Sector Plan requires wide promenades along East-West Highway. Third, the Montgomery County Zoning Ordinance requires under the standard and optional method of developments that 10% to 20%, respectively, of the site be reserved for public use space. All of the above referenced factors require the demolition of the existing building.
3. Any attempt to save any part of the building will result in an economically non-viable project.

Sincerely,



Christian J. Lessard, AIA
President

PAVBG\Canda Dry\Site Solution Ltr 11-15-01



PHOTOGROUP

1100 Blair Mill Road
Silver Spring, MD 20910
301-495-5800

11/15
#12

November 2, 2001

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Suite 211
Silver Spring, Maryland 20910

RECEIVED
011748
NOV 9 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Canada Dry Property
1201 East-West Highway

Dear Mr. Holmes:

As one of the first businesses to begin reinvesting in the Silver Spring area, I am writing to express my strong opposition to any historic designation of the Canada Dry property. While I support historic preservation and believe that many buildings in Silver Spring are worthy of such preservation, the Canada Dry building is not one of those.

I operate a photo business and own other properties in Silver Spring. Over the seven years that I have operated my businesses out of South Silver Spring, I have seen a great deal of changes. Most of these changes have been very positive. South Silver Spring, however, has not experienced the degree of revitalization as other areas. The Canada Dry warehouse building is a perfect example. It was minimally used by Canada Dry for many years, and now sits vacant. The time is finally here for redevelopment, yet potential historic preservation roadblocks are being put in its path.

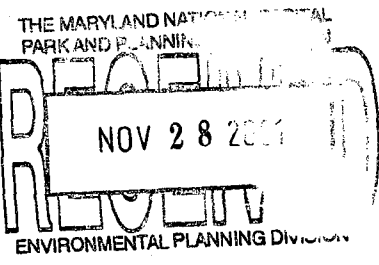
This issue of preservation has been raised numerous times in the past, but each time such was rejected. I personally followed the processes in 1993 when a residential project was proposed for the property. At that time, individuals raised many questions and issues regarding preservation. The Planning Board rejected these requests, and instead ruled that the building could be demolished and redeveloped with residential housing. My understanding is that for market reasons, the residential housing never occurred.

Eight years have now passed, and we as neighbors are still left with a blighted property. With the current economic uncertainties, I strongly urge you to not put further barriers in the path of redevelopment. I therefore respectfully request that you reject the historic designation of 1201 East-West Highway.

Sincerely,



Barry Soorenko
President



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011814 **DATE RECEIVED:** 11-20-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-19-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Michael Virts

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.

*To
Gwen*

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-20-01
Corres. No.: _____

November 19, 2001

RECEIVED
011814
NOV 20 2001

Mr. Arthur Holmes, Jr., Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Holmes:

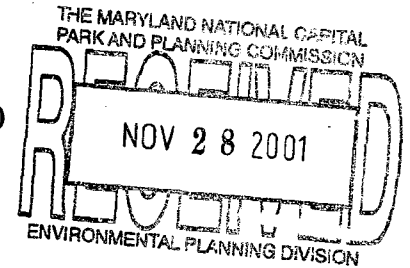
My name is Michael Virts and I am a lifelong resident of Silver Spring and a member of both the Silver Spring Historical Society and the Montgomery County Historical Society. In that I worked at the Canada Dry Bottling Plant many years ago and there has recently taken place a hearing concerning the future existence of the old bottling plant, I have been asked to write to you about my experience there. I had a job on the assembly line in the bottling plant one summer when I was a student at Montgomery Blair High School. I believe it was either the summer of 1964 or 1965. I remember the experience as one of very hard work, packing bottles into boxes at the end of the assembly line, and stacking the closed boxes. Those who worked there were hard working men who seriously went about their work in the steam and the heat. Indeed, the Canada Dry Bottling Plant is part of the commercial/industrial history of Silver Spring.

I have been concerned for some time that not much of that which is historic is left in Silver Spring. The trend appears to be to tear out or tear down that which is historic, from the Blair mansions, Silver Spring and Falkland, to the planned uprooting of those magnificent old trees in Jesup Blair Park. It appears to me that we would want to preserve our historic treasures for the benefit of future generations. Thank you for this opportunity to express my opinion.

Respectfully,
Michael Virts
Silver Spring, Maryland

cc: Robin Ziek, Jerry McCoy, Judy Reardon

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011797 **DATE RECEIVED:** 11-16-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-14-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Robert Nieweg, Dir.,
Southern Field Office National Trust for Historic
Preservation

SUBJECT:
Letter regarding the Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman
COPIES TO: Zyontz
DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
None required.

To
Gwen

ROUTING SLIP

S O U T H E R N
F I E L D O F F I C E



NATIONAL TRUST
for HISTORIC PRESERVATION

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-16-01
Corres. No.:

November 14, 2001

VIA FAX 301-495-1320

Mr. Arthur Holmes, Jr.
Chairman, Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

RECEIVED
011797
NOV 16 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Designation of Canada Dry Bottling Plant

Dear Chairman Holmes:

I am writing on behalf of the National Trust for Historic Preservation to express our strong support for the unanimous recommendation of the Montgomery County Historic Preservation Commission to designate the historic Canada Dry Bottling Plant, which was built in 1946 according to the designs of Walter Monroe Cory.

We respectfully urge the Planning Board to affirm the expert judgement of the Historic Preservation Commission.

The National Trust was chartered by Congress in 1949 as a private nonprofit organization to further the historic preservation policy of the United States and to facilitate public participation in the preservation of our nation's historic resources. With the strong support of our 250,000 members nationwide, including more than 12,707 members in Maryland, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

Traditionally, the National Trust does not take a position with regard to local designation decisions. Instead, we typically defer to expert panels with knowledge of local history and architecture, such as the Montgomery County Historic Preservation Commission. However, in this instance we join the Historic Preservation Commission and a number of nationally renowned architectural historians -- including Robert A.M. Stern, Richard Guy Wilson, and Richard Longstreth -- who have determined that the Canada Dry Bottling Plant is worthy of preservation.

Protecting the Irreplaceable



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Mr. Arthur Holmes, Jr.
November 14, 2001
Page 2

Maryland is an acknowledged leader in the nation's Smart Growth movement. In our view, historic preservation is a critical element of any successful Smart Growth program. To its credit, Maryland also has earned a reputation as an excellent steward of its irreplaceable historic resources, from Colonial homes to busy Main Streets. Here, as elsewhere, designation is often the first step toward the long-term preservation of a community's important historic resources. Preservation extends the useful life of existing structures, and "adaptive reuse" of existing structures means that a community need not sacrifice previously undeveloped land in order to support new economic growth. Preservation protects a community's unique character and can provide a distinguished aesthetic context for excellent new design. Importantly, preservation also is an effective engine for economic development.

In fact, we hope the owners of the historic Canada Dry Bottling Plant are aware that certain economic incentives are available to owners of designated historic properties. For example, in addition to any local tax benefit, the Maryland Historical Trust administers the Heritage Preservation Tax Credit Program, which makes available a tax credit equal to twenty-five percent of the costs expended in the rehabilitation of certified heritage structures, including income-producing structures designated as historic properties under local law.

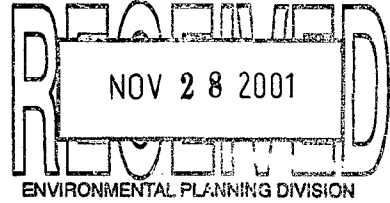
Therefore, in light of the historic and architectural significance of this important Montgomery County landmark and the potential benefits of redeveloping the historic structure for a new and economically productive use that would compliment the County's revitalization plans, we encourage the Planning Board to vote to designate the Canada Dry Bottling Plant.

Thank you in advance for considering the views of the National Trust for Historic Preservation.

Sincerely,



Robert Nieweg
Director, Southern Field Office
National Trust for Historic Preservation



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011806 **DATE RECEIVED:** 11-19-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-19-01
AGENDA DATE: 11-15-01
TO: County Council
FROM: Daniel Meijer

SUBJECT:
Corrected copy of the Gateway Coalition's testimony for the Canada Dry Bottling Plant property.

TRANSMITTED TO: Director/ Chairman
COPIES TO: Zyontz
DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

To
Gwen

Daniel Meijer
929 Gist Avenue
Silver Spring Maryland 20910
(301) 585-1458
(fax) 585-9110

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: **Hist. Site - Canada Dry Bottling Plant**
Date of Hearing: 11-15-01
Date Rec'd: 11-19-01
Corres. No.:

November 19, 2001

Montgomery County Council
100 Maryland Avenue
Silver Spring Maryland 20850

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NOV 19 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Montgomery County Council Members,

Please find attached for your review a (typo corrected) copy of the Gateway Coalition's testimony to the Planning Board regarding the former Canada Dry bottling plant property in South Silver Spring.

Thank you for your interest in this matter,



Daniel Meijer

cc: Planning Board
Historic Commission

The Gateway Coalition

*Of Business and Civic Associations in Maryland and D.C.
Dedicated to the Revitalization of South Silver Spring
And Upper Georgia Avenue in the District of Columbia*

Co-Chair for Maryland
Daniel Meijer
929 Gist Avenue
Silver Spring Md. 20910
(301) 585-1458

fax #: (301) 585-9110

Co-Chair for District of Columbia
Gracie Baten
7624 13th St. N.W.
Washington D.C. 20012
(202) 882-6162

Testimony to the Planning Board on 11/15/01
Typo Corrected Edition

I am Daniel Meijer, recently elected Co-Chair of the Gateway Coalition. The Gateway Coalition consists of Business and Civic Associations in Maryland and D.C. dedicated to the Revitalization of South Silver Spring and Upper Georgia Avenue in the District of Columbia. We have been publicly meeting monthly for nearly 10 years.

At the last monthly Gateway meeting, most of our members were astonished to learn that this large abandoned property could actually be considered for "Historic Preservation". In short, we considered the designation request to be *the unintentional preservation of "Urban Blight"*. Thus the question of preservation received an unfavorable vote.

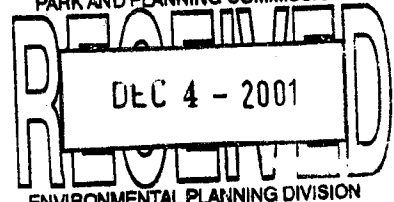
The property has had no significant historical role in our community. Some of our members, such as myself, who have lived and worked in the area since the 1960s (or earlier), cannot recall any significant event this building has had on our community.

This property is in urgent need of redevelopment. We are very concerned that such regulations (along with those who exploit them) that can be imposed upon this property by the proposed designation of "Historic" will greatly limit and restrict its chances for appropriate redevelopment. This is of particular concern to us now, given the recent economic forecasts. We do not want to live with and look at an eyesore for the next 10 years or more.

Although we have been meeting publicly for approximately the last 10 years, the historic preservation enthusiasts have only paid attention to our community rather recently. They have come to our meetings and advocated for the preservation of two other buildings in South Silver Spring. The former Institute of Dry Cleaning building (another large industrial facility) and the abandoned 1950's Silver Spring Post office near Acorn Park. Again, we were astounded that these structures could even be considered historic.

For that reason, we have some serious concerns about their overall agenda for this area. South Silver Spring is not Williamsburg, Virginia. The area has no chance of becoming such a tourist attraction. This area is in urgent need of redevelopment, not preservation.

We therefore ask that the Planning Board exercise its planning wisdom on deciding this matter as it relates to the overall vision and revitalization of South Silver Spring. Can this community afford to set aside such large parcels for eternal preservation? We think this is unwarranted, unrealistic and impractical and urge the Planning Board to do the same.



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011849 **DATE RECEIVED:** 11-30-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-30-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: C. Robert Dalrymple

SUBJECT:
Letter of Draft Amendment to the Master Plan for Historic Preservation – Canada Dry Bottling Plant (NO. 36-44).

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz **COPIES TO:** [faded]

DATE DUE: [faded]

REMARKS FROM CHAIRMAN'S OFFICE: Include in Public Hearing records.
REMARKS FROM CHAIRMAN'S OFFICE: [faded]
include in Public Hearing records

*To
Gwen*

LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

1010 Wayne Avenue, Tenth Floor
Silver Spring, MD 20910-5600
301.588.8580
Fax 301.495.9044
Website: www.linowes-law.com

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NOV 30 2001

Montgomery County Planning Board For inclusion in Public Hearing Record Re: Hist. Site - Canada Dry Bottling Plant Date of Hearing: <u>11-15-01</u> Date Rec'd: <u>11-30-01</u> Corres. No.: _____
--

November 30, 2001

**OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

C. Robert Dalrymple
301.650.7008
crd@linowes-law.com

The Honorable Arthur Holmes
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

HAND DELIVERED

Re: Draft Amendment to the Master Plan for Historic Preservation -- Canada Dry Bottling Plant (No. 36-44); 1201 East-West Highway, Silver Spring/ JBG Companies ("JBG"), Contract Purchaser

Dear Mr. Holmes:

In furtherance to our testimony at the public hearing, we hereby submit for the record this letter, an attached letter from JBG and an attached letter from Lessard Architectural Group, Inc., all in opposition to the historic designation of the Canada Dry building or any part thereof. JBG is the contract purchaser of the 3.03± acre property which is the subject of this proposed historic designation. For the many reasons discussed herein, JBG strongly opposes the designation of the site formerly used as a Canada Dry Bottling Plant (the "Subject Property") as an individual historic Master Plan site. In opposing this designation, we contend that in balancing the strong desire to attract new development opportunities with the weak rationale for designating the existing improvements as a historic site worthy of historic protection, the designation would be contrary to public policy goals and objectives for South Silver Spring.

In addition to being the contract purchaser of the Subject Property (which is currently in the "test and studies" phase, and proceeding further will largely hinge on the Planning Board's actions pertaining to this proposed designation), JBG is also the owner of an assembled 1.41±/- acre parcel located across Blair Mill Road to the south of the Canada Dry site. JBG currently envisions development of the Subject Property with a mix of uses (primarily residential), intending to also coordinate this development with the development of its adjacent property to ensure the best utilization of both parcels. Included in this is a partnership with Montgomery County to provide needed incubator space in this strategic location and the potential for sharing public spaces and other amenities to support redevelopment. The County's incubator facility is planned to be built on the assemblage of land which includes the JBG parcel and the adjacent parcel owned by Montgomery County which directly abuts the facade of the Canada Dry

The Honorable Arthur Holmes

November 30, 2001

Page 2

building office. The designation of the existing improvements as historic would significantly impact the creation of a viable development plan for the incubator space in a manner which could be integrated into the ATT site.

The uncertainty and difficulties which would attach to the Subject Property should it be designated either fully or partially for historic preservation would significantly impair the desire and ability of JBG to proceed with redevelopment of the Subject Property. Attached hereto is a letter from JBG further explaining the economic and practical difficulties which would result from full or partial designation and also a letter to JBG by the site architect relating to the potential redevelopment of this property relative to the proposed designation; it is clear that preservation of all or any portion of the existing improvements in a mixed use-residential or other redevelopment project would be economically challenging if not entirely prohibitive. Furthermore, the redevelopment of the Subject Property carries with it already numerous physical and practical difficulties; layering further unnecessary burdens on potential redevelopment will likely retard redevelopment efforts and desires. There is no rationale for encumbering the Subject Property with historic designation, and the Planning Board should recognize the Canada Dry Bottling Plant approvals as merely an interim use of the land which now must give way to progress (just like the process gone through with other properties in developing urban areas).

The recently adopted Silver Spring Sector Plan Update for this area went to great lengths to make redevelopment of properties within the Ripley/South Silver Spring Overlay District more attractive for redevelopment opportunities, addressing the strong public interest and desire to have this section of Silver Spring redeveloped quickly and productively. The Subject Property was upzoned to CBD-2, and efforts to attract more density, better quality development and better utilization and maximization of public use spaces and amenities, all goals of the Sector Plan Update, will be frustrated entirely through the designation of this property as an individual historic site. Instead, what is necessary to attract the investment needed in this area by JBG and other potential developers within the Overlay District is to provide greater certainty and predictability in the development approval processes necessary to effectuate redevelopment. Subjecting redevelopment proposals to review by the Historic Preservation Commission or otherwise requiring preservation of all or any part of the existing improvements through any future development approval processes is a huge disincentive to any private sector investment in the redevelopment of this area. We would suggest that the negative effects of historic designation would extend beyond the limits of the Subject Property, given that the success of this area relies upon the synergy of the redevelopment of all of the properties in this vicinity.

The reasons cited in the Historic Preservation Commission's recommendations for designation of the Subject Property are, at best, fabricated and merely serve as bootstrap arguments for designation of a site not worthy of designation. As can be attested to by others with greater

The Honorable Arthur Holmes

November 30, 2001

Page 3

levels of expertise, there is nothing remarkable about the architecture or the historical use of this property which merits protection under the Historic Preservation Ordinance. The merits of historical preservation of the site and/or improvements was considered and rejected in previous reviews of the Subject Property, and had the previously approved redevelopment plans for the Subject Property moved forward the issue of historic designation would be entirely moot at this point. The only thing that has changed between then and now is an additional 17 years have gone by without any private or public investment in making this section of Silver Spring and Montgomery County more economically viable. Certainly, nothing has occurred during this time period which renders the Canada Dry improvements any more historic than they were in 1984. Simply because the existing improvements (which have outlived their purpose and useability) represented an era in the history of Montgomery County where this section of Silver Spring was used for industrial and manufacturing purposes, while interesting, is totally unremarkable and an inappropriate basis for designating the site historic in the general context of the need to make the Silver Spring Central Business District an economically viable district.

In sum, designation of the Subject Property for historic protection where there are no compelling reasons for preservation will act as an economic disincentive to redevelop this section of Silver Spring and will run counter to the very goals, objectives and intents of the recently enacted Sector Plan Update. The designation would be detrimental to the successful planning of a vibrant mixed-use complex on both this parcel and the County incubator site and would, therefore, materially impair the value of the County's investment in the adjacent property. The residents of this area and Montgomery County in general have waited numerous years for redevelopment to occur, and to now frustrate this through unnecessary and cumbersome regulatory process would constitute poor planning and ultimately could lead to further derailed efforts to redevelop the property.

Thank you for your attention to our position, and we would be happy to answer any questions that you might have during the public hearing or subsequent worksessions.

Very truly yours,

LINOWES AND BLOCHER LLP


C. Robert Dalrymple

Enclosures

LINOWES AND BLOCHER LLP

The Honorable Arthur Holmes

November 30, 2001

Page 4

cc: Mr. Glenn Kreger
Ms. Gwen Wright
Mr. Pete Jervey

#270062 v4

THE JBG COMPANIES

November 30, 2001

VIA HAND DELIVERY

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Canada Dry Property
1201 East-West Highway

Dear Chairman Holmes:

On behalf of The JBG Companies ("JBG"), contract purchaser for the Canada Dry Property, I am writing to provide you with our development background and experiences, and to further explain why any preservation of the existing building located at 1201 East-West Highway (the "Property") is not economically feasible. Specifically, we discuss: (1) how Sector Plan, zoning and site limitations restrict the developable area of the Property; (2) why total or partial preservation is not supportable economically or from a planning perspective; and (3) why rehabilitation that has worked elsewhere will not be successful on the subject property.

I. JBG'S DEVELOPMENT HISTORY

JBG has been developing in the Washington area for over 35 years and has been involved as an owner, developer, and/or manager of over 20,000,000 square feet of office development, 4,000 residential units, and 4,000,000 square feet of retail development. JBG has developed a number of projects in Montgomery County and has participated in "adaptive re-use" projects in Montgomery County and throughout the region.

In Bethesda, JBG redeveloped the Perpetual Bank Building and the adjacent office properties into the Bethesda Crecent office complex. This project was a three building redevelopment that encompassed a total of about 265,000 square feet. In addition, JBG converted a 60,000 square feet warehouse at 12725 Twinbrook Parkway into a state-of-the-art lab facility for FDA. Currently, in Washington, D.C., JBG is renovating 1601 K Street (Solar Building), is redeveloping the Blue Cross Building into the FEMA headquarters for GSA, and is redeveloping the

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 2

Columbia Women's Hospital office and the adjacent parking facility into a mixed-use project.

As evidenced above, JBG is not adverse to taking on adaptive re-use projects where it makes economic and practical sense. Each of the above projects is distinguished from the subject property by strong market demand for an end-use which is compatible with the existing building structure and configuration (i.e. commercial end-use for a fundamentally commercial structure). For instance, at Twinbrook and 1601 K Street, the buildings were adaptable in their basic original form into the final use and configuration and there was tremendous demand for this use (office and lab) at each location. In contrast, the Canada Dry Building is a commercial/ industrial building – there is little or no demand for this product at this location and it is not adaptable to a use which the market wants or can be economically justified. There exists at the Property a conflict between the building structure and a potential, new mixed-use project, as is further described below. In situations encountered by JBG where the original structure is not compatible with a use which is in demand and can utilize that structure, the existing building is torn down to make way for progress.

In addition, because this site is located on the edge of the urban Silver Spring Core and does not have a distinctive tone which sets the market for its use, a new tone for the area will have to be created by the redevelopment itself. The redevelopment of the site will require a completely new mixed-use environment. A totally new plan will be required, and this plan will be severely handicapped by maintaining any portion of the building. JBG envisions residential use as a foundation for the redevelopment and other uses potentially integrated into this residential core. As is further described below, the maintenance of the building does not lend itself to this mixed-use plan. Therefore, our experience is that a distinctive fit between the building's original structure and the end-use is the key element to adaptive re-use, and this element does not exist at the subject property.

II. LIMITATIONS ON REDEVELOPMENT

There are numerous factors which restrict the redevelopment of the Property. First, the Sector Plan anticipates mixed-use development, including a probable residential component. The railroad and WMATA tracks adjoining the site

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 3

require a sound buffer for residential uses. An intervening above-ground parking deck will be required, at a minimum, in order to act as a sound wall to the adjoining residential use. The existing building in the rear is not tall enough and is not designed to accomplish this, and thus will need to be demolished. Similarly, underground parking (as one preservation advocate has suggested) is not an option on this Property as market rental rates do not support the significant cost of building underground garage, which cost is compounded by the existence of underground rock formations and associated blasting and excavation requirements. The only property being developed or redeveloped in Silver Spring which in the current economic environment can afford the costs of underground parking is Discovery Communications. Unlike the redevelopment of the Canada Dry Property, Discovery not only received substantial financial incentives from the County and the State, but Discovery was also able to spread the costs associated therewith over a large development. Because underground parking is not an option, an above ground parking garage will be required and the developable area of the site is severely limited by this planning requirement.

When one considers that the open space and entrance are best positioned at the front of the Property (on East-West Highway across from the Blairs), and that the parking is best positioned at the back of the Property to provide the aforementioned screening and buffering (the southwest corner and against the railroad tracks), it is easy to understand that the maintenance of the building and the office façade directly impinges on where the parking structure needs to be located. This is particularly true when one considers the potential implications for combining the Property with the adjacent projected JBG project, planned at 1139-1141 East-West Highway (south of Blair Mill road and across from the Discovery Building). The Montgomery County Department of Economic Development is planning on combining its parcels of land on Blair Mill Road with the JBG parcels to create the Innovation Center Incubator facility. The combination of the sites will create a three-acre parcel which would, when joined with the Canada Dry site, form a contiguous six-acre parcel. The combination of the sites creates tremendous planning benefits for the improvement of the South Silver Spring District and the East-West Highway corridor. With the Canada Dry building façade squarely in the middle of this planning area, the entire redevelopment, stretching over 800 feet along East-West Highway, will be jeopardized.

Chairman Arthur Holmes, Jr.
November 30, 2001
Page 4

In addition to the site limitations caused by the need for above ground structured parking, the developable area of the Property is further limited by the site layout, Sector Plan recommendations and Montgomery County Zoning Ordinance requirements. First, due to the urban location and site planning issues, the building needs to be oriented to East-West Highway. This configuration is similar to recent developments that have occurred along this right-of-way. Second, the Silver Spring CBD Sector Plan requires wide promenades along East-West Highway. This pushes the developable envelope back towards the railroad track. Third, the Montgomery County Zoning Ordinance requires under the standard and optional method of developments that 10% to 20%, respectively, of the site be reserved for public use space. Last, as indicated, JBG intends to develop this property in a manner which coordinates this development with the development of JBG's property immediately south of Blair Mill road and with other developing properties in the area (including the County's Incubator facility). An adaptive re-use of all or any part of the Canada Dry Property will greatly frustrate the goals of coordinating development in this area relative to zoning restrictions and Sector Plan recommendations, mix of uses, public space, amenities, parking and pedestrian and vehicular circulation.

III. THE PRESERVATIONIST REDEVELOPMENT PLAN, INCLUDING PARTIAL PRESERVATION IS NOT SUPPORTABLE ECONOMICALLY OR FROM A SITE PLANNING PERSPECTIVE.

The proposed "Canada Dry Site Concept Plan" prepared by Richard Rosen, dated November 15, 2001, and presented to the Planning Board at the public hearing (the "Preservationist Plan") is, incomplete, conceptually flawed, and untenable from a site planning and financing perspective. First, and most obvious, no experienced developer would construct apartments directly adjacent to railroad tracks. Instead, any residential development would be physically separated from such railroad by some form of screening or buffering (in this instance, by necessity, most likely structured parking). Second, the Preservationist Plan presumes a ten-story building with an unusually large portion of the site as open space. While this is permitted under the optional method, it is not realistic for this site at this location. Primarily, the rents associated with constructing such a high-rise (taller than five stories) building will not justify the costs of doing so. Instead, any development will need to be lower and with a larger footprint to achieve necessary

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 5

densities, with structured parking in the rear. Third, the Preservationist Plan presumes preservation and restoration of part of the Canada Dry building. The rents received from such project will not cover the costs associated with such preservation and rehabilitation. Fourth, significant American with Disabilities Act (ADA) and Life Safety Code issues are likely to be present in such an old, two-story structure. In light of the rehab costs, and the foreseeable moderate rents (and the need for an affordable, MPDU allocation of units), compliance will likely be economically infeasible. In addition, rehab costs would be tremendously increased by the need for significant environmental remediation associated with turning an industrial building into a residential/ mixed-use building; these costs include the removal and abatement of lead paint, asbestos and other materials which are of particular sensitivity to residents in a multi-family development. Furthermore, tax credits for any small portion of the building which might be preserved would be far too little to have a material impact on the projects economics.

In summary, the proposed development suggested by the Preservationist Plan, while intended to demonstrate how new development could occur to subsidize the costs of preserving part of the Canada Dry building, instead reinforces the fact that redevelopment at the subject property while preserving all or part of the existing improvements is economically and realistically infeasible.

IV. REHABILITATION THAT HAS OCCURRED ELSEWHERE IS DISTINGUISHABLE AND WILL NOT BE SUCCESSFUL AT THE SUBJECT PROPERTY.

The preservation groups cited several properties around the country as examples of how historic properties were successfully rehabilitated and reused. Some of these properties were examples of total preservation, while others were examples of partial preservation.

As we have learned from experience, all projects are different. Thus, while the preservation groups have listed buildings that have been reused, this has no bearing on whether the Canada Dry building can be reused. All markets are different, as are all buildings. We ask the Planning Board to use its experience and expertise in evaluating the circumstances unique to this property (including the failed attempts over the years to stimulate South Silver Spring through meaningful

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 6

redevelopment) and in evaluating the various projects referenced by the preservationists. In balance, the strong desire to stimulate redevelopment and the benefits therefrom, when compared to the practical and financial realities of preservation, can only result in a conclusion that preservation of this building, or any part thereof, especially considering the relatively weak historic basis for preservation (as opposed to the other examples cited by the preservationists), is not merited.

The preservationist groups have referenced three projects in Baltimore, and a project in New York, as examples of successful redevelopment. These included the American Can Company, the Tide Point Project, the Montgomery Ward building, and the Starrett-Lehigh building. These buildings are completely different from the subject for a number of reasons, including their large size as well as the nature of each. Specifically, the Montgomery Ward building is 1.3 million square feet, American Can is 300,000 square feet, Tide Point is 450,000 square feet, and Starrett-Lehigh is 2.3 million square feet. The subject building is only 65,000 square feet. To put the size differences into perspective, one could fit 35 Canada Dry buildings into the Starrett-Lehigh building. The possible functions of such buildings are as different as night and day and the ability to absorb fixed costs from preservation are spread over significantly larger projects.

In addition, many of these properties have large floor to ceiling heights and weight bearing floors, a structural amenity which does not exist within the Canada Dry building. Furthermore, the projects cited in Baltimore and New York are being leased to high tech companies and for commercial office uses. The tech market is shrinking and the commercial office market is in a recession. Office vacancy in Silver Spring, at 12%, is the highest in Montgomery County and there are significant large blocks of office space sitting vacant. The redevelopment of the site cannot be supported by the uses sited in the other markets. It is noteworthy that, due to the recession and the tech downturn only one-half of the Tide Point Center was being utilized as of August 2001. Others are converted to loft apartments. The Canada Dry building has no such potential. Being realistic, the past several years have demonstrated that the market for this area of Silver Spring has been weak, and establishing further market barriers is a mistake.

Furthermore, the preservationists described all of their examples of successful adaptive re-use projects as having received substantial federal, state

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 7

and/or local grants and loans beyond any preservation tax credit. The County Executive has already made it very clear that, unlike with the Theater and Shopping Center projects in Silver Spring which received tens of millions of dollars in State and County funding, Montgomery County has no intention of purchasing the Property or contributing to the rehabilitation thereof. The subsidy programs are not readily available and JBG cannot afford rehabilitation, or create an economically viable development, if the Property is partially or completely designated. Requiring redevelopment to be contingent upon gaining subsidy programs and/or financing is yet another barrier to achieving redevelopment of this property and this area.

The preservation groups also cite the Greyhound building in Washington, D.C. and Anthony Lanier's project in Georgetown. As we all are too familiar, the Washington, D.C. market is very different than that found in Silver Spring, and both of these properties are totally distinguishable from the subject. First, the Greyhound building was developed to a 10 FAR, thus allowing approximately 550,000 square feet of development on a 55,000 square foot property. This high-density allowance (and having the market in place to gain tenancy) inherently provides the necessary finances to help support the costs of preservation. In addition, the rents per square foot that are generated at the Greyhound facility were cited by the preservationists as the highest in the City. These rents far exceed (more than double) rents that could be generated at the subject property. These higher commercial rents not only support the cost of renovation, but also allow for underground parking and high-rise construction, alternatives which are not viable at the Canada Dry building.

Mr. Anthony Lanier also discussed his preservation efforts in Georgetown. Mr. Lanier is not offering his company's services, however, to replicate what he did in Georgetown in Silver Spring nor do we believe he could. The market in Georgetown is obviously very different than that found in Silver Spring. The rents alone in Georgetown would pay for much of the rehabilitation, thereby making such redevelopment economically viable. Such is not the case in Silver Spring. This lack of similarity also is evident with the cited Bottling plants, particularly the Davis Property in Portland, Oregon. Unlike with the subject building, the Davis building is in a very different market with low office vacancy rates. In addition, the Davis building has unique, and excellent access to transportation facilities, including

Chairman Arthur Holmes, Jr.

November 30, 2001

Page 8

prompt access to the local highway, and being only minutes from the airport. None of these conditions exist at the subject site.

V. CONCLUSION

In conclusion, JBG is looking forward to the opportunity to redevelop the Property and integrating it into the adjacent properties in order to transform this section of South Silver Spring. Our intended financial commitment to the Property is real and substantial. The preservation groups have indicated how they believe this Property can be preserved and redeveloped, but they have not considered the fiscal realities of doing so. As a developer in this area for more than 35 years, we tell you that the proposed historic designation will jeopardize development of the property, will put at risk the redevelopment of the entire area of East-West Highway, and will impinge on the exciting planning opportunity derived by the combination of this site with the adjacent JBG/County Incubator site.

We appreciate your consideration of our thoughts and experience, and please contact me should you have any questions.

Sincerely,

THE JBG COMPANIES

A handwritten signature in cursive script, appearing to read "J. Trapier Jervey".

J. Trapier Jervey

THE LESSARD ARCHITECTURAL GROUP INC.

8603 WESTWOOD CENTER DRIVE, SUITE 400 VIENNA, VA 22182 • 703/760-9344 • FAX 703/760-9328 • WWW.LESSARDGROUP.COM

November 15, 2001

Mr. J. Trapier Jervey
The JBG Companies
5301 Wisconsin Avenue, NW
Washington, DC 20015

RE: 1201 East-West Highway

Dear Mr. Jervey:

Per your request, we have studied the feasibility of developing a mixed-use development at 1201 East-West Highway (the "Property"). For your reference, we are attaching to this letter a concept plan entitled "Silver Spring Gateway Mixed-Use Center," which depicts our recommendations.

Prior to developing the concept plan, I walked the site and the surrounding area. I also studied different implementation strategies for the site with respect to the building that currently sits vacant on the Property. After review, these are my professional observations.

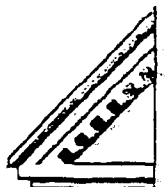
1. Mixed-Use Centers require a residential component. The railroad and WMATA tracks adjoining the site require a sound buffer for residential uses. An above ground parking deck will be required, at a minimum, in order to act as a sound wall to reduce the sound to levels for residential uses. Thus, the existing building in the rear will need to be demolished.
2. In addition to the site limitations caused by the need for structured parking, the developable area of the Property is further limited by the site layout, Sector Plan recommendations and Montgomery County Zoning Ordinance requirements. First, due to the urban location and site planning issues, the building needs to be situated close to East-West Highway. This configuration is similar to recent development that has occurred along East-West Highway. Second, the Silver Spring CBD Sector Plan requires wide promenades along East-West Highway. Third, the Montgomery County Zoning Ordinance requires under the standard and optional method of developments that 10% to 20%, respectively, of the site be reserved for public use space. All of the above referenced factors require the demolition of the existing building.
3. Any attempt to save any part of the building will result in an economically non-viable project.

Sincerely,

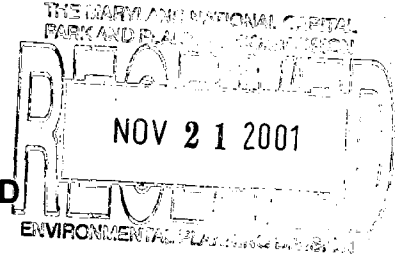


Christian J. Lessard, AIA
President

P:\BGC\Canda Dry\Site Solution Ltr 11-15-01



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011770 **DATE RECEIVED:** 11-14-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-14-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Robert Nieweg

SUBJECT:
Letter regarding the designation of Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE: **DATE DUE:**

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

10
Gwen

12

Montgomery County Planning Board
 For inclusion in Public Hearing Record
 Re: Hist. Site - Canada Dry Bottling Plant
 Date of Hearing: 11-15-01
 Date Rec'd: 11-14-01
 Corres. No.:

SOUTHERN FIELD OFFICE



NATIONAL TRUST for HISTORIC PRESERVATION

November 14, 2001

VIA FAX 301-495-1320

Mr. Arthur Holmes, Jr.
 Chairman, Montgomery County Planning Board
 Maryland-National Capital Park and Planning Commission
 8787 Georgia Avenue
 Silver Spring, MD 20910

RECEIVED
 011770
 NOV 14 2001

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Re: Designation of Canada Dry Bottling Plant

Dear Chairman Holmes:

I am writing on behalf of the National Trust for Historic Preservation to express our strong support for the unanimous recommendation of the Montgomery County Historic Preservation Commission to designate the historic Canada Dry Bottling Plant, which was built in 1946 according to the designs of Walter Monroe Cory.

We respectfully urge the Planning Board to affirm the expert judgement of the Historic Preservation Commission.

The National Trust was chartered by Congress in 1949 as a private nonprofit organization to further the historic preservation policy of the United States and to facilitate public participation in the preservation of our nation's historic resources. With the strong support of our 250,000 members nationwide, including more than 12,707 members in Maryland, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

Traditionally, the National Trust does not take a position with regard to local designation decisions. Instead, we typically defer to expert panels with knowledge of local history and architecture, such as the Montgomery County Historic Preservation Commission. However, in this instance we join the Historic Preservation Commission and a number of nationally renowned architectural historians -- including Robert A.M. Stern, Richard Guy Wilson, and Richard Longstreth -- who have determined that the Canada Dry Bottling Plant is worthy of preservation.

Protecting the Irreplaceable



SOUTHERN FIELD OFFICE
 1785 MASSACHUSETTS AVENUE, NW
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 202.588.6107 • FAX: 202.588.6223
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Mr. Arthur Holmes, Jr.

November 14, 2001

Page 2

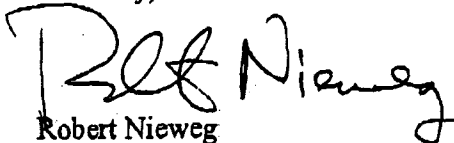
Maryland is an acknowledged leader in the nation's Smart Growth movement. In our view, historic preservation is a critical element of any successful Smart Growth program. To its credit, Maryland also has earned a reputation as an excellent steward of its irreplaceable historic resources, from Colonial homes to busy Main Streets. Here, as elsewhere, designation is often the first step toward the long-term preservation of a community's important historic resources. Preservation extends the useful life of existing structures, and "adaptive reuse" of existing structures means that a community need not sacrifice previously undeveloped land in order to support new economic growth. Preservation protects a community's unique character and can provide a distinguished aesthetic context for excellent new design. Importantly, preservation also is an effective engine for economic development.

In fact, we hope the owners of the historic Canada Dry Bottling Plant are aware that certain economic incentives are available to owners of designated historic properties. For example, in addition to any local tax benefit, the Maryland Historical Trust administers the Heritage Preservation Tax Credit Program, which makes available a tax credit equal to twenty-five percent of the costs expended in the rehabilitation of certified heritage structures, including income-producing structures designated as historic properties under local law.

Therefore, in light of the historic and architectural significance of this important Montgomery County landmark and the potential benefits of redeveloping the historic structure for a new and economically productive use that would compliment the County's revitalization plans, we encourage the Planning Board to vote to designate the Canada Dry Bottling Plant.

Thank you in advance for considering the views of the National Trust for Historic Preservation.

Sincerely,



Robert Nieweg
 Director, Southern Field Office
 National Trust for Historic Preservation

11/19

11:30

Robin -

Daniel converted this
& wanted you to have
copies.

Sue

Daniel Meijer
929 Gist Avenue
Silver Spring Maryland 20910
(301) 585-1458
(fax) 585-9110

November 19, 2001

Montgomery County Council
100 Maryland Avenue
Silver Spring Maryland 20850

Dear Montgomery County Council Members,

Please find attached for your review a (typo corrected) copy of the Gateway Coalition's testimony to the Planning Board regarding the former Canada Dry bottling plant property in South Silver Spring.

Thank you for your interest in this matter,

A handwritten signature in black ink, appearing to read "Daniel Meijer". The signature is written in a cursive style with a large initial "D" and "M".

Daniel Meijer

cc: Planning Board
Historic Commission

The Gateway Coalition

*Of Business and Civic Associations in Maryland and D.C.
Dedicated to the Revitalization of South Silver Spring
And Upper Georgia Avenue in the District of Columbia*

Co-Chair for Maryland
Daniel Meijer
929 Gist Avenue
Silver Spring Md. 20910
(301) 585-1458

fax #: (301) 585-9110

Co-Chair for District of Columbia
Gracie Baten
7624 13th St. N.W.
Washington D.C. 20012
(202) 882-6162

Testimony to the Planning Board on 11/15/01
Typo Corrected Edition

I am Daniel Meijer, recently elected Co-Chair of the Gateway Coalition. The Gateway Coalition consists of Business and Civic Associations in Maryland and D.C. dedicated to the Revitalization of South Silver Spring and Upper Georgia Avenue in the District of Columbia. We have been publicly meeting monthly for nearly 10 years.

At the last monthly Gateway meeting, most of our members were astonished to learn that this large abandoned property could actually be considered for "Historic Preservation". In short, we considered the designation request to be *the unintentional preservation of "Urban Blight"*. Thus the question of preservation received an unfavorable vote.

The property has had no significant historical role in our community. Some of our members, such as myself, who have lived and worked in the area since the 1960s (or earlier), cannot recall any significant event this building has had on our community.

This property is in urgent need of redevelopment. We are very concerned that such regulations (along with those who exploit them) that can be imposed upon this property by the proposed designation of "Historic" will greatly limit and restrict its chances for appropriate redevelopment. This is of particular concern to us now, given the recent economic forecasts. We do not want to live with and look at an eyesore for the next 10 years or more.

Although we have been meeting publicly for approximately the last 10 years, the historic preservation enthusiasts have only paid attention to our community rather recently. They have come to our meetings and advocated for the preservation of two other buildings in South Silver Spring. The former Institute of Dry Cleaning building (another large industrial facility) and the abandoned 1950's Silver Spring Post office near Acorn Park. Again, we were astounded that these structures could even be considered historic.

For that reason, we have some serious concerns about their overall agenda for this area. South Silver Spring is not Williamsburg, Virginia. The area has no chance of becoming such a tourist attraction. This area is in urgent need of redevelopment, not preservation.

We therefore ask that the Planning Board exercise its planning wisdom on deciding this matter as it relates to the overall vision and revitalization of South Silver Spring. Can this community afford to set aside such large parcels for eternal preservation? We think this is unwarranted, unrealistic and impractical and urge the Planning Board to do the same.

November 19, 2001

Mr. Arthur Holmes, Jr., Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Holmes:

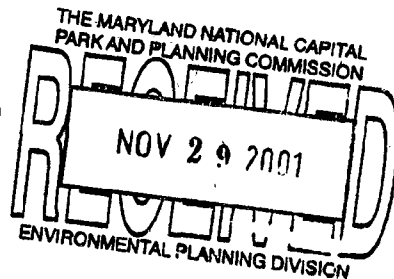
My name is Michael Virts and I am a lifelong resident of Silver Spring and a member of both the Silver Spring Historical Society and the Montgomery County Historical Society. In that I worked at the Canada Dry Bottling Plant many years ago and there has recently taken place a hearing concerning the future existence of the old bottling plant, I have been asked to write to you about my experience there. I had a job on the assembly line in the bottling plant one summer when I was a student at Montgomery Blair High School. I believe it was either the summer of 1964 or 1965. I remember the experience as one of very hard work, packing bottles into boxes at the end of the assembly line, and stacking the closed boxes. Those who worked there were hard working men who seriously went about their work in the steam and the heat. Indeed, the Canada Dry Bottling Plant is part of the commercial/industrial history of Silver Spring.

I have been concerned for some time that not much of that which is historic is left in Silver Spring. The trend appears to be to tear out or tear down that which is historic, from the Blair mansions, Silver Spring and Falkland, to the planned uprooting of those magnificent old trees in Jesup Blair Park. It appears to me that we would want to preserve our historic treasures for the benefit of future generations. Thank you for this opportunity to express my opinion.

Respectfully,
Michael Virts
Silver Spring, Maryland

cc: Robin Ziek, Jerry McCoy, Judy Reardon

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011833 **DATE RECEIVED:** 11-27-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-23-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Richard Wagner

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.

*To
Gwen*

DAVID H. GLEASON ASSOCIATES INC. ARCHITECTS

November 23, 2001

Arthur Holmes, Jr., Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: <u>Hist. Site - Canada Dry Bottling Plant</u>
Date of Hearing: <u>11-15-01</u>
Date Rec'd: <u>11-20-01</u>
Corres. No.:

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 NOV 27 2001
 OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

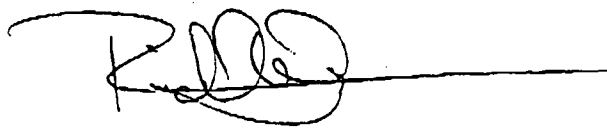
RE: Nomination of Canada Dry Building to Montgomery County's Master Plan for Historic Preservation

Dear Mr. Holmes:

David H. Gleason Associates, Inc. would like to go on record as supporting the nomination of the Canada Dry building to the County's Master Plan for Historic Preservation. As you are undoubtedly aware, listing the building will not only help to preserve a valuable community resource, but will also provide a prospective developer with a 25% state investment tax credit. If the building was also listed on the National Register, the developer would gain an additional 20% ITC. Thus, with listing, the likelihood of a successful redevelopment of this important building is substantially enhanced. Once back in productive use, the building will again contribute to the County's property tax base. Since the configuration of the building suggests that a commercial use is the most viable, the building will also likely contribute to the County's sales tax base, as well as be the location for numerous jobs for County residents.

We hope that you will give every consideration to preserving this economically valuable structure for the citizens of Montgomery County.

Sincerely,
DAVID H. GLEASON ASSOCIATES, INC.



Richard Wagner, AIA
Partner

DAVID H. GLEASON ASSOCIATES INC. ARCHITECTS

<u>Montgomery County Planning Board</u> For inclusion in Public Hearing Record Re: <u>Hist. Site - Canada Dry Bottling Plant</u> Date of Hearing: <u>11-15-01</u> Date Rec'd: <u>11-27-01</u> Corres. No.: _____

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November 23, 2001

Arthur Holmes, Jr., Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN
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PARK AND PLANNING COMMISSION

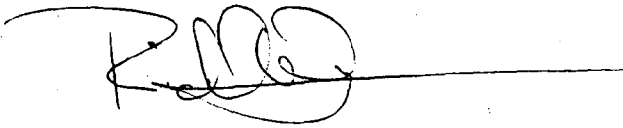
RE: Nomination of Canada Dry Building to Montgomery County's Master Plan for Historic Preservation

Dear Mr. Holmes:

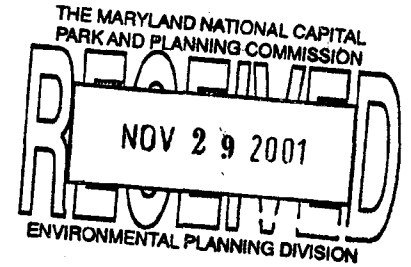
David H. Gleason Associates, Inc. would like to go on record as supporting the nomination of the Canada Dry building to the County's Master Plan for Historic Preservation. As you are undoubtedly aware, listing the building will not only help to preserve a valuable community resource, but will also provide a prospective developer with a 25% state investment tax credit. If the building was also listed on the National Register, the developer would gain an additional 20% ITC. Thus, with listing, the likelihood of a successful redevelopment of this important building is substantially enhanced. Once back in productive use, the building will again contribute to the County's property tax base. Since the configuration of the building suggests that a commercial use is the most viable, the building will also likely contribute to the County's sales tax base, as well as be the location for numerous jobs for County residents.

We hope that you will give every consideration to preserving this economically valuable structure for the citizens of Montgomery County.

Sincerely,
DAVID H. GLEASON ASSOCIATES, INC.


Richard Wagner, AIA
Partner

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011832 **DATE RECEIVED:** 11-27-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-27-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Jack Carson

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.

*To
Gwen*

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-26-01
Corres. No.:

Please Deliver ASAP to Planning Board Chair Holmes & All Commissioners, 11/27/01

Canada Dry Bottling Plant, Testimony by Jack Carson
Before the Planning Board, 11/15/01

Recent calls for the demolition of the historic Canada Dry building in Silver Spring serve as another warning to us that we must be ever vigilant over our historic resources. Inevitably, many of our historic properties are portrayed as derelict, useless hulks by developers and compliant public figures desperate for redevelopment, who assert that the preservation of such properties is impeding revitalization. In their minds, demolition is the only solution. In fact, studies have repeatedly shown that historically significant preserved properties, through adaptive reuse, can enhance, not detract from, the economic revitalization of a community.

I beseech our elected and appointed officials to do whatever is necessary to ensure the preservation of the Canada Dry Building so that future generations will have this architectural treasure to enjoy and appreciate. As the first step, the county's Historic Preservation Commission has unanimously nominated the structure to be on the Master Plan for Historic Preservation. Then let's work on a plan which calls for this building to contribute to, not fall victim to, Silver Spring's revitalization.

When we lose an historic property such as the Canada Dry building we not only lose some of our legacy but also our sense of community, and ultimately, our grasp of the future. Having lived in the community for over half of a century, I've seen a lot of my history fall prey to the bulldozer. Let's not let it happen again.

Jack Carson
700 Auburn Avenue
Takoma Park, MD 20912
301-270-2096

[The author is Treasurer of Historic Takoma, Inc.]

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011832
NOV 27 2001

CHIEF OF THE CHAIRMAN
THE MONTGOMERY NATIONAL CAPITAL
PARK AND PLANNING COMMISSION



**ART DECO SOCIETY
OF NEW YORK**
Kathryn Hausman
President

385 Fifth Avenue • Suite 1008
New York, NY 10016
212 679-DECO
212 683-6711 Fax 212 683-2662



10 November 2001

Mr. Stephen Spurlock,
Chairperson,
Montgomery County Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, MD 20910



ART DECO SOCIETY
OF NEW YORK

RE: CANADA DRY BUILDING

Dear Mr. Spurlock:

The Art Deco Society of New York wishes to express our strongest support for the listing of the Canada Dry Building on the County Atlas of Historic Places. As one of the most outstanding modernist buildings of Montgomery County, the property possesses a high level of architectural and historic integrity. In consideration of the formidable losses of resources of this style and period in Silver Spring, the Canada Dry Building is especially worthy of immediate protection and preservation.

Constructed in 1946, the property exemplifies the streamlined aesthetic, which once provided Silver Spring with a distinctive built environment, of which precious little remains. As an excellent design by noted architect Walter Monroe Cory, the property represents a rare and fully realized example of twentieth century modernism. It shares many of the pioneering features as its larger counterpart here in New York by the same architect, the treasured and influential Starrett-Lehigh Building (1930-31).

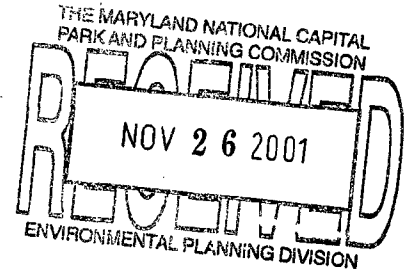
In addition to its local significance, we believe that the property is eligible for listing on the National Register of Historic Places, which would provide certain benefits and incentives for its preservation.

Silver Spring is blessed to have this remarkable historic gem in its midst. Through listing, it could be creatively adapted for new uses and continue to serve as a brilliant and distinguishing landmark. The Art Deco Society of New York respectfully requests that this significant and prominent building be listed on the County Atlas of Historic Places at the earliest possible date.

Sincerely,

Kathryn Hausman,
President

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MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011784 **DATE RECEIVED:** 11-15-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-15-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Nina Patel

SUBJECT:
Letter regarding the Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman...

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

To
Gwen



Hanley-Wood, LLC

November 15, 2001

Arthur Holmes, Jr.
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

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NOV 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Holmes,

I am very concerned about the preservation of historic buildings in the state of Maryland and specifically about the Canada Dry building in Silver Spring. My concerns stem from two perspectives. First, I've lived in Maryland for over 20 years and I would like to see the state hold on to our history. I've seen it done successfully in other areas of the state and know we can continue the great work that has already begun in Silver Spring.

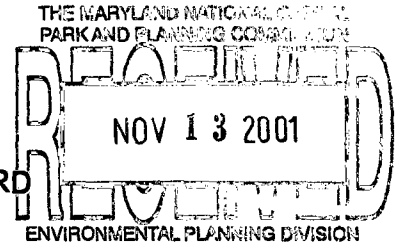
Secondly, as a senior editor with Washington, D.C.-based Remodeling magazine, I have covered the topic of adaptive re-use of older buildings and have seen projects in Chicago, Philadelphia, Atlanta, Honolulu, Richmond, Baltimore and Portland, Oregon. The goal of the developers I interviewed, similar to all developers, was to make money. None of them would have undertaken the projects they had if they did not see a monetary reward. From a business perspective, I think you'll find that if the planning commission finds the right developer for the Canada Dry building, they will gladly take on the challenge of historic preservation that would go along with that. Most businesspersons say that city and state tax credits and special building codes for historic properties make rehabilitation projects appealing.

Tom Aderhold of Aderhold Properties in Atlanta found a way to work with lenders, contractors, and the political leaders in the city to convert the Fulton Cotton Mills (www.lofts-atlanta.com) into a loft apartment complex. In Richmond, the River Lofts at Tobacco Row (www.fce.com), which cover a 15-block area and have been rehabilitated into apartments. Any developer who wants to convert the Canada Dry building will not have a problem finding architects. In fact, many architects are eager to take on the challenge and special considerations of historic building represents. They'll also find a many contractors who have the construction skills to make their designs into reality. The question remains, then, is Montgomery County also willing to take on a challenge?

Sincerely,

Nina Patel
Senior Editor
Remodeling Magazine

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE



FILE NUMBER: 011748 DATE RECEIVED: 11/9/01
CORRESPONDENCE TYPE: Letter DATE OF LETTER: 11/2/01
AGENDA DATE: 11/15/01
TO: Arthur Holmes
FROM: Barry Soorenko

SUBJECT:
Letter requests Planning Board not designate Canada Dry Property has historic

TRANSMITTED TO: Director/Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include correspondence in Planning Board Packet

To: Gwen WRIGHT

PHOTOGROUP

1100 Blair Mill Road
Silver Spring, MD 20910
301-495-5800

November 2, 2001

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Suite 211
Silver Spring, Maryland 20910

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**OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

Re: Canada Dry Property
1201 East-West Highway

Dear Mr. Holmes:

As one of the first businesses to begin reinvesting in the Silver Spring area, I am writing to express my strong opposition to any historic designation of the Canada Dry property. While I support historic preservation and believe that many buildings in Silver Spring are worthy of such preservation, the Canada Dry building is not one of those.

I operate a photo business and own other properties in Silver Spring. Over the seven years that I have operated my businesses out of South Silver Spring, I have seen a great deal of changes. Most of these changes have been very positive. South Silver Spring, however, has not experienced the degree of revitalization as other areas. The Canada Dry warehouse building is a perfect example. It was minimally used by Canada Dry for many years, and now sits vacant. The time is finally here for redevelopment, yet potential historic preservation roadblocks are being put in its path.

This issue of preservation has been raised numerous times in the past, but each time such was rejected. I personally followed the processes in 1993 when a residential project was proposed for the property. At that time, individuals raised many questions and issues regarding preservation. The Planning Board rejected these requests, and instead ruled that the building could be demolished and redeveloped with residential housing. My understanding is that for market reasons, the residential housing never occurred.

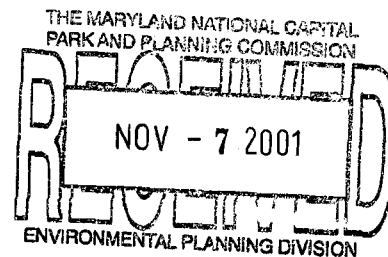
Eight years have now passed, and we as neighbors are still left with a blighted property. With the current economic uncertainties, I strongly urge you to not put further barriers in the path of redevelopment. I therefore respectfully request that you reject the historic designation of 1201 East-West Highway.

Sincerely,



Barry Soorenko
President

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE



FILE NUMBER: 011734 DATE RECEIVED: 11/7/01

CORRESPONDENCE TYPE: Letter DATE OF LETTER: 11/6/01

AGENDA DATE: 11/15/01

TO: Arthur Holmes

FROM: Bruce H. Lee

SUBJECT:

Letter strongly opposes any historic designation of the Canada Dry Property

TRANSMITTED TO: Director/Chairman

COPIES TO:

Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:

Please include correspondence in Planning Board Packet for 11/15/01 and Public Hearing Record

To
Gwen Wright

Montgomery County Planning Board
 For inclusion in Public Hearing Record
 Re: Hist. Site - Canada Dry Bottling Plant
 Date of Hearing: 11-15-01
 Date Rec'd: 11/7/01
 Corres. No.: 0117-94



LDG INC

LEE DEVELOPMENT GROUP

Lee Plaza, 8601 Georgia Avenue, Suite 200, Silver Spring, MD 20910, (301) 585-7000, FAX: (301) 585-4604

November 6, 2001

RECEIVED
 NOV 7 2001

BY FAX (301) 495-1320

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Mr. Arthur Holmes, Jr.
 Chairman, Montgomery County Planning Board
 8787 Georgia Avenue
 Silver Spring, MD 20910

Re: 1201 East West Highway, Canada Dry Property

Dear Chairman Holmes:

On behalf of Lee Development Group, I am writing to express our strong opposition to any historic designation of 1201 East West Highway.

Lee Development Group is headquartered in Silver Spring and owns and operates other properties and businesses in the Greater Silver Spring Area. In fact, Lee Development Group was one of the first companies that believed financially, and otherwise, in the revitalization of the Silver Spring central business district.

Over the years, as we have redeveloped our properties, we have been involved in a number of historic preservation issues. As a case in point, our design team was creative in incorporating an art deco theme in the design of our flagship property, Lee Plaza, to replace the old Hahn shoe store property at the corner of Georgia Avenue and Colesville Road. This was a great reuse of a dilapidated property. Unfortunately, we have not been as successful in improving the Colesville Road retail store frontage due to the fact that we have been required to keep 90 linear feet of the original J.C. Penney store frontage which has been designated historic. The storefront sits vacant and inhabitable. This unsightly property is across the street from the soon to be new AFI Theatre and Roundhouse Theatre. The designation of the J.C. Penney building front facade has made redevelopment options difficult as we continue to plan for redevelopment of this site.

Mr. Arthur Holmes, Jr.
November 6, 2001
Page Two

The Canada Dry warehouse is an eyesore in Silver Spring and is a perfect example of a building in desperate need of redevelopment. Lee Development Group believes that should the Canada Dry property be historically preserved, we all risk a continuation of the blight that has already plagued this area of the county.

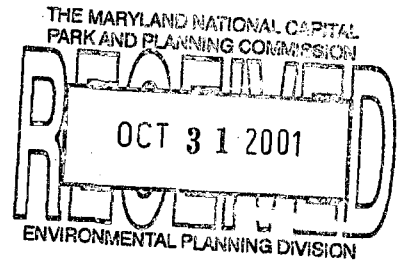
We appreciate your consideration of our strong opposition to historic designation of the Canada Dry property. Please contact us should you have any questions.

Sincerely,



Bruce H. Lee, RPA, GRI
Vice President

BHL:jmc



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011697 **DATE RECEIVED:** 10-29-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 10-23-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Richard Longstreth
The George Washington University

SUBJECT:
Letter from the George Washington University regarding the Canada Dry Bottling Plant Public Hearing.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing file.

*To
Gwen WRIGHT*



AMERICAN STUDIES DEPARTMENT

23 October 2001

Arthur Holmes, Jr., Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RECEIVED
011697

Dear Chairman Holmes and members of the Board,

I am writing to offer my strong support for adding the former Canada Dry bottling plant at 1201 East-West Highway to the County's Master Plan for Historic Preservation. As an architectural historian, I base my evaluation on extensive study of twentieth-century commercial buildings nationwide during the past thirty-five years. I have resided in the Washington area for the past nineteen years, during which time I have conducted a considerable amount of research on the development of Silver Spring in the mid twentieth century, resulting in essays in two anthologies and an article in the leading scholarly journal in the U.S. devoted to the history of the built environment. During this time, too, I have taken an active role in efforts to preserve the Silver Spring Shopping Center, the former Hecht Company store, and the Falkland Apartments. In addition to directing the Graduate Program in Historic Preservation at George Washington University, I have served on the National Park Service's internal review committee for the designation of National Historic Landmarks. I currently chair the Maryland Governor's Consulting Committee on the National Register of Historic Places.

From a historical perspective, there is no question that the Canada Dry bottling plant is a work of great distinction for its type and period within the local context and also for the State of Maryland. No other building in Montgomery County, save the Silver Spring Shopping Center, embodies the characteristics of streamline modern design so fully and with so much aplomb. Examples of comparable quality are indeed very rare in Maryland.

The strain of modernism embodied in the Canada Dry plant was especially important in the realm of industrial architecture during the 1930s and 1940s, for it proclaimed the widely-held belief that science, technology, and systemization lay at the heart of creating a better future. This optimistic, if in some respects naive, outlook is a key to understanding many facets of design and culture of the era.

The Canada Dry building's exceptional design is no accident. It was created by an architect of considerable reputation for work in this sphere. Most of Walter Monroe Cory's

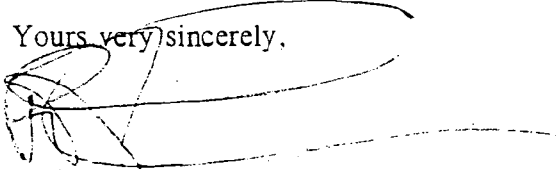
buildings were confined to the New York metropolitan area. We are very fortunate to have such an excellent example in this region.

This property more than meets the threshold for local designation. In my personal opinion, too, it easily meets the criteria for the National Register at the level of state significance.

I have heard some arguments that the building should not be listed until such time as a new owner commits to rehabilitate it. This practice runs counter the procedures as defined for a Certified Local Government participating in the national historic preservation program, but more important is the fact that it is as unnecessary as it is unwarranted. With generous tax credits available for the certified rehabilitation of historic buildings at the federal and now at the state levels, former industrial properties are in high demand. There are numerous outstanding examples completed or in progress in Baltimore alone.

The Canada Dry building is not only an outstanding work of architecture, it present a golden opportunity for revitalization, creating a one-of-a-kind atmosphere that carries great appeal to many of the kinds of businesses that have gravitated to the Washington area in recent years. To not take advantage of this situation would render a disservice to the present no less than the past.

Yours very sincerely,



Richard Longstreth
Professor of American Civilization and
Director, Graduate Program in Historic Preservation

Immediate Past President, Society of Architectural Historians

cc: Silver Spring Historical Society

Dec. workshop

record open until 11/30

Montgomery County Planning Board

Montgomery Regional Office Auditorium
8787 Georgia Avenue, Silver Spring, Maryland 20910

Public Hearing – Draft Amendment to the Master Plan for Historic Preservation – Canada Dry Bottling Plant

Thursday, November 15, 2001

7:30 p.m.

Thank you for testifying on the draft Amendment to the Master Plan for Historic Preservation – Canada Dry Bottling Plant. The following time guidelines will be observed:

- Elected Officials/Government Representatives 7 min.**
- Organizations (civic and homeowners associations, corporations, LLCs, partnerships) 5 min.**
- Individuals 3 min.**

The timer includes a green, yellow and red light. At the yellow light you have one minute remaining. At the red light, please finish your thought.

Time may be ceded up to a total of 15 minutes for organizations and 9 minutes for all other speakers; person(s) ceding time must be present. We encourage coordinated testimony and appreciate having one or two spokespersons for a group. Time used for questions by Board members will not be deducted from your time.

Written testimony is also appreciated and will be read by each Board member. If you turn in written testimony, please provide **10 copies**. Thank you for your cooperation.

No.	Time	Name	Representing
1.	7	Scott Reilly ✓	County Executive <i>written</i>
2.	7	Kim Williams STEVEN SPURLOCK ✓	Historic Preservation Commission <i>written</i>
3.	15	Stacy Silber, Robert Ericksen, Robert Harris and Craig Bruch ✓	AT&T <i>written</i>
4.	5	Robert Dalrymple ✓	JBG Company
5.	5	Dan Meijer ✓	Gateway Coalition <i>written</i>
6.	5	Ray Timmerman ✓	Greater Silver Spring Chamber of Commerce <i>written</i>
7.	5	Rob Blaker	Silver Spring Urban District
8.	5	Elnora Harvey ✓	Silver Spring Citizens Advisory Board <i>written</i>
9.	5	Bryant Foulger ✓	Foulger-Pratt Construction <i>no written</i>
10.	10	Mary Beardon and Jerry McCoy ✓	Silver Spring Historical Society <i>written</i>
11.	5	Marcie Stickle ✓	Save Our Legacy <i>written</i>

written not handed out

- | | | | |
|-----|-----------|--|---|
| 12. | 5 | Maria Hoey ✓ | Montgomery Preservation <i>written</i> |
| 13. | 10 | <u>Wayne Goldstein and Linda Lyons</u> ✓ <i>written</i> | Art Deco Society of Washington |
| 14. | 5 | Charles Wolff ✓ | Montgomery County Civic Federation <i>written</i> |
| 15. | 5 | Barry Soorenko ✓ | Photo Group <i>no written</i> |
| 16. | 5 | Arnold Kohn ✓ | The Tower Companies <i>no written</i> |
| 17. | <i>13</i> | Lorraine Pearsall ✓ | Historic Takoma, Inc. <i>written</i> |
| 18. | 5 | Robyn Raysor ✓ | Allied Civic Group <i>written</i> |
| 19. | 5 | Elise Butler ✓ | Preservation Maryland <i>written</i> |
| 20. | 8 | <u>Anthony Lanier and George French</u> <i>written</i> ✓ | <u>EastBanc, Inc.</u> <i>no written</i>
individual |
| 21. | 3 | Nancy Urban ✓ | individual <i>written</i> |
| 22. | 3 | Judy Reardon ✓ | individual <i>written</i> |
| 23. | 3 | Carolyn Weber ✓ | individual <i>written</i> |
| 24. | 3 | Bill Burch ✓ | individual <i>no written</i> |
| 25. | <i>5</i> | Christine Morgan ✓ <i>Marilyn Sites</i> | individual <i>Woodside Park CA</i> |
| 26. | 3 | Patrick Sidwell ✓ | individual <i>no written</i> |
| 27. | 3 | Bonnie Rosenthal ✓ | individual <i>written</i> |

Waiting List – The following may speak only if Chairman decides that time permits.

- | | | | |
|----|---------------|--|---------------------------|
| 1. | 3 | Amy Conner <i>#28</i> | individual <i>written</i> |
| 2. | 3 | Steve Gang <i>not here</i> | individual |
| 3. | 3 | Richard Rosen <i>not here</i> | individual |
| 4. | 10 | Marilyn Sites and Marilyn Slatiek | Woodside Park Civic Assn. |

Montgomery County Planning Board

Montgomery Regional Office Auditorium
8787 Georgia Avenue, Silver Spring, Maryland 20910

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20.	8	Anthony Lanier and George French	EastBanc, Inc. individual
21.	3	Nancy Urban	individual
22.	3	Judy Reardon	individual
23.	3	Carolyn Weber	individual
24.	3	Bill Burch	individual
25.	3	Christine Morgan	individual
26.	3	Patrick Sidwell	individual
27.	3	Bonnie Rosenthal	individual

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3.	3	Richard Rosen	individual
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1

Testimony of the County Executive on
the Designation of the Canada Dry Site
in the Master Plan for Historic Preservation
Montgomery County Planning Board
November 15, 2001

Mr. Chairman and Members of the Montgomery County Planning Board, Good evening. I am Scott Reilly, Assistant Chief Administrative Officer for Montgomery County testifying on behalf of County Executive Douglas M. Duncan. The County Executive opposes the designation of the Canada Dry building and site in the Master Plan for Historic Preservation. Instead, he recommends that the Planning Board and the site purchaser discuss the possible retention of some of the architectural features of the existing building as part of the development approval process.

We recognize that the Canada Dry building has some architectural interest that may be of significance to the Silver Spring community. The curved glass block corner feature with the Canada Dry sign is interesting and represents the historic architectural style that was used in the design of several buildings throughout Downtown Silver Spring. However, the historic designation of the site has been reviewed and rejected many times. We believe that the significant architectural feature of this building can be preserved while allowing the site to be redeveloped and contribute to the economic rebirth of Silver Spring.

This site is located on East-West Highway between the NOAA development to the north and Discovery's Creative and Technology Center and the future location of the Innovation Center, to the South. There must continue to be a balance between the desire to preserve elements of Silver Spring's past and the need to renew our Downtown for the future.

It has been suggested the proposed historic designation of the Canada Dry site is analogous to the designation and reuse of the Silver Theatre. We were very fortunate that a viable reuse by the American Film Institute allowed us to preserve the theater as a piece of our past. However, the preservation of the Silver Theatre came at great public expense. We cannot make the same financial commitment to every potentially historic building in Silver Spring. We need to do everything we can to encourage the private sector to redevelop this key site. It is one of the few remaining large pieces of land left in Downtown.

Again, The County Executive recommends that the Canada Dry site not be designated in the Master Plan for Historic Preservation. I would further request that County and Planning Board staff work with any redeveloper of the Canada Dry site to find ways of preserving the significant architectural features of this building, where practical.

Thank you for your consideration of this recommendation and for allowing us to comment on this amendment.

Testimony of the County Executive on
the Designation of the Canada Dry Site
in the Master Plan for Historic Preservation
Montgomery County Planning Board
November 15, 2001

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**TESTIMONY
OF THE
MONTGOMERY COUNTY
HISTORIC PRESERVATION COMMISSION**

**PLANNING BOARD PUBLIC HEARING ON THE
PUBLIC HEARING (PRELIMINARY) DRAFT AMENDMENT
TO THE MASTER PLAN FOR HISTORIC PRESERVATION:
CANADA DRY BOTTLING PLANT**

NOVEMBER 15, 20001

Good evening, Chairman Holmes and members of the Montgomery County Planning Board. I am Steven Spurlock, and I am the Chairman of the Montgomery County Historic Preservation Commission. The Historic Preservation Commission strongly recommends that the Canada Dry Bottling Plant be designated on the county's Master Plan for Historic Preservation. The Commission voted unanimously to recommend this property for historic designation because the site meets the criteria for designation, as set forth in Chapter 24A-3 of the Montgomery County Code. Section (a) of this part of the code describes the purpose of the Master Plan for Historic Preservation: to designate historic sites and describe their boundaries, to propose means to integrate historic preservation into the planning process, and to advance the goals of historic preservation.

HPC Commissioner Kim Williams will now discuss the application of the designation criteria in terms of Canada Dry, and I will then discuss our other obligations of melding the preservation interests of the county with the overall planning process.

Good Evening. I am Kim Williams. I am an architectural historian and a private consultant specializing in historic preservation. I currently serve as a Commissioner on the Historic Preservation Commission. I would like to highlight the principal architectural reasons why the HPC unanimously supports this proposed designation.

Now that the Canada Dry Building is over 50 years old, we have some perspective on the historic value of the site. This 50 year cut-off was established by the National Park Service as being sufficient time to test the historic significance of a building, and this has been adopted by the Historic Preservation Commission as a rule of thumb for considering the evaluation of 20th century buildings. When the Locational Atlas was formulated in 1976, the building was only 30 years old, and it wasn't considered old enough to be included. In the mid-1980's, when the building was approximately 38 years old, discussions occurred regarding the significance of the building. However, the historical information available about the site at that time was minimal and uninformative. The site, at

approximately 38 years old, was still too new to be placed in a historic perspective. But today, in the 21st century, we can begin to fairly evaluate 20th century resources, and the Canada Dry Bottling Plant in particular, to understand its significance to the county.

Firstly, the building meets criteria 1 (a) and 1 (d); that is “it has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, and exemplifies the cultural, economic, social, political, or historic heritage of the county.” Built and opened in 1946, the Canada Dry Bottling Plant represents a rare example of the post-War industrial development of the county. Prior to the mid-20th century, industry in Montgomery County was limited to agriculture and mining activities. Granaries, mills and bank barns are typical structures which represent these industries, and, as such, several have been designated to preserve this aspect of the county's history.

These early industries reflect the capitalization of the county's natural resources, both for self-consumption, as well as for exportation. After WWII, as our residential market expanded, new industries were established using imported products, transported via the railroad, for the manufacture of goods for the growing local community. The Canada Dry Bottling Plant survives as an excellent example of this type of post-War industry.

Secondly, the building qualifies for designation under criteria 2 (a), 2 (b), and 2 (c); that is it “embodies the distinctive characteristics of a type, period, or method of construction;” “it represents the work of a master;” and “it possesses high artistic value.”

The Canada Dry Bottling Plant is a period building designed by a master architect, with high artistic value. In designing the Silver Spring bottling plant, the Canada Dry Corporation chose a nationally prominent architect from New York, Walter Monroe Cory, to design an image building that would announce to the public that the company was in the forefront of the economy. Its choice of the Art Moderne style of architecture--a building style which looked forward to a new way of living--did just that. The Art Moderne style embraced progressive new materials, such as glass block and neon lighting, in a way that celebrated the new building technologies, including curtain wall construction and strip windows. Stylistically, the use of curving corners--an expression of speed and streamlining--was an Art Moderne design trend found on buildings and objects ranging from locomotives to kitchen toasters.

Thirdly, the building meets Criteria 1 (e), that is the building “represents an established and familiar visual feature of the neighborhood, community, or county, due to its singular physical characteristic or landscape.” The Canada Dry Bottling Plant is a well-established landmark. The building's neon signs were prominently placed, and are still highly visible from the railroad tracks as well as the surrounding roads. Indeed, the Canada Dry Bottling Plant is completely intact and stands

out in this once-industrial section of the county--south Silver Spring--adjacent to the railroad tracks, where many of its industrial neighbors, now gone, once joined it.

Our chairman, Steven Spurlock, will now address the proposed designation and issues involved in establishing the environmental setting for this site.

I am an architect with my own firm. We work on commercial and residential projects of all sizes. As an HPC commissioner for the past 5 years, I have had the opportunity to review and approve a variety of projects in the county. These range from small additions on private homes to large commercial ventures such as the 10-story residential tower above the Bethesda Theatre. We have reviewed and approved projects involving properties which sit on 6000 sf, and properties which include well over 100 acres. In each case, we have established an appropriate environmental setting which will permit new projects to go forward while protecting the community interest in our mutual past. We have a sound historic preservation program in the county which accommodates new ideas, population growth, and changing building functions. We are guided by a published set of guidelines and criteria. We believe that consistency in our decisions is an obligation to the county, so that expectations that our decisions will be reasonable and fair and fall within the context of the county law will be realized.

This law, Chapter 24A, guides all of our decisions, and assigns historic site designation to the County Council. But once a site is designated, our ordinance delegates design review and establishment of an appropriate environmental setting to the HPC. We are the only architectural review board for the county, and we look through a glass of preservation. This is very good for the county. Through the historic preservation process, we have saved the very best of buildings and districts which provide a unique sense of place to each area. These historic resources are the landmarks which help us literally navigate around the county, and without which we might live anywhere.

As HPC Commissioners, we are trained in the historic preservation process, and have substantial experience in balancing the complexities of historic preservation and the changing needs that are reflected in the projects we review. The rationale for designating the entire parcel is set out on page vii of the Public Hearing (Preliminary) Draft which you have before you. The purpose is to provide the County with the adequate review authority to permit development of a property while preserving the historic resource in the community. We can do both, because we have done both already many times over.

In our recommendation to you, we include a short statement addressing the proposed environmental setting. We clearly endorse development of the Canada Dry site. We are fully prepared to work with you to further develop this language to provide more specific guidance to both the county

and a future owner concerning development of the site. ~~We don't have such a good location, they~~
~~we don't have such a good location, they~~ We are eager to work with someone to assure a
high quality proposal which will take full advantage of this great location, including this significant
historic structure. We also urge you not to limit any future developer with stipulations which they may
not wish to meet. For example, in the new development above the Silver Shopping Center, the
designation suggests a setback of approximately 30', but the HPC actually approved a setback that was
less than that, providing the developer with additional commercial space.

In conclusion, we urge you to recommend the Canada Dry Bottling Plant for designation as a
20th century historic site in Silver Spring. It clearly meets the criteria of our county ordinance, and the
HPC is qualified and experienced in reducing an environmental setting from an entire parcel to
something smaller to accommodate 21st century development. Thank you.

**TESTIMONY
OF THE
MONTGOMERY COUNTY
HISTORIC PRESERVATION COMMISSION**

**PLANNING BOARD PUBLIC HEARING ON THE
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approximately 38 years old, was still too new to be placed in a historic perspective. But today, in the 21st century, we can begin to fairly evaluate 20th century resources, and the Canada Dry Bottling Plant in particular, to understand its significance to the county.

Firstly, the building meets criteria 1 (a) and 1 (d); that is “it has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, and exemplifies the cultural, economic, social, political, or historic heritage of the county.” Built and opened in 1946, the Canada Dry Bottling Plant represents a rare example of the post-War industrial development of the county. Prior to the mid-20th century, industry in Montgomery County was limited to agriculture and mining activities. Granaries, mills and bank barns are typical structures which represent these industries, and, as such, several have been designated to preserve this aspect of the county's history.

These early industries reflect the capitalization of the county's natural resources, both for self-consumption, as well as for exportation. After WWII, as our residential market expanded, new industries were established using imported products, transported via the railroad, for the manufacture of goods for the growing local community. The Canada Dry Bottling Plant survives as an excellent example of this type of post-War industry.

Secondly, the building qualifies for designation under criteria 2 (a), 2 (b), and 2 (c); that is it “embodies the distinctive characteristics of a type, period, or method of construction;” “it represents the work of a master;” and “it possesses high artistic value.”

The Canada Dry Bottling Plant is a period building designed by a master architect, with high artistic value. In designing the Silver Spring bottling plant, the Canada Dry Corporation chose a nationally prominent architect from New York, Walter Monroe Cory, to design an image building that would announce to the public that the company was in the forefront of the economy. Its choice of the Art Moderne style of architecture--a building style which looked forward to a new way of living--did just that. The Art Moderne style embraced progressive new materials, such as glass block and neon lighting, in a way that celebrated the new building technologies, including curtain wall construction and strip windows. Stylistically, the use of curving corners--an expression of speed and streamlining--was an Art Moderne design trend found on buildings and objects ranging from locomotives to kitchen toasters.

Thirdly, the building meets Criteria 1 (e), that is the building “represents an established and familiar visual feature of the neighborhood, community, or county, due to its singular physical characteristic or landscape.” The Canada Dry Bottling Plant is a well-established landmark. The building's neon signs were prominently placed, and are still highly visible from the railroad tracks as well as the surrounding roads. Indeed, the Canada Dry Bottling Plant is completely intact and stands

out in this once-industrial section of the county--south Silver Spring--adjacent to the railroad tracks, where many of its industrial neighbors, now gone, once joined it.

Our chairman, Steven Spurlock, will now address the proposed designation and issues involved in establishing the environmental setting for this site.

I am an architect with my own firm. We work on commercial and residential projects of all sizes. As an HPC commissioner for the past 5 years, I have had the opportunity to review and approve a variety of projects in the county. These range from small additions on private homes to large commercial ventures such as the 10-story residential tower above the Bethesda Theatre. We have reviewed and approved projects involving properties which sit on 6000 sf, and properties which include well over 100 acres. In each case, we have established an appropriate environmental setting which will permit new projects to go forward while protecting the community interest in our mutual past. We have a sound historic preservation program in the county which accommodates new ideas, population growth, and changing building functions. We are guided by a published set of guidelines and criteria. We believe that consistency in our decisions is an obligation to the county, so that expectations that our decisions will be reasonable and fair and fall within the context of the county law will be realized.

This law, Chapter 24A, guides all of our decisions, and assigns historic site designation to the County Council. But once a site is designated, our ordinance delegates design review and establishment of an appropriate environmental setting to the HPC. We are the only architectural review board for the county, and we look through a glass of preservation. This is very good for the county. Through the historic preservation process, we have saved the very best of buildings and districts which provide a unique sense of place to each area. These historic resources are the landmarks which help us literally navigate around the county, and without which we might live anywhere.

As HPC Commissioners, we are trained in the historic preservation process, and have substantial experience in balancing the complexities of historic preservation and the changing needs that are reflected in the projects we review. The rationale for designating the entire parcel is set out on page vii of the Public Hearing (Preliminary) Draft which you have before you. The purpose is to provide the County with the adequate review authority to permit development of a property while preserving the historic resource in the community. We can do both, because we have done both already many times over.

In our recommendation to you, we include a short statement addressing the proposed environmental setting. We clearly endorse development of the Canada Dry site. We are fully prepared to work with you to further develop this language to provide more specific guidance to both the county

and a future owner concerning development of the site. ~~We don't have such a good example, and we don't have a good proposal at this time.~~ We are eager to work with someone to assure a high quality proposal which will take full advantage of this great location, including this significant historic structure. We also urge you not to limit any future developer with stipulations which they may not wish to meet. For example, in the new development above the Silver Shopping Center, the designation suggests a setback of approximately 30', but the HPC actually approved a setback that was less than that, providing the developer with additional commercial space.

In conclusion, we urge you to recommend the Canada Dry Bottling Plant for designation as a 20th century historic site in Silver Spring. It clearly meets the criteria of our county ordinance, and the HPC is qualified and experienced in reducing an environmental setting from an entire parcel to something smaller to accommodate 21st century development. Thank you.

**TESTIMONY
OF THE
MONTGOMERY COUNTY
HISTORIC PRESERVATION COMMISSION**

**PLANNING BOARD PUBLIC HEARING ON THE
PUBLIC HEARING (PRELIMINARY) DRAFT AMENDMENT
TO THE MASTER PLAN FOR HISTORIC PRESERVATION:
CANADA DRY BOTTLING PLANT**

NOVEMBER 15, 20001

Good evening, Chairman Holmes and members of the Montgomery County Planning Board. I am Steven Spurlock, and I am the Chairman of the Montgomery County Historic Preservation Commission. The Historic Preservation Commission strongly recommends that the Canada Dry Bottling Plant be designated on the county's Master Plan for Historic Preservation. The Commission voted unanimously to recommend this property for historic designation because the site meets the criteria for designation, as set forth in Chapter 24A-3 of the Montgomery County Code. Section (a) of this part of the code describes the purpose of the Master Plan for Historic Preservation: to designate historic sites and describe their boundaries, to propose means to integrate historic preservation into the planning process, and to advance the goals of historic preservation.

HPC Commissioner Kim Williams will now discuss the application of the designation criteria in terms of Canada Dry, and I will then discuss our other obligations of melding the preservation interests of the county with the overall planning process.

Good Evening. I am Kim Williams. I am an architectural historian and a private consultant specializing in historic preservation. I currently serve as a Commissioner on the Historic Preservation Commission. I would like to highlight the principal architectural reasons why the HPC unanimously supports this proposed designation.

Now that the Canada Dry Building is over 50 years old, we have some perspective on the historic value of the site. This 50 year cut-off was established by the National Park Service as being sufficient time to test the historic significance of a building, and this has been adopted by the Historic Preservation Commission as a rule of thumb for considering the evaluation of 20th century buildings. When the Locational Atlas was formulated in 1976, the building was only 30 years old, and it wasn't considered old enough to be included. In the mid-1980's, when the building was approximately 38 years old, discussions occurred regarding the significance of the building. However, the historical information available about the site at that time was minimal and uninformative. The site, at

approximately 38 years old, was still too new to be placed in a historic perspective. But today, in the 21st century, we can begin to fairly evaluate 20th century resources, and the Canada Dry Bottling Plant in particular, to understand its significance to the county.

Firstly, the building meets criteria 1 (a) and 1 (d); that is “it has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, and exemplifies the cultural, economic, social, political, or historic heritage of the county.” Built and opened in 1946, the Canada Dry Bottling Plant represents a rare example of the post-War industrial development of the county. Prior to the mid-20th century, industry in Montgomery County was limited to agriculture and mining activities. Granaries, mills and bank barns are typical structures which represent these industries, and, as such, several have been designated to preserve this aspect of the county's history.

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out in this once-industrial section of the county--south Silver Spring--adjacent to the railroad tracks, where many of its industrial neighbors, now gone, once joined it.

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I am an architect with my own firm. We work on commercial and residential projects of all sizes. As an HPC commissioner for the past 5 years, I have had the opportunity to review and approve a variety of projects in the county. These range from small additions on private homes to large commercial ventures such as the 10-story residential tower above the Bethesda Theatre. We have reviewed and approved projects involving properties which sit on 6000 sf, and properties which include well over 100 acres. In each case, we have established an appropriate environmental setting which will permit new projects to go forward while protecting the community interest in our mutual past. We have a sound historic preservation program in the county which accommodates new ideas, population growth, and changing building functions. We are guided by a published set of guidelines and criteria. We believe that consistency in our decisions is an obligation to the county, so that expectations that our decisions will be reasonable and fair and fall within the context of the county law will be realized.

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In our recommendation to you, we include a short statement addressing the proposed environmental setting. We clearly endorse development of the Canada Dry site. We are fully prepared to work with you to further develop this language to provide more specific guidance to both the county

and a future owner concerning development of the site. ~~We don't have such a proposal at this time, and we don't have development proposals at this time.~~ We are eager to work with someone to assure a high quality proposal which will take full advantage of this great location, including this significant historic structure. We also urge you not to limit any future developer with stipulations which they may not wish to meet. For example, in the new development above the Silver Shopping Center, the designation suggests a setback of approximately 30', but the HPC actually approved a setback that was less than that, providing the developer with additional commercial space.

In conclusion, we urge you to recommend the Canada Dry Bottling Plant for designation as a 20th century historic site in Silver Spring. It clearly meets the criteria of our county ordinance, and the HPC is qualified and experienced in reducing an environmental setting from an entire parcel to something smaller to accommodate 21st century development. Thank you.

TESTIMONY OF HOLLAND & KNIGHT ON BEHALF OF AT&T
Canada Dry Bottling Plant (#36/44)

November 15, 2001

Good evening, for the record my name is Stacy Silber, an attorney with the law firm of Holland & Knight. Bob Harris and I are here on behalf of AT&T, the owner of the Property, which is the subject of the designation request. With us are Robert Ericksen and Craig Bruch from AT&T.

We ask that you reject designation of the Property first, because it is not historically significant; second, it would be inconsistent with all Council and Planning Board decisions over the last 26 years, as evidenced most recently by the current Sector Plan for Silver Spring, and prior Project, Site and Preliminary Plan approvals for the Property; third, it would directly thwart budding revitalization efforts in Silver Spring; and fourth, any designation of part or all of the Property will result in a subrogation to the HPC of your decision-making authority regarding how and whether the Property will be developed.

As background, AT&T purchased the Property in 1999 with the intention of demolishing the building and redeveloping part of the site with a long distance/internet transfer station and providing the remainder for mixed-use development. Given that every sector plan (7 in all) since at least 1975, recommended redevelopment of the Property, and the HPC had previously considered and rejected preservation, AT&T expected its only requirement for

redevelopment would be compliance with the requirements of the CBD-2 Zone. Last year, however, the Silver Spring Historical Society filed an application to list the Property on the Historic Atlas. This was later expanded to request that the Property be placed on the Master Plan as well. In the meantime, after looking at both reuse and redevelopment options, and considering intervening market changes, AT&T decided to locate its proposed facilities elsewhere and to sell the Property.

Because of the uncertainty created by a pending historic designation request, few purchasers showed interest in the Property. One initially signed a contract to buy the Property, but later terminated the contract because of the threat of designation. AT&T is now pleased to inform you that JBG has agreed to buy the Property if it is not declared historic.

All this being said, we respectfully submit that the Planning Board should encourage redevelopment and reject designation as the Planning Board and County Council has done repeatedly since at least 1975. A property owner deserves such finality and the public is entitled to this consistency in decision making.

I. **The Property is not historic and does not meet the criteria of Chapter 24A of the Montgomery County Code.**

Although we believe that the Planning Board and Council have already made their position known regarding the lack of historic value of the Canada Dry building, the

facts themselves make it clear that the subject building has no historic significance, and does not meet the criteria of Chapter 24A of the Code. This is supported by research conducted by Kathrine Kuranda, an architectural historian with Goodwin & Associates.

First, contrary to the suggestions in the application, the Goodwin & Associates research shows that the building is not the work of a master architect. As the designation request indicates, Walter Cory designed the building, not his brother Russell or the firm of Cory & Cory. This is an important distinction, because it was under Russell Cory's leadership at Cory & Cory that such buildings as the Starrett-Lehigh Building in New York were designed and patented. Russell always served as the firm's president. Walter was an engineer by training, and started off in Russell's firm as a draftsman. Walter worked with his brother between the years of 1924 and 1942, except for a two-year period when Walter retired to Florida and ran a citrus grove.

In 1942, four years before this building existed, the firm of Cory and Cory dissolved, and Walter Cory left to work on his own. Walter Cory's solo work was not on the same scale and prestige as was the work done by Russell and Cory & Cory. In addition, unlike the firm, Walter Cory's solo work was not reported in architectural periodicals. In fact, Walter focused his work on far less significant and substantial buildings such as bottling plants.

Second, the subject building is similar in overall form to other basic industrial buildings constructed during the 1940's for the bottling industry. It did not represent a new architectural style, and was not unique. In fact, by 1946 when the building was constructed, the Art Moderne Style had existed for years. The building was merely a copy of other, then common, off-the-shelf bottling plants constructed by Canada Dry throughout the country. For your reference, I have attached pictures of the subject building to my submitted testimony.

Third, according to Canada Dry's records, the company did not select to locate its building in Silver Spring because of Silver Spring's reputation as an industrial center. On the contrary, Canada Dry located its plants in relatively lower rent districts, immediately outside their primary service area. In reality, what we have in Silver Spring is merely one of Canada Dry's prototypical buildings, whose purpose was to service the established Washington, D.C. market, not the local market.

Fourth, the subject building was not built in the context of industrial development. In fact, Silver Spring is not known for its industrial development. Instead, the area was noted for the scale and architectural quality of its retail development, which the County has preserved. While there may have been another bottling plant and warehouse in the area fifty years ago, there is no context today. As such, the

building does not exemplify the cultural, economic, social, political or historic heritage of the County. As a result, preservation of the subject building will not cause remembrance of an industrial boom. Instead, if the Property is designated we will ensure that Silver Spring is remembered for its vacant buildings and urban blight.

Fifth, the preservationists muse about how the building might be reused. The building has sat vacant for years, however, and has been listed for sale for months. No one with reuse plans has made a viable offer, however, or presented a proposal to AT&T or the previous owner. This is important because at this point AT&T just wants to recoup its investment and is as willing to sell the Property to an entity willing to preserve the structure, as to one who may need to demolish the building.

The Preservation groups may discuss another Canada Dry building that was reused in Portland, Oregon. That site is distinguishable. First, the Silver Spring Historical Society indicates that the Portland building has only been placed on the Historic Resource Inventory. Under such "Inventory" however, the local authority has no control over if, or whether the building is modified or demolished, but only must be given 120 days notice before demolition occurs. In Portland, the owner has the final decision regarding the demolition and the ultimate control over the redevelopment of the property. Second, the market supporting such reuse is very different than the market found in Silver Spring. The Portland building is in a

prime location, and has excellent and unusual access to transportation. User demand for the building has remained high due to very low vacancy rates. These factors do not exist in Silver Spring.

Finally, although a few features of the building may have some architectural interest, the building itself is extremely plain, and does not merit designation. It does not embody the work of a master – nor does it possess high artistic value. Also, if we use 50 years as our baseline in evaluating whether to preserve buildings, this very building as well as Bob Harris may be next in line for preservation.

II. **The redevelopment of the Property, including demolition of the subject building was considered by Montgomery County in various ways at least 14 times since 1975. While these reviews have differed in scope or purpose, preservation of the subject building has never been required by any of them.**

I am attaching a detailed list of the County's decisions over the years to my submitted testimony. The information contained in this list is compelling, and we request that you review the document. In the interest of time, however, I will try to summarize those actions. Over the last 26 years, the Planning Board and Council have reviewed and/or amended the Silver Spring Sector Plan repeatedly, the latest plan being adopted just last year. In all of these plans, the County recommended redevelopment of the Property, allowing demolition of the subject building. While the Council during this period designated other Silver Spring sites as historic, the subject Property was identified and discussed, yet never listed. Consequently, the Property was always considered for redevelopment and therefore demolition.

In 1984, the Historic Preservation Commission specifically considered whether the building should be designated. The Commission unanimously rejected such request finding "that it met none of the criteria" of the ordinance. The preservation groups may say that the Commission did not have enough information before it to make a decision. Although we do not agree, even if this were so at some of the earlier dates, certainly by February, 2000, when the Council adopted the current Sector Plan, the building was 50 years old and there was virtually the same information which is before you today.

In addition, during this time period, the Planning Board approved a Project Plan, Site Plan and Preliminary Plan for the Property. The issue of historic preservation was discussed in depth during the Planning Board's review of the Project Plan. In fact, the proponents for preservation submitted a number of letters and supporting information explaining why they believed the Property should be preserved. Many of these same letters are submitted as part of the designation request. Despite these requests, the Planning Board rejected preservation, and unanimously approved the Project Plan allowing complete demolition of the subject building.

During the February 2000 Silver Spring CBD Sector Plan Update, the HPC again held hearings on the significance of various structures within Silver Spring.

Despite the presence of all of the previous research regarding the subject Property

and letters from the Community and experts regarding preservation, the plan did not include any preservation requirement for the Property.

III. On Balance, Rejection of the Designation Request is in The Public Interest.

The Master Plan for Preservation indicates that in deciding whether to place a property on the Master Plan for Historic preservation, the Planning Board must “balance the importance of the historic property with other public interests.” On balance, preservation is contrary to the more significant public interest of ensuring the revitalization in South Silver Spring.

While we believe that it is clear that the Property does not meet the criteria of Chapter 24A of the Montgomery County Code, we recognize that the criteria is very broad and subjective. Thus, anyone could formulate an argument regarding historic designation for any older building in Silver Spring. The Master Plan for Historic Preservation therefore requires the Planning Board to consider these claims and balance them in light of broad County interests, which include revitalization. Silver Spring was known for its retail development. As such, the County has taken steps to ensure that numerous older, retail buildings like Hechts, and the Silver Theater and Shopping Center complex are preserved, because such is in the public interest.

Unlike the retail development that has already been preserved, preservation of the subject building is not in the public interest. In February 2000, the Council adopted the Silver Spring CBD Sector Plan and very clearly delineated that redevelopment was in the public interest not preservation. Specifically, the Council actively took steps to encourage and ensure that revitalization occurred in South Silver Spring, and more particularly on the subject Property.

First, the Council rezoned the Property from CBD-R2 to CBD-2. The purpose of this rezoning was not only to encourage mixed-use development on the Property, but also to facilitate higher density commercial uses near metro. The Council provided that "New zoning in these revitalization areas should include incentives that: (1) capitalize on the momentum created by the proposed projects for Silver Spring's CBD (Discovery Communications . . .); (2) create heightened investor interest and an improved investment climate in . . . South Silver Spring; (3) position . . . South Silver Spring to take advantage of their strategic locations near the Silver Spring Metro Station and proposed multi-modal Transit Center; and (4) position South Silver Spring to take advantage of land use options that can be supported by the current real estate market. . . ." Preservation of all, or even part of the building will not allow a developer to achieve the redevelopment and densities that the Council has determined to be in the public interest.

Second, the 2000 Sector Plan creates an overlay zone that includes the subject Property. The purpose of the overlay zone is to allow flexibility in development

standards, and allow increases in density. The Council recognized that there are many large tracts in need of redevelopment in South Silver Spring, including the subject Property. The overlay zone even encourages demolition by allowing owners willing to demolish existing buildings to maintain or transfer development credits.

Third, the Sector Plan encourages wide promenades along East-West Highway with development along the street frontage, and parking in the rear. Furthermore, under the standard or optional method of development, 10-20% of the Property, respectively, must be reserved for public use space. These requirements shrink the area within which to place a new building.

Finally, if the building is designated, the message to the development community is that regardless of prior final decisions, any building is fair game. With the market as it is, the result will be that developers will not look to redevelop older, blighted properties in Silver Spring, but will continue to focus on other areas. This certainly is not in the public interest.

IV. Conclusion

We submit that AT&T's building is not historic and does not meet the requirements of Chapter 24A of the Code. Redevelopment of South Silver Spring, and this Property has been the goal of the County since 1975, as is evidenced in all seven amendments to the Silver Spring CBD Sector Plan. As such, we ask that you reject

designation in favor of redevelopment. If you were to designate even part of the Property, you would be creating a conflict with current development plans and would be delegating to HPC your control over the redevelopment of the Property. We ask that you maintain your authority. Furthermore, a recommendation to preserve the building will result in the preservation of a vacant, blighted warehouse in the context of such developments as NOAA, Discovery and the potential adjacent incubator space. Any preservation of the building will not be a reminder of the hey day of Silver Spring. Instead, it will merely be a continued reminder of the blight that continues to plague South Silver Spring.

BSA1 #16460 v4

**SUMMARY OF COUNTY, PLANNING BOARD AND
HISTORIC PRESERVATION COMMISSION ACTIONS
REGARDING 1201 EAST-WEST HIGHWAY**

NOVEMBER 15, 2001

1. July 1975 Silver Spring CBD Sector Plan

This plan calls for multi-family redevelopment of the Property indicating that the central location of the Canada Dry building would tend to discourage the type of multifamily redevelopment sought by the plan, thereby contemplating its demolition.

2. 1976 Locational Atlas and Index of Historic Sites

While hundreds of properties throughout the County, including others in this immediate area, were identified as potentially significant, this Property was not included in the list and has never been added.

**3. 1984 Historic Preservation Commission Recommendations for
Historic Master Plan**

After receiving a preservation request with respect to this Property, the HPC voted unanimously that the building should not be recommended for placement on the Master Plan "as it met none of the criteria of the Ordinance." While HPC did not request that the Canada Dry Building be listed, the HPC requested that other properties like the Silver Spring Railroad Station, and Old Post Office be added to the Locational Atlas.

4. January 1986 Amendment to the Approved and Adopted Master Plan for Historic Preservation re: Silver Spring CBD Individual Sites.

The County amended the Master Plan for Historic Preservation thereby designating four (4) individual Silver Spring sites (Silver Spring/Acorn; Jessup Blair House/Local Park; Old Silver Spring Post Office; Armory Place) for preservation. Canada Dry was not proposed for designation, despite recommendations by HPC Staff.

5. 1987 Amendment to Silver Spring CBD Sector Plan

The County reviewed the Silver Spring Sector Plan amending it to provide for additional redevelopment opportunities after giving particular attention in the development of this Plan to the issue of historic preservation within the CBD. Unlike the listed sites, including the Silver Spring Railroad Station, Jessup Blair House, and Post Office, however, recommendations were not made to preserve the Canada Dry building.

6. 1989 Silver Spring CBD Sector Plan Update Studies, 1990 Amendment Silver Spring CBD Sector Plan

The County undertook a complete study of the Silver Spring CBD including a further review of historic preservation issues. The plan confirmed five historic sites, identified a new historic district in the Core and also recommended adding the Silver Spring Railroad Station to the Master Plan for Historic Preservation and a recommendation for evaluation of the historic significance of the Silver Spring Fire

Station. The Canada Dry building was not recommended to be studied as to its historic value or to its placement on the Master Plan.

7. 1993 Silver Spring CBD Sector Plan

This plan provides for redevelopment of the Property under CBD-R2 (multi-family/mixed-use) zoning. Although some have suggested that the 1993 Sector Plan did not really look at historic preservation, the HPC alone held at least four worksessions in 1992 and 1993 to review historic resources in Silver Spring. The plan itself has an entire section dealing with the issue including six sites on the Master Plan and three on the Atlas. It also has a section on "Additional Historic Resources" and recommends evaluating the Fire Station for listing on either the Atlas or the Master Plan. Certainly, given the fact that the Canada Dry building was obvious to anyone in the area, and had been studied for potential preservation previously, the HPC, Planning Board and County Council were well aware of it and could have proposed it for preservation had they deemed it significant. This is particularly so given that advocates were requesting such action and presented information about the building's alleged historic significance.

8. 1993 Project Plan

Following the affirmation of redevelopment recommendations for the Property during the Sector Plan process, the Planning Board unanimously approved a Project Plan for development on the Property. The HPC had considered whether to recommend preservation of the building as part of the Project Plan, but did not do so. Significantly, as part of both the Sector Plan and the subsequent

Project Plan approval, the proponents for preservation submitted a number of letters and supporting information explaining why they believed the Property should be preserved. This included information about the architect of the building and virtually the same assertions that are being made today about the building's alleged significance. The Planning Board rejected those requests and others for even partial preservation. Despite these requests for preservation and the submission of extensive information about the building and architect, most of which mirrors that which is now being submitted, the HPC recommended no such preservation and the Planning Board approved redevelopment of the Property with demolition of the entire structure.

9. June, 1993 Subdivision Approval

Following adoption of the most recent Sector Plan and the Project Plan for redevelopment of this Property, the Planning Board unanimously approved subdivision of the Property including demolition of the existing building.

10. June, 1993 Reconsideration of Project Plan

The Planning Board reviewed and rejected a request by Ms. Reardon and others for reconsideration of the Planning Board's approval of the Project Plan so as to consider imposing conditions with respect to demolition of the building.

11. June, 1994 Project Plan Extension

The Planning Board unanimously granted extension of the validity period for the Project Plan, once again finding no need to preserve the building.

12. January, 1996 Project Plan Extension

The Planning Board approved a second extension of the Project Plan with no preservation requirement.

13. May, 1996 Site Plan Approval

The Planning Board approved a detailed Site Plan for development of the Property allowing 575 multi-family apartment units, and 6,240 S.F. of commercial retail development. Although discussed, neither the Planning Board nor Park & Planning Staff required that any part of the building be preserved. The staff advised the Planning Board that "the existing Canada Dry building was considered for addition to the Locational Atlas in 1984 but the Planning Board chose not to place it on the Atlas." Staff added that this issue was raised during the approval of the 1993 Sector Plan but was rejected by the Council. The Planning Board once again rejected requests for preservation.

14. February, 2000 Silver Spring CBD Sector Plan Update

As part of the most recent update, the HPC held hearings on the significance of various structures within Silver Spring. Despite the presence of all of the previous research regarding the Canada Dry Property and letters from the Community regarding preservation, the plan did not include any preservation requirement for the Property. The Council specifically discussed the historic designation of other sites, including Hechts, and the Silver Spring Fire Station. However, noting that South Silver Spring has a deteriorating building stock and

particularly deteriorated warehouse buildings, and that the County has an overarching goal of revitalization, the Planning Board and County Council approved and adopted a Sector Plan update with no preservation requirement for Canada Dry and no objection from the HPC. Moreover, the Sector Plan suggests flexibility to allow the redevelopment of existing, outdated buildings which detract from the area's potential. In fact, the base zoning for Canada Dry was changed from CBD-R2 to CBD-2 to allow additional flexibility in "achieving the important public goal of downtown revitalization."

Although the planning studies for this Sector Plan update occurred over a period of at least two years and took place well after submission of detailed documentation by preservation groups of their beliefs regarding the importance of this Property, the HPC did not recommend its preservation and both the Planning Board and County Council provided for its demolition.

BSA1 #16666 v1

The Gateway Coalition

*Of Business and Civic Associations in Maryland and D.C.
Dedicated to the Revitalization of South Silver Spring
And Upper Georgia Avenue in the District of Columbia*

Co-Chair for Maryland
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Testimony to the Planing Board on 11/15/01

I am Daniel Meijer, recently elected Co-Chair of the Gateway Coalition. The Gateway Coalition consists of Business and Civic Associations in Maryland and D.C. dedicated to the Revitalization of South Silver Spring and Upper Georgia Avenue in the District of Columbia. We have been publicly meeting monthly for nearly 10 years.

At the last monthly Gateway meeting, most of our members were astonished to learn that this large abandoned property could actually be considered for "Historic Preservation". In short, we considered the designation request to be the unintentional preservation of "Urban Blight". Thus the question of preservation received an unfavorable vote.

The property has had no significant historical role in our community. Some of our members, such as myself, have lived and worked in the area since the 1960s (or earlier), cannot recall any significant event this building has had on our community.

This property is in urgent need of redevelopment. We are very concerned that the regulations (and those who abuse them) that can be imposed upon this property by the proposed designation of "Historic" will greatly limit and restrict it's chances for appropriate redevelopment. This is of particular concern to us now, given the recent economic forecasts. We do not want to live with and look at an eyesore for the next 10 years or more.

Although we have been meeting publicly for approximately the last 10 years, the historic preservation enthusiasts have only paid attention to our community rather recently. They have come to our meetings and advocated for the preservation of two other buildings in South Silver Spring. The former Institute of Dry Cleaning building (another large industrial facility) and the abandoned 1950's Silver Spring Post office near Acorn Park. Again, we were astounded that these structures could even be considered historic.

For that reason, we have some serious concerns about their overall agenda for this area. South Silver Spring is not Williamsburg Virginia. The area has no chance of becoming such a tourist attraction. This area is in urgent need of redevelopment, not preservation.

We therefor ask that the Planning Board exercise its planning wisdom on deciding this matter as it relates to the overall vision and revitalization of South Silver Spring. Can this community afford to set aside such large parcels aside for eternal preservation? We think this is unwarranted, unrealistic and impractical and urge the Planing Board to do the same.

**Testimony on
Historic Designation of the "Canada Dry Site"**
From the
Greater Silver Spring Chamber of Commerce
November 15, 2001

Good evening. My name is Ray Timmermann and I own the Sir Speedy Printing Center here in downtown Silver Spring, I am also the president of the Greater Silver Spring Chamber of Commerce, and represent the Chamber this evening.

As the representative for Silver Spring businesses, the Chamber considers the success of downtown Silver Spring a very high priority. In order for Silver Spring to return to its status as one of the area's most successful commercial centers, we must take care to ensure that decisions are made to allow successful development and redevelopment to occur.

The business community respects Silver Spring's history, and the desire to preserve it, when preservation is appropriate and benefits the community. But in this case, we believe it is more important to ensure Silver Spring's *future* commercial success by encouraging new investment, which will have a great impact on the quality of life for all of Silver Spring. We are here this evening to support the Silver Spring that lives and breathes *today*, and the future investment that will keep it healthy. We ask that you not designate the Canada Dry site as historic.

Silver Spring is in tenuous times. While we are fortunate to have new development happening here, we have a long way to go before we can claim victory over decades of decline. We ask you to consider the danger that preserving this piece of the past would pose to jeopardizing the area's future.

The site's location, along the East-West Highway corridor, is just beginning to see redevelopment. Empty and abandoned properties are now being considered for new uses, with retail, office, hotel, residential, and a small business development center that would bring life to this location and infuse Silver Spring with choice properties in walking distance to the Metro. Downtown Silver Spring is a large area that needs a lot of new investment, and we are very concerned that historic designation will give potential investors no choice but to seek projects elsewhere that are less costly to develop. The Canada Dry site will remain abandoned, and continue to be a source of urban blight in the middle of a landscape that is ripe for new investment.

Silver Spring has been waiting a long time to see the kind of interest developers are showing today. This community, the residents, the office workers and the businesses here deserve a chance to have their community realize its long-awaited potential.

Testimony of Elnora Harvey
Chair, Silver Spring Citizens Advisory Board



Inclusion of the Canada Dry Building in the Historical Atlas
Maryland National Capitol Parks and Planning Commission
November 15, 2001

Good evening. My name is Elnora Harvey and I am the Chair of the Silver Spring Citizens Advisory Board. The Board is selected by the County Executive to represent the views of the citizens of Silver Spring. On behalf of the Board I am here to testify AGAINST the inclusion of the Canada Dry Bottling Plant in Silver Spring on the County's Historical Atlas. The Board approved a resolution recommending that the Montgomery County Preservation Historic Commission not approve historic designation for the former Canada Dry Bottling Plant located at the intersection of East West Highway and Blair Mill Road in Silver Spring. The vote was unanimous with one abstention. I have provided a written version of my testimony, and I ask that it be made part of the record of these proceedings.

As you know, historic preservation is an issue that has attracted a great deal of attention as Silver Spring experiences redevelopment. However, what appears to be ignored is that the historic significance of Silver Spring is that it was once an important center of commercial

activity and entertainment. In fact, in the 1940's and 50's, Silver Spring was the second largest retail and entertainment district in the State of Maryland. Accordingly, we view redevelopment as an effort to restore Silver Spring to its historical status as an area of vigorous commercial, retail, and entertainment opportunities, rather than as a threat to Silver Spring's history.

We urge, therefore, that any decision on historic designation be made in the context of balancing the architectural significance of a particular structure against the opportunity to re-establish Silver Spring to its historic prominence as a vibrant downtown where people come to work, shop and be entertained. In some instances that balance will weigh in favor of saving a particular structure, as in the case of the Silver Theater and the B&O Railroad Station. In other instances, it will weigh in favor of the opportunity for development in keeping with the revitalization of Silver Spring.

With regard to the Canada Dry Bottling Plant, we believe that the balance should weigh against the inclusion of the building on the historical atlas. This building is an industrial structure that has not operated as a functioning bottling plant for several years. It increasingly has become a visual eyesore and "public nuisance."

The Canada Dry building was built during an era when warehouses, a lumberyard, a rail yard and light industry characterized the area around the B&O rail tracks in Silver Spring. The warehouses, lumberyard, and industrial uses have given way to modern office buildings, apartment buildings and town houses. This building does not fit into the theme and concept of the reborn Silver Spring. The Canada Dry site faces an apartment complex, is adjacent to the new NOAA Headquarters and is across the street from the Discovery Annex and a soon to be constructed technology incubator. The Canada Dry building severely detracts from the look and feel of the more attractive structures now in place.

There have been a number of proposals to use the site in a manner consistent with surrounding development that will further support the redevelopment of Silver Spring. The current owner has proposed using it for a high tech center. Another developer has been in negotiations to purchase the site to construct housing. None of those proposals will go forward if the use of the site includes the cost of rehabilitating the Canada Dry Bottling Plant. We want to ensure that private capital is attracted to Silver Spring and encumbering the building with an historic designation will discourage investment that will support the community and the County objectives.


There is no realistic possibility that this building will be restored to its former use or be adapted to a new use. An historic designation will seal the fate of an important parcel of CBD real estate.

With regard to restoration, some proponents of historic designation compare the Bottling Plant to the Silver Theater, the so-called "Crown Jewel" of the redevelopment of Silver Spring. However, the Silver Theater is unique. It is being restored to its original use as a grand movie theater. And the State and County have contributed \$20 million to make that restoration a reality. No one can seriously believe that public funds will be used to restore the Canada Dry building to be a functioning bottling plant. And even if such restoration took place, no bottling company has shown any interest in operating a bottling plant in the middle of Silver Spring. Finally, not many citizens of Silver Spring believe that having a functioning bottling plant in the midst of office buildings and apartments is particularly desirable.

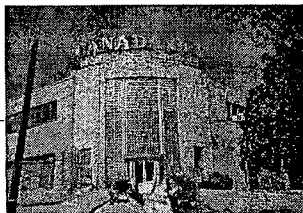
If the Canada Dry Bottling Plant receives historic designation it will likely remain a vacant, withering eyesore. There is no evidence of demand to adapt this structure to a new use. Preserving the building on this site would impose economic hardship on a new owner; make it impossible to maintain the structure, and works against effective use of the zoning envelope of the entire site.

In summary, the Silver Spring Citizens Advisory Board asks that you apply common sense and reason to your decision regarding the Canada Dry Bottling Plant. Some buildings are worth saving at any cost. Some are worth saving because the value of historical preservation outweighs benefits of new development. Other buildings, like the Canada Dry Bottling Plant in Silver Spring, should not be preserved because the benefits of proposed alternatives clearly outweigh the benefits of preservation.

On behalf of the citizens of Silver Spring, I thank you for your attention and courtesy.

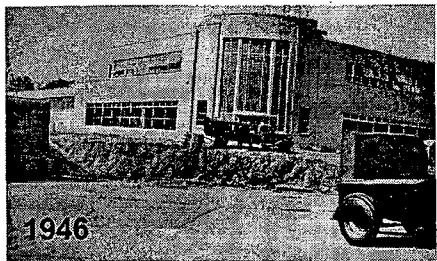

November 15, 2001

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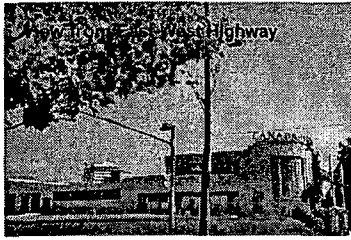

**Constructed
1946**

**CANADA DRY
BOTTLING PLANT** Architect:
Silver Spring, MD Walter Monroe Cory

2

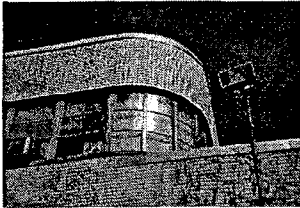

1946

3



- Uncolored design
- Sweeping lines suggesting motion
- Ribbon windows
- Rounded corners

4



The curve - a characteristic streamline moderne design element

5

Cory & Cory Major Accomplishments

- Among handful of American architects in the seminal "Modern Architecture: International Exhibition," New York, 1932
- Walter Monroe Cory's work "is now firmly established as an important part of 20th century architecture in America." (Robert A.M. Stern)
- Corys still influence architecture today: Condo building, 68th St. & Broadway, "obviously derivative of the 1931 Starrett-Lehigh Building" (Architectural Guidebook to New York City)

6



Corys' Starrett-Lehigh Building, Manhattan

- Simple but sweeping lines
- Horizontal ribbon windows
- Rounded corners

7

Starrett-Lehigh Building, Manhattan

- Declared a landmark by New York Landmarks Preservation Commission, 1988
- "From an aesthetic point of view, it came as close as any American building of its time to the stylistic tenets of the European-based International Style" (Stern)

8

Starrett-Lehigh Building, Manhattan (cont'd)

- Today is center of newly trendy Chelsea district. *New Yorker* (2000) calls it "the Brill Building *de nos jours*"
- "One of the most powerful demonstrations of the horizontal continuities [which reinforced-concrete, column-and-slab construction] made possible...., continuities that proponents of the International Style deemed virtually indispensable to modern aesthetics" (Stern)

9

Other Major Cory Buildings

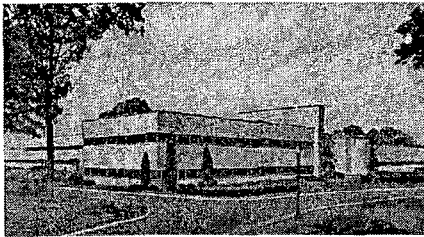
• **Johnson & Johnson buildings, New Brunswick, 1941** - "considered among the finest of their kind in the U.S." - *NY Times*, 3/28/46 (obit of Russell G. Cory)

Johnson & Johnson Ligature Laboratory
"Probably the most modern monumental defense plant in the U.S." (*Architectural Forum* 1941)

Johnson & Johnson Industrial Tape Building
Noted in Martin Grelf's *Depression Modern: The Thirties Style In America*

10

Johnson & Johnson Industrial Tape Building - 1941



Quintessential International style

11

Other Major Cory Buildings (cont'd)


• **Cashman Laundry Plant, Bronx, 1932**
"Revealed the impact of a self-conscious Modernism on a building type whose aesthetics normally would have been less highly keyed" (Stern)

Its cantilevered construction, permitting uninterrupted ribbon windows and abundant light and air, was praised by Lewis Mumford, then architecture critic, *The New Yorker*

Included in AIA Guide to New York City

12

Successful adaptive reuse of Silver Spring's "twin"



Davis Business Center - Portland, Oregon

On city "Historic Resource Inventory"

Houses 88 businesses

13

Supporters Include:

- Art Deco Society of Washington
- Montgomery Preservation, Inc.
- Preservation Maryland
- Allied Civic Group
- Montgomery County Civic Federation
- Woodside Park Civic Association

14

Canada Dry Building - Testimonials

"A superb example of streamlined design put to industrial use - without question the best example of its kind in the county and certainly one of the very best in the greater Washington Area."

Richard Longstreth, Associate Professor
Architectural History, George Washington University

Past President, Society of Architectural Historians
Serves on Maryland Governor's Consulting Committee
on the National Register of Historic Places

15

Canada Dry Building - Testimonials

"An excellent example of commercial architecture of the post-depression era, well-designed and evocative. The architect, Walter Monroe Cory, has a reputation as an important designer of industrial buildings.... This is an important building that played an important role in the industrial and commercial history of the Washington-Maryland area."

Richard Guy Wilson, Commonwealth Professor and Chair
Department of Architectural History
University of Virginia

16

Canada Dry Building - Testimonials

"The Canada Dry plant is an excellent example of the [streamline modern] style in its synthesis of Classical composition and Modernist elements, including horizontal strip windows, curved corners, and a large expanse of glass brick which defines the principal entrance."

Robert A.M. Stern
Robert A.M. Stern Architects, New York

17

"In the end, our society will be defined not only by what we create, but by what we refuse to destroy"

John Sawhill, The Nature Conservancy

18

Canada Dry Ginger Ale Bottling Plant, A Building for All Seasons,
Master Plan for Historic Preservation Designation,
Creative and Economically Vital New Uses,
Art Deco Treasure for the Renaissance of Silver Spring,
Let the Collaboration Begin!
Testimony by Marcie Stickle & George French, Save Our Legacy,
Before the Planning Board, 11/15/01

Imagine yourself in Walter Monroe Corey's mind, what skill and cleverness you would call upon in designing the Montgomery County Canada Dry Ginger Ale Bottling Plant: in Silver Spring, to be productive, utilitarian, easy and enjoyable to use, and full of grace; imagine your joy at designing and selecting your building materials, glass brick, blond brick, yellow glazed and terrazzo tile, wrought iron, mahogany wood, strip glass windows, to name only a few, then to mix them together exuberantly in a recipe to create a (functional and artistic) building for all seasons, for all time; a Streamline Moderne structure built to last, worked in, used, and enjoyed; and now to be reused creatively, and in an economically vital way.

Imagine the men and women who took these elements and built these structures; steel beams and girders rising proudly into the sky; skillfully placing brick upon mortar upon brick, creating streamline moderne art deco curves which are as functional inside the Plant as they are aesthetically beautiful on the outside! Imagine the energy, care and craftsmanship with which they worked; this (creativity and) vitality is a central part of its intrinsic worth, the heart and soul of the (creation and history) of the building, and its meaning to Mo County and S.S.

Imagine working in the building, coming through its awesome circular rotunda, 2 stories high, like being inside an effervescent elegant soda pop bottle of the finest materials, light suffusing in from the glass curvilinear wall, then either entering the Plant component through the rotunda or spiraling up cantilevered steps with decorative wrought iron bannister to second floor offices, heading across a dynamic, dramatic bridge and catwalk, then down into the vast and cavernous bottling arena! All the workers are a central part of its intrinsic worth, they too are heart and soul of the use of and history of the building' and its meaning to Mo Co and S.S.

We request, recommend, and will be grateful that the Planning Board take a tour of the Canada Dry Building accompanied by HPC Staff Gwen Wright and Robin Ziek, and a member of the Preservation community. We believe you will be delightfully surprised! Let your imaginations freely roam!

I can picture the vast open space as an entertainment center with music, dance, song, and multimedia performances, movies, retail, shops, museums and restaurants! Incorporating also an exercise and recreational facility for all ages! I speak to an exciting collaboration:

HPC Amendment: Critically importantly, the HPC unanimous Amendment clearly indicates that "development at the site is anticipated and welcomed." Canada Dry Bldg is 66,000 sq. ft. in an environmental setting of 2.93 acres. Endless possibilities to working with this site in conjunction with its elegant art deco centerpiece building. (Master Plan designation protects the outside; through HPC's legal checks & balances review processes, the outside can be considered to be changed; interior can be changed in any way desired; although in this case, a purchaser/developer, I believe, would want to preserve & promote our distinctive structure; rotunda & bridge/catwalk overlooking the vast, cavernous former bottling component, because they will draw myriad Tourists to Silver Spring from around Mo Co and beyond!)

Historic Inventory: Remember the Inventory! Canada Dry Bldg. and site should already be on the Historical Architectural Inventory/Survey for potential National Register designation of S.S.'s Central Business District, which was to have been initiated in 9/99!, "with a strong potential for the nomination of a thematic Art Deco District," initially stated as a condition in the 6/23/98 HPC "Historic Area Work Permit," allowing destruction of the historic Armory. This is an extremely exciting and useful requirement. The Maryland (State) Historical Trust Inventory is a state requirement, a top priority required "mitigation" for the loss of our Master Plan for Historic Preservation 1927 National Guard Armory. This Inventory is to be a blue print, a road map of our treasures in the CBD which we should be respecting and treating with (great) sensitivity; and especially, incorporating into our redevelopment projects; expressing the drama of combining the best of the old with the best of the new! Doing so leads to the Renaissance of Silver Spring! We do not understand why it is now Nov. 2001, and although so much long, hard work has already gone into it by the HPC staff; the consultant even has been chosen, the County has yet to carry out its legally required (long overdue) commitment; which is beneficial to us all! We would not be in this situation this evening if the Inventory were already in place as it should be. We ask tonight for a moratorium on demolition of significant buildings approaching 50 years or older, structures that will be embraced by the Inventory, long overdue, and advantageously for us all.

Rodney Little, MHT, Director, 6/19/98, to Gary Stith, "If an eligible historic district exists, then the Inventory form would identify all the contributing and noncontributing buildings to the district. The overall redevelopment project would benefit greatly from this step because it could accelerate the rehabilitation of buildings that qualify for federal and state historic preservation tax credits. This intensive architectural survey should be one of the first priorities of the mitigation measures."

"MHT & County Executive Office MOA, Architectural Survey: By September 1999, the County will initiate an intensive architectural survey of the SS CBD....one of the primary products of this survey will be a determination of National Register eligibility of the CBD." 10/1/99

We are all eager to have the Historic Inventory "kickoff," so we can all collaborate together, in this wonderful interplay of the best of the old and the best of the new; it flows also into the Mo County Entertainment Master Plan; with the use of "older buildings" as exciting venues! We will all benefit. We request that the Planning Board require now that the Inventory commence; (find out and unstick what is unnecessarily preventing it from doing so, give it the Green Tape go ahead!), that we all start NOW, setting the marvelous precedent with our precious Canada Dry Building; allowing no harm to befall it; raising up and praising the purchaser/developer who works with it! Let the collaboration begin! Unleash our mutual energies!

Heritage Tourism: The Canada Dry Building and setting will be an intrinsic part of the State of Maryland Certified Heritage Tourism Management Area, in the "Railway Cluster," as is B&O R.R. Station, on the Master Plan for Historic Preservation. Mo County was approved for this Certification, Fall 2000. Heritage Tourism is Economic Development: David Edgerly, County Economic Dev. Chief, and Kelly Groff, Conference and Visitors Bureau Executive Director have pledged to work energetically together with us to promote Heritage Tourism in Mo County, bringing folks from around the County to visit our vital treasures, our vital reference points and signs. If we destroy our heritage treasures, how will we ever compose a Heritage Cluster? We will have nothing to put into it!

Heritage Tourism is a State/County collaboration. The State offers broad economic and program support through its many agencies, through Target Investment Zones, Grants, Loans, income tax credits, and much more!

Allow this important State & Mo County economic incentive to come to fruition! Economic development and education is inextricably linked with the burgeoning Heritage Tourism arena. HPC staff, the preservation community, the County Council, and the State, have so diligently worked in concert together to make this happen. Now we must allow it to thrive and prosper!

Adaptive Reuse! Bottling Plant Dressed/Retrofitted for Success!

Davis Business Center, Portland, Oregon, AKA Canada Dry West!

Our West Coast Twin by Walter Monroe Corey is a 20-year success story!

The Dan and Andrew Davis family who retrofitted it say:

"The distinctive architecture of the DBC building makes it easy to find." (And we're "At the Center of It All, "ideally located at the center of Portland . . . visible and accessible," close to transportation and other amenities, which sounds so clearly like our own centrally located situation in downtown S.S., near our transportation hub!

"DBC is convenient to shopping, restaurants and exercise facilities. One block from DBC is the Hollywood Transit Center where you can use the TriMet bus and MAX light rail systems," sound familiar?!"

Dan Davis, lifelong Portland resident, developed, constructed, and leased buildings, offices, and warehouse space for over 30 years. He was recognized as one of the first on the Pacific Coast to develop the concept of the modern industrial park. His best known industrial parks include Banfield Industrial Park, Davis Industrial Park, Oregon Office/Industrial Park and Yakima Industrial Park.

"Committed to Excellence," the Davis Business Center has transmuted, through the alchemy and magic of the Davis family, Canada Dry West into a successful arena for individuals and organizations to carry out their business enterprises, in the "finest facility" and with the "highest quality of service found anywhere." Each business is treated as DBC only business.

DBC offers:

Extensive personalized and individualized administrative office services and office space, including storage and warehouse; its myriad gracious services includes:

"First Impressions:

Impressive. Inviting. Beautiful. Elegant. Visitors to Davis Business Center describe our building in this way. The décor gives your company not only a professional, first-class image but also lends credibility to your business.

"Building Features:

"Reception and Waiting Areas - The central reception area is beautifully appointed. The professional receptionist staff personally greets you and your clients. The staff also provides you with updated information, phone and personal messages, and notification of your clients' arrival. Your clients receive a warm, welcoming smile and the attention they deserve.

"The features, amenities, and services provided by Davis Business Center are designed to make your business day run smoothly.

"Conference Rooms - Five private conference rooms are available for small or large meetings. All conference rooms feature audio-visual equipment such as televisions, VCRs and marker boards.

"Kitchens and Break Areas - Complete with microwave ovens, refrigerators, dish washing machines, vending areas and complimentary coffee and tea service.

"Tax Library - An extensive tax library is provided.

"Lockers and Shower Facilities - Modern facilities for the fitness-minded.

"Reader Board - An outdoor electronic message display board for your business advertising needs.

"Security - The entire Davis Business Center building is secured and monitored at all times by ADT Security Systems. Davis Business Center staff and clients have 24-hour access.

"Exceeding Your Expectations, Providing the Best

"DBC offers a wide range of administrative services to meet your every business need. We assure you of the highest quality, fast turnaround and, of course, complete confidentiality with all of your work.

Office Services:

"Telephone Answering and Voice Mail - Calls are answered using your company's name. If you are unable to take the call, a message can either be left with the receptionist or directed to our voice mail system.

"Receptionists - Professional, warm, with a friendly greeting for you and your visitors.

"Word Processing and Desktop Publishing - From correspondence, extensive proposals, and repetitive letters to legal documents, medical reports, and newsletters.

"Mail Services - Personal and prompt delivery of your incoming mail; complete outgoing mail and delivery services including all types of postal service mailings, Federal Express service, UPS, bulk rate mailings, and other delivery services.

"Laser Printing - High quality and high speed to provide you with a first-class document.

"Dictation and Transcription Services - Quick and accurate transcription of dictation from equipment we provide.

"Computer Assistance - If you have your own computer system, we can assist you in setup and trouble-shooting.

"Fax - Send and receive facsimile transmissions with prompt service and complete confidentiality.

"Office Supply Service - We will order your office supplies with prompt delivery.

"Travel Arrangements - Complete reservations made for your business trips.

"Coffee and Tea - Always complimentary and always fresh.

"Parking - Ample off-street parking for you and your clients.

"Building Maintenance and Security - Always assuring you of a pleasant and safe environment to work in

Cost-Effective:

Our concept makes you more efficient and at the same time saves you lots of money. We help to reduce the time and money required to operate a business.

"Lease Agreements Flexible & Individual Lease Agreements "allows our clients to easily adjust their office sizes and services, or warehouse space and services, according to their specific requirements. We never forget that no two businesses are alike, and each deserves our special attention."

"Time Share Office Program

DBC also offers part-time or time-share offices. This arrangement is ideal for those who need an office and professional staff on a part-time basis, while still receiving the high level of professional attention our full-time clients receive.

Warehousing Program

Davis Business Center provides warehouse and storage space. Our program allows you the flexibility to change your requirements as your inventory changes. Warehousing services are available as you need them.

We have request into DBC to provide us with their retrofitted floor plans for Canada Dry West to be able to achieve this level of success since 1982!

Its Web site contains many glowing testimonials, one below:

"As my law practice continues to grow, Davis Business Center is always there to provide me with the support I need." Michael Redden. Attorney at Law "

"I have been at DBC for over seven years because it's so conveniently located for my clients - and for me. It only takes me minutes to get to where I need to go." Carol Marr, Vreeland, CFP, Certified Financial Planner, First Investment Advisors"

Let our Canada Dry (East) have our opportunity for success! Through its rightful place on the Inventory, through its rightful place in the Heritage Tourism Railway Cluster, through its rightful place on the Historic Preservation Master Plan, let us ALL PROUDLY carry our S.S. history forward from our vibrant past through our present and into our exciting future, all in concert with each other, the best of the old with the best of the new, promoting each other at every opportunity through Mo Co Economic Development Dept., Conference and Visitors' Bureau, HPC and Historian's Office, Heritage Organizations, Mo Co & S.S. Chambers of Commerce, Mo Co Entertainment District, HOC, Library System, School System, and Md. State Depts., the possibilities are endless, all working together at the same table, in a marvelous collaboration, in an uplifting mutual harmony from this time forth!

**Marcie Stickle & George French
Save Our Legacy, 301-585-3817
8515 Greenwood Ave., Silver Spring, MD 20912
MarcPro@aol.com**

Save Our Legacy
11/15/01, 301-585-3817

DATE: 6/23/99

MEMORANDUM

TO: Robert Hubbard, Acting Director
Department of Permitting Services

FROM: Gwen Wright, Historic Preservation Coordinator *GW*
Montgomery County Department of Park and Planning

SUBJECT: Historic Area Work Permit

The Montgomery County Historic Preservation Commission has reviewed the attached application for a Historic Area Work Permit. The application was:

Approved Denied **Approved with Conditions:**

- 1) The Armory should be documented according to HABS/HAER standards, and a record provided to the County and to the State Historic Preservation Office.
- 2) Salvage of materials from the Armory should be coordinated with the HPC.
- 3) The HPC should participate in the design review/approval of the new Veteran's Memorial. This would be especially important if portions of the Armory were incorporated into the new memorial.
- ✓ 4) Master Plan designation review of the Locational Atlas Silver Spring Historic District should be funded, with the understanding that there is a strong potential for the nomination of a thematic Art Deco District. }
- 5) A historic preservation component for the CBD should be developed to include a walking tour brochure and site specific plaques or information boards, including one at the site of the demolished Armory.
- 6) The re-publication of an updated Locational Atlas should be funded to provide County residents and businesses with the current status of potentially historic properties.
- 7) The publication of an illustrated guide to the Master Plan for Historic Preservation should be funded to provided a useful guide to residents and businesses in the County.

MONTGOMERY PRESERVATION

P.O. Box 4661 Rockville, Maryland 20849 - 4661

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Vice President

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Judy Christensen

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Mike Seebold

Preservation Awards

William Zartman

Danielle Zartman

Publicity

Susan Soderberg

Montgomery Preservation, Inc. testimony, given by Maria Hoey, president, to Montgomery County Planning Board, November 15, 2001, supporting Canada Dry Bottling Plant's nomination to Master Plan for Historic Preservation. One page, two sides

Good Evening. For the record, my name is Maria Hoey, with Montgomery Preservation, Inc., also known as MPI. I thank you for this opportunity to provide comments on behalf of MPI's members regarding the inclusion of the Canada Dry Bottling Plant in the Master Plan for Historic Preservation.

The testimonies presented this evening have and will prove the Canada Dry building's architectural merits and its contribution to the industrial development of South Silver Spring. MPI supports this designation; however, we would be remiss if we did not address economic development issues, as well.

MPI would like to tell you about some programs, which happen to be viewed nationwide as models, that are making historic preservation an important and viable component of community revitalization and economic development.

Tax incentives offered by federal, state, and local governments are luring savvy developers and private property owners to historic preservation projects. The 20% federal income tax credit, 25% state income tax credit, and 10% county property tax credit reduce the cost of rehabilitating historic properties and provide enough savings to make rehabilitation more feasible than tearing down and building new. To be eligible for such credits, however, a property must be historically designated.

MPI has provided you with copies of this informative brochure, which was recently published by the Maryland Department of Housing and Community Development and describes these incentives and provides examples of their benefits. One example shows how property tax incentives on a \$100,000 rehab of a commercial building reduced the net cost of improvements to \$45,550.

We have all visited communities where rehabilitated historic structures have helped fuel revitalization. Even smaller communities, like Ellicott City and Gaithersburg have used historic buildings to turn their economies around. Of course, such successes don't just happen, but require vision, commitment, and incentives to make

them fiscally viable. And that is where these rehabilitation tax incentives play an important role. Another program that supports the rehabilitation of designated historic buildings is the new Maryland Building Rehabilitation Code. Known as Smart Codes, the program makes it easier and less costly to rehabilitate existing buildings, particularly ones that are designated as historic.

Besides providing the basis for these attractive incentives, historic buildings provide cities and towns the character that new buildings often lack. MPI encourages you to unleash the economic potential of historic preservation. Your support of designation will avail to developers the economic benefits that our historic buildings hold. As renowned architect Arthur Cotton Moore notes: "Preservation is a carefully considered pro-growth attitude that takes the most practical and economic position of working with the equity we already have." MPI encourages you to take advantage of this equity by supporting the designation of the Canada Dry building. Such will encourage the rehabilitation and reuse of this landmark site and trigger other development projects and investment in South Silver Spring.

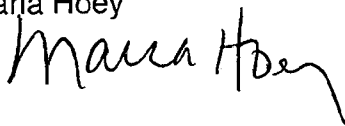
Imagine how this unique building could serve those who live, shop, work, and play in South Silver Spring and surrounding communities. A trendy restaurant, a popular brew pub, a spacious fitness center, a sprawling dance club – all dynamic uses that this area so badly needs. Plus, the site still offers ample land on which to build housing for the many professionals who would love to make revitalized Silver Spring their home.

South Silver Spring holds great promise and the Canada Dry building and other historic structures in this industrial area provide wonderful revitalization opportunities. The designation, rehabilitation, and reuse of this structure will help create a South Silver Spring that is both a popular tourism destination and a sought after place to live and work.

MPI asks that you look at this historic building as the asset that it is. Silver Spring does not need another vacant lot, like the one created by the wrongful demolition of the Armory.

Thank you for considering Montgomery Preservation's comments.

Maria Hoey

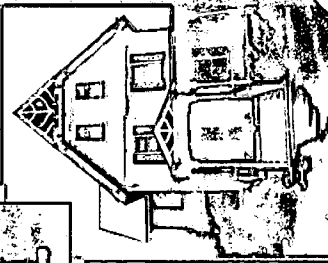
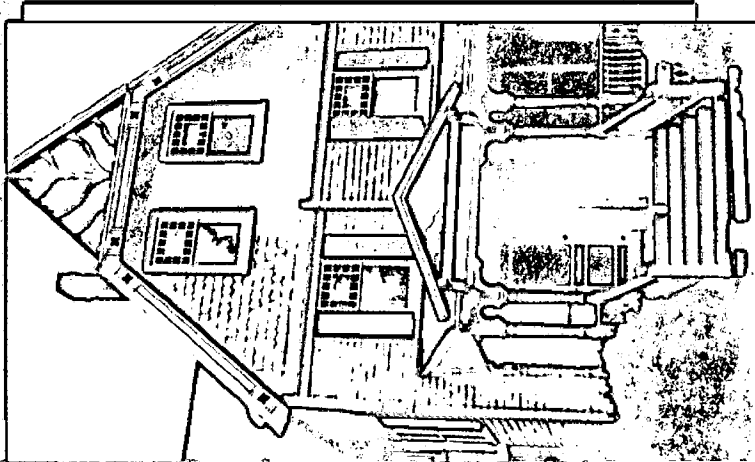
A handwritten signature in black ink that reads "Maria Hoey". The signature is written in a cursive, flowing style.

Tax Incentives

for the rehabilitation

of historic buildings
and communities

in Maryland



Private home in the
Havre de Grace
historic district
before (bottom)
and after (top)
renovations.

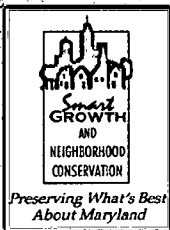
Smart Growth and
Neighborhood Conservation

Maryland Department of Housing
and Community Development



Maryland Department of Housing
and Community Development

Maryland Historical Trust



Preserving What's Best
About Maryland

100 Community Place
Crownsville, MD 21032
410-514-7627
www.marylandhistoricaltrust.net



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Raymond A. Skinner
Secretary

Marge Wolf
Deputy Secretary



Incentives for Smart Growth and Neighborhood Conservation

Foreword By
Governor Parris N. Glendening

Marylanders are justifiably proud of their older buildings and communities. Products of a time when we relied less on automobiles, neighborhoods built through the first half of the 20th Century are conveniently compact. They are made up of buildings with great style, lasting architecture and solid materials difficult to replicate today. Only a quarter of the two million buildings in Maryland today were built before 1950, but they provide a disproportionate level of character and beauty to our communities.

Unfortunately, many public policies over the past decades encouraged sprawling development that weakened older neighborhoods in Maryland and throughout the United States. Recognizing the need to encourage Marylanders to continue to live, work and invest in older buildings and communities, since 1975 a series of rehabilitation tax incentives has helped level the playing field between new and old construction.

In support of Maryland's Smart Growth and Neighborhood Conservation initiative, this brochure summarizes the major federal, state, and local rehabilitation tax incentives that are available today. Most of the incentives are available only for designated historic buildings, but many communities comprised largely of buildings constructed prior to 1950 can qualify for historic designation. Several examples illustrate the "bottom line" financial benefits when the incentives are combined.

In addition to the tax incentives, Maryland has launched a new statewide building code to make it easier and less costly to rehabilitate existing buildings. The more we can use or re-use older structures, the better we can relieve development pressure on "green field" sites far from city centers. The new code, called the Maryland Building Rehabilitation Code, streamlines the construction code requirements that apply to rehabilitation work on all types of existing buildings. Information on this new "Smart Code" is available on the Department of

Local Heritage Preservation Offices

Annapolis	410 263-1129
Anne Arundel	410 222-7441
Baltimore*	410 396-4866 x5
Baltimore County*	410 887-3495
Bel Air*	410 638-4541
Berlin	410 641-2316
Calvert County*	410 535-2348 x333
Cambridge	410 228-1955
Carroll County	410 857-2069
Cecil County	410 996-5220
Charlestown	410 287-6173
Chesapeake City	410 885-5298
Chestertown	410 778-0500
Cumberland*	301 759-6431
East New Market	202 872-4583
Easton	410 822-1943
Frederick	301 694-1792
Frederick County*	301 696-2958
Frostburg	301 689-6000 x15
Gaithersburg	301 258-6330
Hagerstown	301 739-8577 x140
Harford County*	410 638-3103
Havre de Grace	410 939-1800 x307
Howard County*	410 313-2393
Laurel*	301 725-5300 x300
Montgomery County*	301 563-3400
Mount Rainier*	301 563-3400
New Market	301 865-5544
North Beach	410 266-5122
Oxford	410 226-5122
Port Deposit	410 378-2121
Prince George's County*	301 952-4392
Princess Anne	410 651-1818
Ridgely	410 634-2177
Rockville	301 309-3207
St. Mary's County	301 475-4662
St. Michaels	410 745-9535
Salisbury	410 543-3130
Sykesville	410 795-8959
Talbot County	410 770-8030
Washington County*	301 791-3065
Westminster	410 848-7967
Wicomico County	410 548-4862

*Jurisdictions providing Local Property Tax Credits.

Maryland Historical Trust
www.marylandhistoricaltrust.net
410-514-7600

National Park Service
www2.cr.nps.gov/tps/

Smart Codes
www.dhcd.state.md.us/smartcodes
410-209-5800

Moderate Rehab by "Main Street" Property Owners

The Parks have owned their Main Street storefront commercial property within a National Register Historic District for a decade. To take advantage of area revitalization, they decide to make facade improvements, upgrade the unused second floor to accommodate a rental apartment, and install a new HVAC system.

Rehab undertaken

Facade improvements	\$20,000
Apartment rehab	\$50,000
HVAC system	\$30,000
Total	\$100,000

Tax Savings

Federal income tax credit (20% of \$100,000)	\$20,000
State income tax credit/refund (25% of \$100,000)	\$25,000
Local property tax credit (10 years x \$945)	\$9,450
Total	\$54,450

Net cost of improvements	\$45,550
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Substantial Rehab in Three-Unit Dwelling

Ms. Brown decides to buy a vacant three-unit building within the National Register Historic District. She will live in one apartment and rent the others. The building has been a community eyesore and has not been improved for many years. The substantial rehab required costs \$210,000 (\$70,000 per unit). Ms. Brown uses state and local credits for all three units, but the federal credit is available only for the rehab costs associated with the two income-producing rental units.

Rehab undertaken

Total	\$210,000
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Tax Savings

Federal income tax credit (20% of \$140,000)	\$28,000
State income tax credit/refund (25% of \$210,000)	\$52,500
Local property tax credit (10 years x \$1,984)	\$19,840
Total	\$100,340

Net cost of improvements	\$109,660
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Housing and Community Development's Smart Codes web site (www.dhcd.state.md.us/smartcodes) or by calling 410-209-5800.

For more specific information on any of the incentives, contact your local Heritage Preservation Office, the Maryland Historical Trust, or your financial advisor.

Designated Historic Buildings

There are two types of historic designation which may qualify an individual building or an entire community for rehabilitation tax incentives: 1) designation under local ordinance, or 2) listing in the National Register of Historic Places. To confirm whether your building is individually designated, or contributes to a designated district, or to learn how to have your building or community designated, contact your Heritage Preservation Office or the Trust. To confirm designated properties in Baltimore City, search the online database at www.livebaltimore.com. Although rehabilitation work in most cases must conform to the Secretary of the Interior's *Standards for Rehabilitation* (www2.cr.nps.gov/tps/tax/rehabstandards.htm), costs for common rehabilitation treatments like new roofs, plumbing, heating and cooling systems, as well as kitchens and bathrooms, are tax credit eligible.

Federal Income Tax Credits

Federal income tax credits equal to 20% of rehabilitation expenditures are available for the rehabilitation of income-producing designated historic buildings. The project must conform to the Secretary of the Interior's *Standards for Rehabilitation*, and the rehabilitation expenditure must be substantial, in an amount exceeding the adjusted basis of the property (generally the purchase price, minus the value of the land, minus any depreciation taken). Detailed information on the program, including the application, can be found at www2.cr.nps.gov/tps/tax. Federal income tax credits equal to 10% of rehabilitation expenditures are available for the rehabilitation of *income-producing non-designated buildings in non-residential use built before 1936*.

State Income Tax Credit/Refund

Maryland income tax credits equal to 25% of rehabilitation expenditures are available for the rehabilitation of homes as well as income producing designated historic buildings.

The project must conform to the Secretary of the Interior's *Standards for Rehabilitation*. The rehabilitation expenditure for owner-occupied residential property must exceed \$5,000 over a 24-month period. The rehabilitation expenditure for income-producing property must be substantial, in an amount exceeding the adjusted basis of the property (generally the purchase price, minus the value of the land, minus any depreciation taken). If the credit exceeds the taxpayer's tax liability, a refund may be claimed in the amount of the excess. Organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code are also refund eligible. Some non-designated buildings in Certified Heritage Areas may also be tax credit eligible.

Detailed information on the program, including the application, can be found at www.marylandhistoricaltrust.net.

Local Property Tax Credits

Local property tax credits are available for the rehabilitation of homes as well as income-producing designated historic buildings in a growing number of jurisdictions. They are typically provided either as an offset of property taxes owed by 1) a percentage (usually 10%) of the rehabilitation expenditure, or 2) an amount equal to the increase in property taxes resulting from the rehabilitation improvements for a period of up to 10 years. These programs are generally administered by the local Heritage Preservation Office.

To learn if your county or municipality offers such credits, contact your Heritage Preservation Office, or visit www.marylandhistoricaltrust.net.

Selected Examples

The following examples are projections for illustration purposes only. Actual circumstances may vary from the example provided.

Note: Local property tax credit will vary by jurisdiction. All examples assume an increase in fair market value equal to 70% of rehab expenditure, and a property tax rate of \$1.35 per \$100 of assessed fair market value.

Modest Rehab by Longtime Home Owners

The Smiths have lived in their home within the Local Historic District for over 20 years. The time has come for them to decide whether to complete long deferred improvements or to sell and move away from their longtime neighborhood. They decide to stay and do the rehab work, taking advantage of the state and local tax incentives (the federal credit is not available for owner-occupied homes).

Rehab undertaken

New kitchen	\$10,000
New bathroom	\$5,000
New roof	\$5,000
New heating and air conditioning	\$10,000
Total	\$30,000

Tax Savings

Federal income tax credit	\$0
State income tax credit/refund (25% of \$30,000)	\$7,500
Local property tax credit (10 years x \$283)	\$2,830
Total	\$10,330

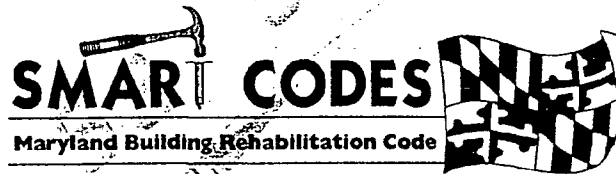
Net cost of improvements	\$19,670
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Income-producing property in the Federal Hill Main Street historic district before (bottom) and after (top) rehabilitation.



Maryland Building Rehabilitation Code



PARRIS N. GLENDENING,
GOVERNOR

KATHLEEN KENNEDY TOWNSEND,
LIEUTENANT GOVERNOR



RAYMOND A. SKINNER,
SECRETARY

MARGE WOLF,
DEPUTY SECRETARY

A MESSAGE FROM THE GOVERNOR

October, 2001

Many communities throughout Maryland thrive with active neighborhoods, strong town centers and much-loved architectural treasures. These places are the heart of our state. Many other communities are victims of economic decay or struggle to maintain their vitality. Vacant and underused buildings in these communities discourage homeowners and businesses from investing or re-investing in the area. Revitalizing these communities, including rehabilitating and re-using older buildings, is central to Maryland's *Smart Growth and Neighborhood Conservation* initiative and must be central to our plans for growth in the 21st Century.

The *Maryland Building Rehabilitation Code* and this *Handbook* set construction code requirements to make building rehabilitation projects more predictable and affordable. The *Code* takes a new approach to construction by establishing standards designed specifically for existing buildings. By adopting common-sense solutions to code issues that arise in building rehabilitation projects, the *Code* will encourage private investment in existing buildings, help improve the safety of these buildings, and offer a valuable tool to those working to bring new spirit to our older communities.

As part of the *Smart Codes* initiative I sponsored with the support of the Maryland General Assembly, the new *Maryland Building Rehabilitation Code* and *Handbook* will assist existing communities to compete for new investment. In turn, this investment will help communities achieve their growth and revitalization goals. Most of all, I hope this *Handbook* will be of assistance to you as you undertake a rehabilitation project in your own home or business.



Parris N. Glendening,
Governor

ADMINISTRATION

REPAIRS

RENOVATIONS

MODIFICATIONS

CONSTRUCTION

CHANGE OF USE
& OCCUPANCY

ADDITIONS

HISTORIC
BUILDINGS

MARYLAND BUILDING REHABILITATION CODE

Background

Governor Parris N. Glendening and the Maryland General Assembly created the Maryland Building Rehabilitation Code Program as part of the State's Smart Codes initiative during the 2000 General Assembly Session. This enabling legislation is codified at Article 83B, §§ 6-501 - 6-505 of the *Annotated Code of Maryland* and is reprinted as an Addendum to this Handbook.

The Maryland Department of Housing and Community Development, with assistance from the Maryland Building Rehabilitation Code Advisory Council, published proposed regulations creating the Maryland Building Rehabilitation Code in the February 9, 2001 *Maryland Register*. The Department finalized the regulations in the May 18, 2001 *Maryland Register*. They will be codified in the *Code of Maryland Regulations* at Title 05, Subtitle 16.

Implementation

The Maryland Building Rehabilitation Code became effective throughout the State on June 1, 2001. Although municipal and county governments may incorporate the Code into their own regulations, this action is not required: the Code establishes the standards for rehabilitation work in every area of the State without the need for local incorporation. As with the State's Building Code (the Maryland Building Performance Standards), the Building Rehabilitation Code is implemented through municipal and county code offices.

Municipalities and counties may decide to amend one or more provisions of the Building Rehabilitation Code. By law, they are required to report any amendments to the Maryland Department of Housing and Community Development, which will post all local amendments on its Smart Codes web site: www.dhcd.state.md.us/smartcodes.

Contents of this Handbook

The Maryland Building Rehabilitation Code Handbook retains the text and numbering system of the Building Rehabilitation Code as codified in the *Code of Maryland Regulations*. This text, printed in black throughout the Handbook, forms the State regulations that must be followed when undertaking building rehabilitation projects.

The Handbook also contains commentary and graphics intended to assist Code users when applying the Code's provisions to specific rehabilitation projects. This material is printed in blue and is set off from the Code text. The commentary and graphics are advisory only and are not binding on rehabilitation permit applicants or local jurisdictions. Additional non-binding assistance in working with the Code can be found on the Smart Codes web site: www.dhcd.state.md.us/smartcodes.

01

ADMINISTRATION

Pages 1 - 16

02

REPAIRS

Pages 17 - 20

03

RENOVATIONS

Pages 21 - 24

04

MODIFICATIONS

Pages 25 - 30

05

RECONSTRUCTION

Pages 31 - 58

06

CHANGE OF USE & OCCUPANCY

Pages 59 - 78

07

ADDITIONS

Pages 79 - 82

08

HISTORIC BUILDINGS

Pages 83 - 90

ADDENDUM

Maryland Building Rehabilitation Code Program
Maryland Department of Housing
and Community Development
Maryland Revitalization Center
1201 West Pratt Street, Suite D
Baltimore, MD 21223

Tel: 410-209-5800
Fax: 410-685-8270

Technical Assistance Hotline:
1-866-424-6269 (toll free)
(MD RELAY 1-800-735-2258)
or
mdrehabcode@nibs.org.

Smart Codes Web Site:
<http://www.dhcd.state.md.us/smartcodes>

05.16.01 ADMINISTRATION

.01 PURPOSE AND SCOPE.

A. The purpose of this subtitle is to encourage the continued use or reuse of legally existing buildings and structures. This subtitle is intended to permit repairs, renovations, modifications, reconstructions, additions, and changes of occupancy that maintain or improve the health, safety, and welfare in existing buildings, without requiring full compliance with the Building Code, Mechanical Code, Plumbing Code, Fire Prevention Code, Electrical Code, Boiler Code, Energy Code, Elevator Code, or Accessibility Code, except for proportional additional work as specified in this subtitle.

The "Purpose and Scope" of the MBRC states: "This subtitle is intended to permit repairs, renovations, modifications, reconstructions, additions, and changes of occupancy that maintain or improve the health, safety, and welfare in existing buildings, without requiring full compliance with the Building Code..." The goal when working in existing buildings is to maintain or improve the level of safety, without necessarily meeting the code requirements for new construction. The amount of improvement the MBRC requires will vary based on the amount of work being undertaken.

B. This subtitle applies to all rehabilitation projects for which a construction permit application is received by a local jurisdiction, the Maryland-National Capital Park and Planning Commission, or the Washington Suburban Sanitary Commission after the effective date of this subtitle.

The MBRC is triggered by the submission of a permit application. It is the sole discretion of the local jurisdiction when to require a permit. The MBRC does not alter the local permitting process.

The MBRC became effective June 1, 2001.

.02 RULES OF CONSTRUCTION.

The words and terms used in this subtitle have the following meanings unless the context clearly indicates otherwise. Any terms not defined here but defined in the other codes listed in Regulation .01 that are applicable to this subtitle have the meanings defined in the other codes. If a term is defined in this subtitle and is also defined in another code, the term has the meaning as defined in this subtitle.

REPAIRS 02
RENOVATIONS 03
MODIFICATIONS 04
RECONSTRUCTION 05
CHANGE OF USE & OCCUPANCY 06
ADDITIONS 07
08

05.16.08 HISTORIC BUILDINGS

.01 GENERAL REQUIREMENTS.

A. Historic buildings shall comply with the provisions of this chapter, or with the provisions of COMAR 05.16.02 — 05.16.06, relating to their repair, renovation, modification, reconstruction, movement and change of occupancy.

The intent of the Historic Buildings Chapter is to provide historic buildings undergoing rehabilitation projects or changes of use alternative compliance options if the enforcement of one or more provisions in the previous chapters would conflict with historic preservation goals. Historic buildings need not use this chapter, but they may choose to do so. The decision of whether to use Chapter 08 (Historic Buildings) provisions is up to the design team. The authority having jurisdiction may not require the use of Chapter 08 (Historic Buildings).

B. Alternatives.

(1) Requirements. An historic building undergoing modification, reconstruction, or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared for the building and filed with the local jurisdiction by an engineer or architect licensed in the State. If the subject matter of the report does not require an evaluation by an architect or engineer, the local jurisdiction may allow the report to be prepared by a licensed building contractor, electrician, plumber, mechanical contractor, or a certified interior designer responsible for the work. The licensed person preparing the report shall be knowledgeable in historic preservation or the report shall be co-authored by a preservation professional. This report shall identify each required safety feature in compliance with this chapter and when compliance with other chapters of this subtitle would be damaging to the contributing historic features. In addition, the report shall describe each feature not in compliance with this subtitle and demonstrate how the intent of this subtitle is being complied with in providing an equivalent level of safety. The local preservation official shall review and comment on the written report or may request and review comments on the report from the State Historic Preservation Officer.

This section is intended to document the requirements and alternatives accepted by the building official, if the owner wishes to benefit from the exceptions offered by this chapter. It is important to have a complete record of all decisions made.



**Testimony in favor of adding the Canada Dry Bottling Plant
to the Master Plan for Historic Preservation
November 15, 2001
Montgomery County Planning Board**

The Art Deco Society of Washington fully supports the position of the Silver Spring Historical Society in recommending to the Montgomery County Planning Board that the Canada Dry Bottling Plant, Silver Spring, Maryland, be added to the Master Plan for Historic Preservation of Montgomery County.

I speak to you tonight as an architectural historian, the Education Chair of the Art Deco Society, and a former Preservation Chair of the Society. I know that the incontrovertible merits of this building and the procedural details for its designation will be discussed at length tonight, and I do not need to repeat them to you yet again. Therefore, I will address my remarks to a case study from our archives that demonstrates very effectively, I believe, the value of reusing a significant Art Deco building in a larger project that is now one of the most valuable properties in Washington, D.C. Many of you may know this building as either 1100 New York Avenue, NW, or as simply "the Greyhound Bus Station building," one of the most sought-after Class A office buildings in the city which commands the highest rentals.

The story of how this project came to be the success that it is is not a simple one. But it speaks well to the importance of historic preservation, quality design, and creative and flexible thinking. This is the outcome that we seek for the Canada Dry Bottling Plant site in Silver Spring.

To quickly review the history of this nationally-significant building, the original Greyhound Terminal of 1940, designed by the bus station specialists Wischmeyer, Arrasmith and Elswick of Louisville, Kentucky, epitomized that era's Streamline Moderne style and evoked the efficiency and adventure of bus travel, which at that time was something very new and exciting. This particular terminal in the nation's capital was intended to be the flagship structure for the ambitious Greyhound company. During its heyday, and especially during World War II when it operated 24 hours a day, it was a major hub in the city's and the nation's transportation system. Both inside and out, it was the latest in plan and design and fully supplied with artistic decoration and extensive services. Alas, as its use declined after the war, it was "modernized" in 1976 by being encased in a cheap covering of indifferent design and then closed in 1987. Preservationists first had to pioneer the concept of landmarking a structure that could not actually be seen and then insist on new construction that would adapt its distinctive features to a new commercial use.



ART DECO SOCIETY of WASHINGTON

Montgomery County Planning Board
Page 2

November 15, 2001

This latter story involved dealing with the intense development pressure created by the location, zoning, and the attendant land value of the site--pressure that threatened to turn the building into a facade fragment. Several design proposals that the Art Deco Society was able to ward off would have literally reduced the terminal to a sliver of a building. In addition, hoped for public incentives were not forthcoming in a city that was severely short of funds at that time.

But all was not lost--for the right developer and architect. We expressed our willingness to endorse a preservation-development compromise, but only if the compromise saved enough of the building--and provided a sufficiently harmonious design setting--to be philosophically defensible. It was three developers and two architects later that such a solution was reached. And again, I want to say, that the solution was not, and is not today, a burden for its owner and tenants. I repeat: it is one of the most sought-after Class A office buildings in Washington, commanding the highest rentals. To give credit where it is due, the owners were and still are Manufacturers Real Estate, now called Manulife; the architects were Keyes Condon Florance, now called SmithGroup; and the preservation consultant was Hyman Meyers.

In this excellent project, all of the salient features of the terminal remain standing free and clear, although the new construction cantilevers over the rear of the terminal and is supported by some skillfully inserted columns. Only the bus loading docks were not retained. The new construction consists of a dignified building that recognizes and salutes the smaller historic building in a respectful manner, creating an overall composition of harmony and sophistication. In no way is this another jarring "Red Lion Row" facade project in which the new building clashes loudly with the mere remnants of historic buildings. The new building is not only decent and respectful, it is handsome and strong, yet nothing of consequence was lost. That is how to do a preservation project and not lose your shirt.

I hope this case study will be helpful to you as you consider the fate of Silver Spring's Canada Dry Bottling Plant this evening. Thank you very much for your attention.

Respectfully submitted,

Linda B. Lyons
Education Chair

Canada Dry Building Testimony Before Planning Board - 11/15/01

I'm Wayne Goldstein. County Executive Duncan has written a letter to the Board, which says, in part, "The Canada Dry building has an architectural feature that is of significance to the Silver Spring community. The curved glass block corner feature with the Canada Dry sign is very interesting and contributes to the historic architectural style that was used in the design of several buildings throughout Downtown Silver Spring." By these words, Mr. Duncan demonstrates a basic understanding of historic preservation that can be the basis for his becoming a good architectural historian. Mr Duncan also wrote at length about the need for economic development. Although economic development is critically important to downtown Silver Spring, the historic preservation ordinance does not deal with nonhistoric criteria during the designation process, although there is language in the guidelines of the Master Plan for Historic Preservation that contradicts the law.

It is appropriate that the Board study the site in relationship to the Master Plan and to make its recommendations as to how the vision of the Master Plan can be best realized on this site. The Board does recall that plans were presented nearly a decade ago to develop this site for high-rise housing. However, no housing was built on this historically undesignated site during the recent years of a booming economy. The site was also considered as a new campus for Montgomery College and most recently, as a telecommunications switching station. As you formulate your recommendations, I urge you to rethink the possibilities of this site. Historic designation would make available a whole host of tax credits.

There are a number of very successful developers in Washington and Baltimore who intentionally seek out designated buildings because they know that the tax credits provide them with economic protection for their work of economic revitalization. A particularly resourceful developer might also figure out a way to access Federal transportation grants like those that are enabling Montgomery Preservation to restore the B & O Train Station. The designation of the Canada Dry building can lure these creative businesspeople to Montgomery County. All of your recommendations will be seriously considered by the HPC when they review a project for this site. Please remember, though, that your concerns about the ~~complicating~~ presence of historic preservation on economic development should not be the basis for not recommending the designation of this entire building. At the appropriate time, the HPC will fulfill its lawful duty to weigh and balance other public interests with historic preservation.

Wayne Goldstein 3009 Jennings Rd. Kensington, MD 20895 301-942-8079 wayneMgoldstein@hotmail.com

Montgomery County Civic Federation

Testimony, 15 Nov 2001

on

Canada Dry Building

The Civic Federation has discussed the Canada Dry Building and twice voted in favor of recognizing its historic and architectural significance. At our last monthly meeting, we adopted the specifics for tonight's hearing.

We see no reason why important parts of the Canada Dry building cannot be incorporated profitably into a new development. We favor preserving, at least, the two story section where the white collar staff worked. This section has a square footprint with rounded corners, wrap-around windows on parts of the second floor, and--above all--it contains the rotunda, brightly lit by its tall glass block windows. This little gem would add interest, charm, and historical context to any new structure.

Furthermore it sits at one end of the site giving a developer great flexibility in designing a project. I went over there and measured things. The square two story section covers less than 8% of the footprint of the entire building. It covers less than 4% of the entire land parcel.

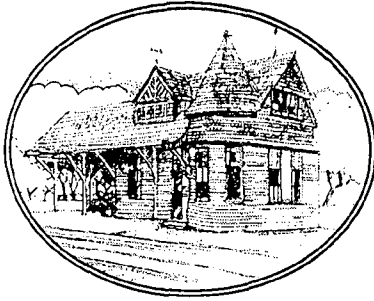
Thus, a developer would have complete freedom to lay out 96% of a large site while re-using the historic asset at one end. Any land owner or developer who can't do this profitably two blocks from a Metro stop in a booming CBD lacks competence or imagination and we'd all be fortunate to see him sell out to a more skillful businessman.

The Civic Federation supports the revitalization of Silver Spring. We also support concentrating development near Metro stops as long as traffic standards, reasonable for an urban center, are maintained. Historic preservation does not conflict with this. It's beneficial to a town.

- It gives a sense of place--people really feel they're in Silver Spring.
- It increases property values if done well.
- Seeing familiar old structures mixed among the new is comforting and this comfort subconsciously encourages people to return, spending more money.

The Civic Fed resolution urges you to recommend historic designation for the Canada Dry building with special emphasis on the square two story section that I described.

In closing, I enjoy seeing this building. For more than 20 years, I've been parking half a block from it once or twice a month when I eat at the original Crisfield's restaurant. I get out of the car and feel at home when I see it standing there. Even though it's forlorn and partly hidden by weeds right now, its tall glassed-in rotunda still radiates great pride! We hope you'll help save it.



Historic Takoma, Inc.

PO Box 5781 ❖ Takoma Park, MD ❖ 20913

"Preserving the Heritage of the Takoma Communities"

November 15, 2001

Mr. Arthur Holmes, Jr., Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Chairman Holmes,

Historic Takoma, Inc. is a 501 (c)(3) nonprofit United Way organization that has been active in the community for 22 years. We strongly support the addition of the Canada Dry Bottling Plant as an individual historic site to the Locational Atlas and Index of Historic Sites and the designation of the building on the Master Plan for Historic Preservation.

The Canada Dry Building is a unique slice of old Silver Spring. It is a visual landmark. Its architectural merits have been well documented by many, and it is certainly worthy of preservation. In the rush to revitalize Silver Spring, it is important to retain significant structures that have a connection to our past and provide visual interest. Such visual interest lends the character that makes a community interesting, unique and desirable as a place to live.

Many communities have recognized the advantages of retaining their interesting old commercial structures and allowing them to be the seed for other development. Creative redevelopment of the Canada Dry Building will make Silver Spring a more interesting place, it can be the spice of our revitalization efforts, the accent, a hook for heritage tourism to our area. Designation of the Canada Dry Building will allow the Historic Preservation Commission to work closely with a developer for this creative reuse. Designation will also allow the developer to benefit from significant federal, state and local tax credits for the restoration and development efforts.

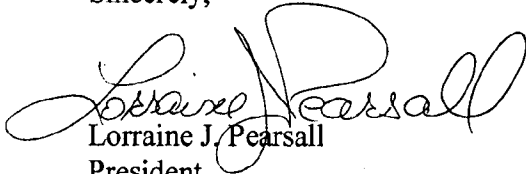
We know from our experience that commercial structures are often the most endangered. In our Takoma community, we succeeded in saving most of our historic residences, but we are sad that we could not save our significant historic commercial and public buildings. The loss of these wonderful original structures contributed to the decline of our main street particularly in the vicinity of the Takoma Metro station. It has made our revitalization in this area that much harder. Silver Spring has already lost significant buildings. While it is rarely possible to save them all, it is important to save some of them. The Canada Dry Building is worthy of your consideration.



A member of the United
Way of the National
Capital Area

It is sad to think of the possible loss of this visual landmark. Please allow us, through your wisdom and foresight, to retain some of Silver Spring's old character as it develops its new persona.

Sincerely,



Lorraine J. Pearsall
President

15 November 2001

To: Montgomery County Planning Board

From: Allied Civic Group

Ref: Draft Amendment to the Master Plan for Historic Preservation – Canada Dry Bottling Plant (#36/44)

Mr. Chairman and Members of the Board, my name is Robyn Raysor and I am speaking tonight on behalf of the Allied Civic Group, an umbrella organization representing more than 35 community organizations and individuals in the down county area.

Allied Civic Group strongly supports the proposed amendment to add the Canada Dry Plant to the county's Master Plan for Historic Preservation. However, we consider that only a portion of the Plant actually is of architectural significance and urge the Board to specifically designate the architecturally significant portion only, and to craft wording that will require future redevelopment of the total site to incorporate the designated portion into the redevelopment plan.

A purpose of historic preservation is to provide a visual history of a community that can be referenced over time. Designation on this Master Plan is designed to ensure that visual evidence of important periods is maintained for future generations. This particular site has had a checkered past as chronicled in the staff memorandum and has finally come of age and now you must determine its future. To categorically deny this application is to deny that relevance of a significant period of Silver Spring's and the County's development and transition into an industrial and commercial environment. That is not right. To deny the application also is dismissing the architectural legacy of Walter Monroe Cory, an important industrial designer of the art deco period. That also is not right. Arguments for denial of this application center on the premise that to designate the Canada Dry Plant on the Master Plan for Historic Preservation would prohibit or discourage redevelopment offers. This is simply not true. Examples of successful contemporary redevelopment projects incorporating historic elements can be found across the country. Locally, the Greyhound Bus Terminal is recognized as a success story. It is naive to believe that developers will not seek out a site of this size in an emerging area like

Silver Spring. They really don't have too many other options—the land parcels simply do not exist.

A reasonable solution is to specify those portions of the plant that truly reflect historic precedence—the two story section that illustrates the distinctive character of the art moderne period including the brick and glass curved corners, wrap around windows, rotunda, and short adjoining wings. This solution would also include language to specifically exclude from the historic designation the other parts of the rear of the plant that are simply industrial structures with no defining architectural features.

Allied Civic Group restates its previously recorded strong support for a partial designation of the Canada Dry Plant as historically significant and deserving of inclusion in the Master Plan for Historic Preservation. We hope this Board will take a creative approach in their review of this application and preserve the visual links to Silver Spring's economic history and also provide the language to facilitate appropriate redevelopment around the historic portions of the plant. This site will be redeveloped. How it gets redeveloped is up to you. And how you vote tonight will demonstrate your commitment to this community, its past, and its future. Is it in the best interest of Silver Spring to allow all significant icons of its past to disappear forever in the interest of expedience or is a more caring approach to find ways to integrate the past with the future?

The choice is up to you.

Thank you



Preservation Maryland

Testimony in Favor of Amending the Master Plan for Historic Preservation to Include the Addition of the Canada Dry Bottling Plant to the Locational Atlas and Index of Historic Sites and its Potential Designation on the Master Plan for Historic Preservation

November 15, 2001

Montgomery County Planning Board

Founded in 1931, Preservation Maryland a non-profit organization dedicated to preserving Maryland's rich and diverse heritage of buildings, landscapes, and archeological sites. Through advocacy, outreach, and funding programs the organization assists individuals and communities with efforts to protect and utilize their historic resources. Preservation Maryland has been active in several preservation projects in Silver Spring including the Silver Theater and the B&O Train Station.

We support the unanimous recommendation of the Historic Preservation Commission finding that the Canada Dry Bottling Plant meets the criteria for listing on the Master Plan for historic preservation contained in Chapter 24A of the Montgomery County Code. Designed by Walter Monroe Cory, a renowned architect of the "International Style", and built in 1946, the Canada Dry building is a signature structure in Silver Spring and one of its kind in the State. It is emblematic of the height of Silver Spring's commercial and industrial development.

The eventual re-development of the site is important to all of Silver Spring. There are many examples of large historic industrial sites in Maryland that have been redeveloped preserving virtually the entire site. These projects have utilized the powerful federal state, and local tax incentives available for historic rehabilitation projects. Examples include the American Can Company in east Baltimore, a 300,000 industrial factory building which today is the world headquarters of DAP, Inc., and home to restaurants, and high tech design firms. Similarly, Tide Point, the former Proctor and Gamble soap factory (built 1929) in south Baltimore has been converted to a corporate campus including restaurants and an athletic club. Also underway in Baltimore is the redevelopment of the historic Montgomery Ward Building which has over one-million square feet in floor space. When complete, it will serve as a high tech incubator as a part of Baltimore's digital harbor and home to at least one state agency.

These projects are located in areas with a long trend of decline and consequently, a tremendous need for redevelopment. Developers and elected officials have viewed the preservation of the existing historic sites as a key ingredient to the economic rebirth of the entire surrounding area. Indeed, the successful adaptive-reuse of these sites has acted as a catalyst for other redevelopment efforts in these areas.

Society for the Preservation of Maryland Antiquities
24 West Saratoga Street, Baltimore, Maryland 21201-4227
Telephone: 410-685-2886 Fax: 410-539-2182
A non-profit organization

Just as the above historic redevelopment projects have contributed to the economic rebirth of the surrounding communities, the preservation of the Canada Dry Building can contribute to the economic success of Silver Spring. Montgomery County through its Master Plan and development process provides a framework which once the development process is initiated, calls for a sensible balance between preservation and development interest to ensure the successful redevelopment of the site.

The Canada Dry Building is worthy of Master Plan listing. Given that there is presently not a development plan under review, it would seem premature to limit the environmental setting for the site, until adequate information exists upon which to make an informed decision. We urge the Planning Board approve listing of the site on the Master Plan, and as a result ensure the full and fair review of any future development plan.

Respectfully submitted,

Elise A. Butler
Programs Director



Preservation Maryland

Testimony in Favor of Amending the Master Plan for Historic Preservation to Include the Addition of the Canada Dry Bottling Plant to the Locational Atlas and Index of Historic Sites and its Potential Designation on the Master Plan for Historic Preservation

November 15, 2001

Montgomery County Planning Board

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Respectfully submitted,

Elise A. Butler
Programs Director

George French Testimony Before the Planning Board
On Behalf of the Canada Dry Building, 11/15/01

I have lived in the Silver Spring area since 1952. I have enjoyed viewing the blond brick, and glass block Canada Dry building from East-west Highway and the neon signage from locations throughout Silver Spring for almost 50 years. It is truly a significant Silver Spring landmark.

Several years ago Mary Reardon, who I applaud for writing an incredible nomination, along with Judy Reardon, encouraged me to view the inside of the Canada Dry building. Although I was only able to get inside the entrance and into the rotunda I was not disappointed. It is a spectacular melding of terrazzo, gold brick tiles, glass block, stainless steel, wrought iron and rich wood. A truly remarkable Art Deco streamline moderne structure, by a renowned architect, right here in Silver Spring, Maryland. Let us not lose another part of our community's significant historic fabric.

The Historic Preservation Commission has confirmed the importance of this Art Deco building by unanimously approving it for Master Plan designation. I would hope this board would follow the experts' lead and approve it also. It is worthy of Master Plan designation.

My mother wrote and received a reply from County Executive Doug Duncan about preserving this building. I quote from his letter. "Our redevelopment effort strives to preserve the benefits of our past while setting the stage for our future. The appearance of the Canada Dry building is valued in the surrounding community, and I am pleased to inform you that the new owner, AT&T, has already been advised that the original building should be preserved." 8/31/2000
What better way to preserve than to designate Master Plan status!

I would hope the Executive would not deceive nor disappoint my mother nor the Silver Spring community by wavering in his support of the Canada Dry Building.

George French
510 Albany Av
Takoma Park, MD. 20912
301-585-3817



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

August 31, 2000

Mrs. Laura French
13383 Renshaw Road
Princess Anne, Maryland 21853-3505

Dear Mrs. French:

Thank you for your recent letter. Your concern for downtown Silver Spring and, specifically, the future of the Canada Dry Building is appreciated. Our redevelopment effort strives to preserve the benefits of our past while setting the stage for our future.

X The appearance of the Canada Dry Building is valued in the surrounding community, and I am pleased to inform you that the new owner, AT&T, has already been advised that the original building should be preserved.

Meanwhile, a new downtown Silver Spring has begun to emerge. Strosniders Hardware is open and the Fresh Fields grocery will soon arrive. Construction of the redevelopment project's retail and entertainment core is about to begin. In addition, a transformation of the area around the Canada Dry property has been spurred by Discovery Communications, which has renovated the vacant Caldor department store, across East-West Highway from the Canada Dry building, as high technology office space. Discovery will build a world headquarters in the center of downtown Silver Spring and recently announced a project for more high tech office space near the Canada Dry site.

Again, thank you for sharing your thoughts. I hope you will continue to support the revitalization of downtown Silver Spring.

Sincerely,

Douglas M. Duncan
County Executive

DMD:vl

S O U T H E R N
F I E L D O F F I C ENATIONAL TRUST
for HISTORIC PRESERVATION

November 14, 2001

VIA FAX 301-495-1320

Mr. Arthur Holmes, Jr.
 Chairman, Montgomery County Planning Board
 Maryland-National Capital Park and Planning Commission
 8787 Georgia Avenue
 Silver Spring, MD 20910

Re: Designation of Canada Dry Bottling Plant

Dear Chairman Holmes:

I am writing on behalf of the National Trust for Historic Preservation to express our strong support for the unanimous recommendation of the Montgomery County Historic Preservation Commission to designate the historic Canada Dry Bottling Plant, which was built in 1946 according to the designs of Walter Monroe Cory.

We respectfully urge the Planning Board to affirm the expert judgement of the Historic Preservation Commission.

The National Trust was chartered by Congress in 1949 as a private nonprofit organization to further the historic preservation policy of the United States and to facilitate public participation in the preservation of our nation's historic resources. With the strong support of our 250,000 members nationwide, including more than 12,707 members in Maryland, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government.

Traditionally, the National Trust does not take a position with regard to local designation decisions. Instead, we typically defer to expert panels with knowledge of local history and architecture, such as the Montgomery County Historic Preservation Commission. However, in this instance we join the Historic Preservation Commission and a number of nationally renowned architectural historians -- including Robert A.M. Stern, Richard Guy Wilson, and Richard Longstreth -- who have determined that the Canada Dry Bottling Plant is worthy of preservation.

Protecting the Irreplaceable



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Mr. Arthur Holmes, Jr.
November 14, 2001
Page 2

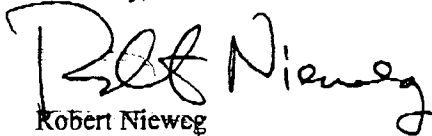
Maryland is an acknowledged leader in the nation's Smart Growth movement. In our view, historic preservation is a critical element of any successful Smart Growth program. To its credit, Maryland also has earned a reputation as an excellent steward of its irreplaceable historic resources, from Colonial homes to busy Main Streets. Here, as elsewhere, designation is often the first step toward the long-term preservation of a community's important historic resources. Preservation extends the useful life of existing structures, and "adaptive reuse" of existing structures means that a community need not sacrifice previously undeveloped land in order to support new economic growth. Preservation protects a community's unique character and can provide a distinguished aesthetic context for excellent new design. Importantly, preservation also is an effective engine for economic development.

In fact, we hope the owners of the historic Canada Dry Bottling Plant are aware that certain economic incentives are available to owners of designated historic properties. For example, in addition to any local tax benefit, the Maryland Historical Trust administers the Heritage Preservation Tax Credit Program, which makes available a tax credit equal to twenty-five percent of the costs expended in the rehabilitation of certified heritage structures, including income-producing structures designated as historic properties under local law.

Therefore, in light of the historic and architectural significance of this important Montgomery County landmark and the potential benefits of redeveloping the historic structure for a new and economically productive use that would compliment the County's revitalization plans, we encourage the Planning Board to vote to designate the Canada Dry Bottling Plant.

Thank you in advance for considering the views of the National Trust for Historic Preservation.

Sincerely,



Robert Nieweg
Director, Southern Field Office
National Trust for Historic Preservation

**Proposed Site Concept Plan for the Adaptive Re-use of the
Canada Dry Bottling Plant**
East West Highway and Blair Mill Road
Silver Spring, Maryland

Richard S. Rosen, AIA
Architect
8910 third Avenue
Silver Spring, MD 20910
301.399.8950

November 15, 2001

When the status of the Canada Dry Bottling plant came to my attention, I was concerned that this wonderful Art Moderne building would be lost to Silver Spring. Like the Silver Theater and the shopping Center at Georgia Avenue and Colesville Road, the Bottling plant is a gateway and symbol of Silver Spring's history, almost catty-corner with the large Acorn marking the original Silver Spring. I offer this site concept plan as one way of adapting and restoring the building while making it part of a viable and diverse site redevelopment.

The proposed site concept plan adaptively re-uses the most significant portions of Canada Dry, maintaining both signs on Blair Mill and facing the railroad tracks. Key features of the plan include:

- Maintaining the corner glass-block entry lobby and stairs of Canada Dry, as well as the second story curved corners and a portion of the factory clerestory. This would serve as the entry to a proposed Brew Pub/restaurant which could have a second floor and roof terrace and ground level outdoor dining.
- A proposed 10-story residential apartment building with approximately 324 units and structured parking below grade. The H-Shaped apartment building is oriented parallel to East West Highway, with Northwest and Southeast-facing courtyards, which create a spatial buffer between it and Canada Dry and offer opportunity for meaningful outdoor and landscaped areas. This configuration would not cast significant

shadows on Canada Dry most of the day. The building would reflect art moderne and deco building shapes and motifs.

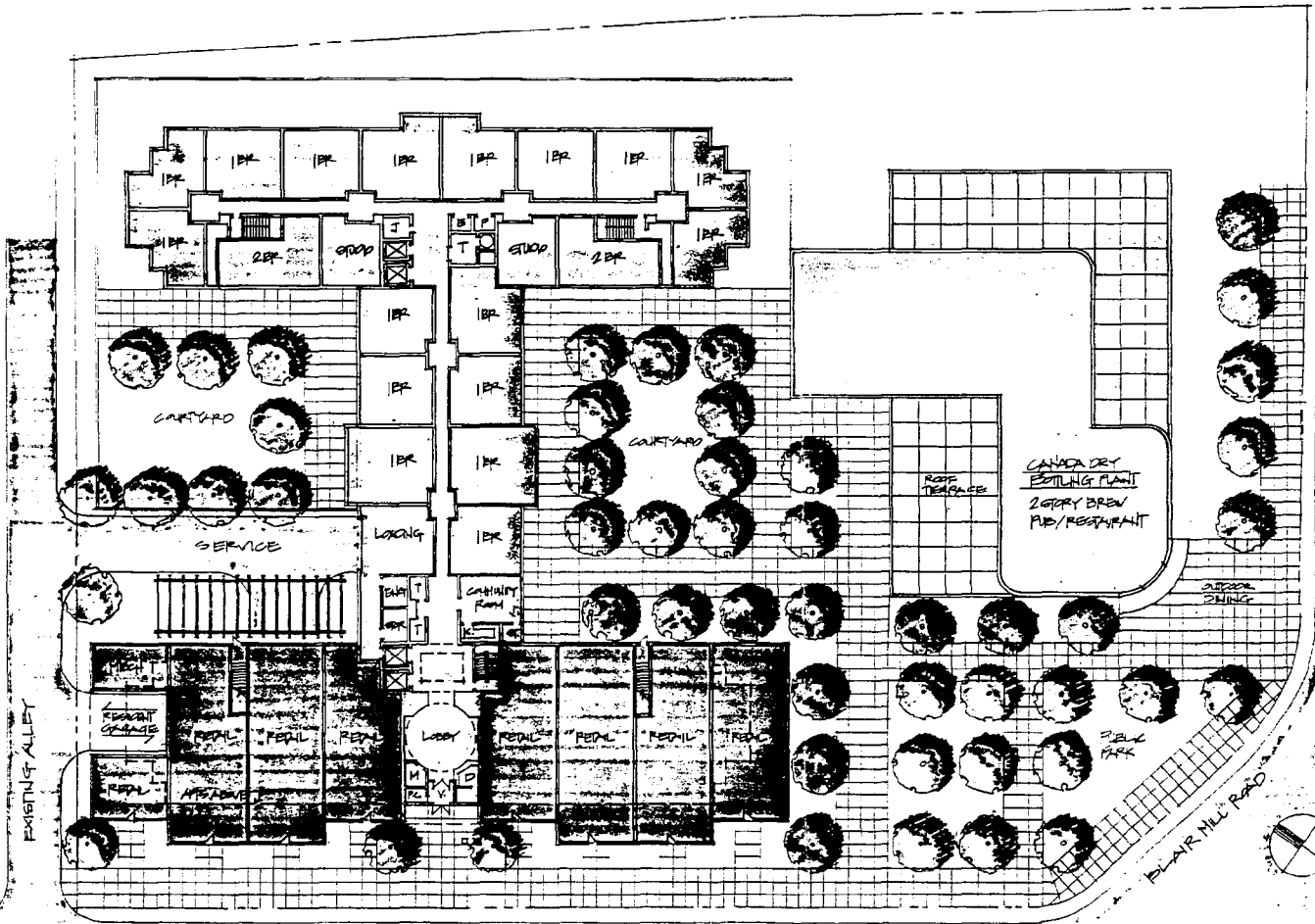
- The first floor of the apartment building provides resident and community accessible retail, with the apartment building lobby located as part of this one-story base.
- Parking and service for both residents and the commercial space is accessible from the existing alley on the north side of the site.
- A public park is provided between the apartments/retail and in front of the Canada Dry building on the corner of East-West and Blair Mill Road. The actual design of this area would be carefully studied if this concept moved forward.
- The Canada Dry Brew Pub is shown to provide an outdoor dining area near its entrance, which would create an opportunity for music and dancing, similar to the plaza at the Bethesda Hyatt hotel.

This site concept plan puts forward a realistic option for providing residential, retail and dining opportunities on the Canada Dry site while preserving and restoring a significant and beloved landmark to useful life. I can think of no better second life for a bottling plant than as a center of sparkling conversation and dining!

Thank you for your time and consideration. I am available at your convenience to discuss this concept plan or any questions you may have.

Richard S. Rosen, AIA

#78

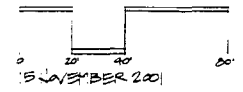


CANADA DRY PLANT (PROPOSED)
 FIRST FLOOR 21,100 GSF
 SECOND FLOOR 12,200 GSF
 TOTAL 33,300 GSF

RETAIL SPACE
 TOTAL 16,320 GSF

10 STORY APARTMENT BUILDING
 STUDIO 38
 1 BEDROOM 288
 2 BEDROOM 38
 TOTAL 364 APARTMENTS

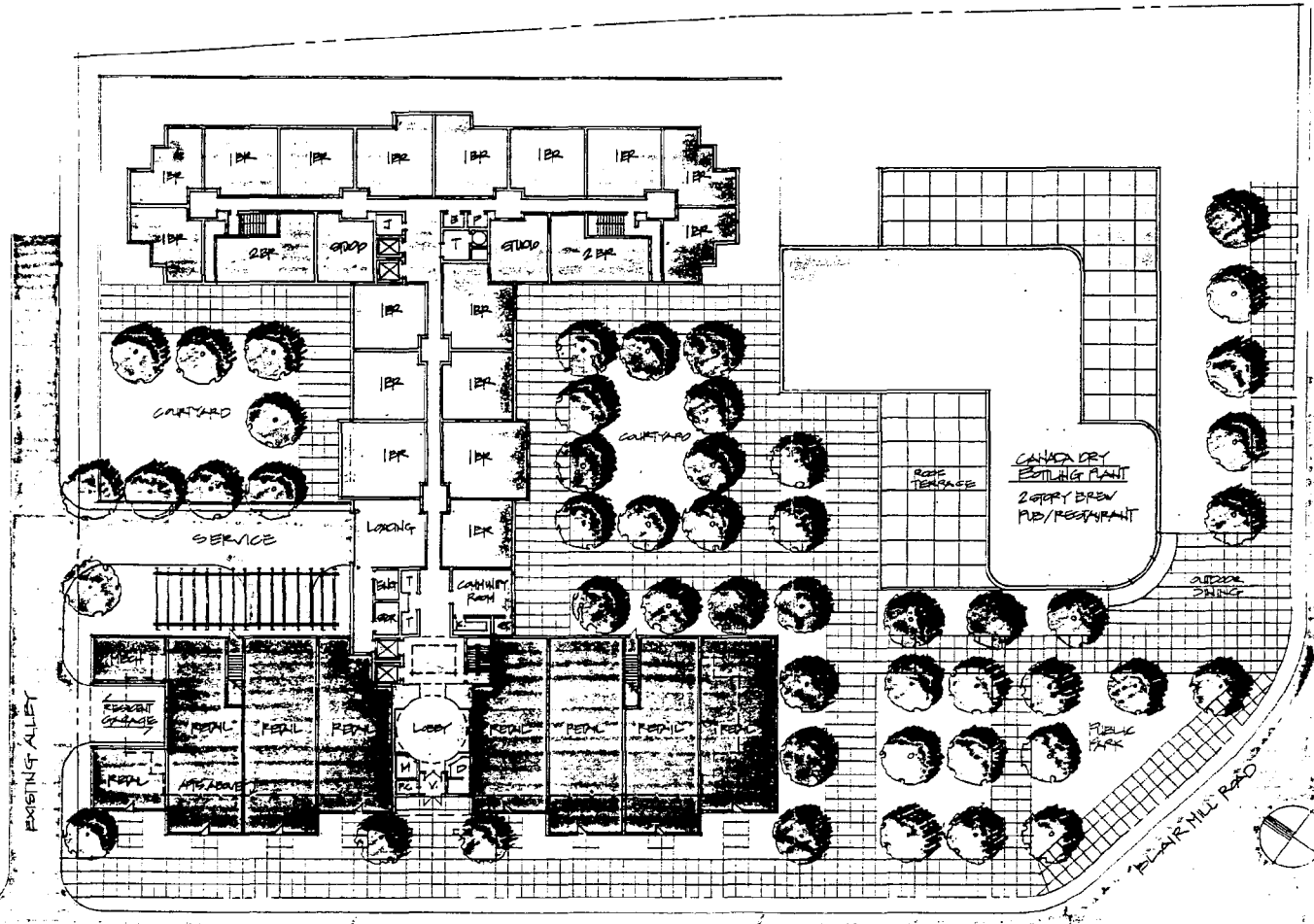
CANADA DRY
 SITE CONCEPT PLAN
 • RE-USE OF BOTTLING PLANT
 • 2 STORY BREW PUB & RESTAURANT
 • 10 STORY APARTMENT BUILDING
 • 16,320 GSF FIRST FLOOR RETAIL



EAST WEST HIGHWAY

Richard S. Rosen, AIA
 8910 Third Avenue
 Silver Spring, MD 20910
 301.588.6821 • rosenria@aol.com

8/2/14



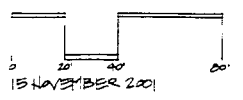
CANADA DRY PLANT (RELOCATED)
 FIRST FLOOR 21,100 GSF
 SECOND FLOOR 13,700 GSF
 TOTAL 34,800 GSF

RETAIL SPACE
 TOTAL 16,320 GSF

10 STORY APARTMENT BUILDING
 STUDIO 33
 1 BEDROOM 200
 2 BEDROOM 38
 TOTAL 364 APARTMENTS

CANADA DRY SITE CONCEPT PLAN

- REUSE OF EXISTING PLANT AS BREW PUB + RESTAURANT
- 10 STORY APARTMENT BUILDING W/ FIRST FLOOR RETAIL



Richard S. Rosen, AIA
 8910 Third Avenue
 Silver Spring, MD 20910
 301.588.6821 rrosenaia@aol.com

EAST WEST HIGHWAY

BLAIR HILL ROAD

PARKING ALLEY

COURTYARD

COURTYARD

SERVICE

LOBBY

RESTAURANT

LOBBY

RETAIL

RETAIL

RETAIL

RETAIL

RETAIL

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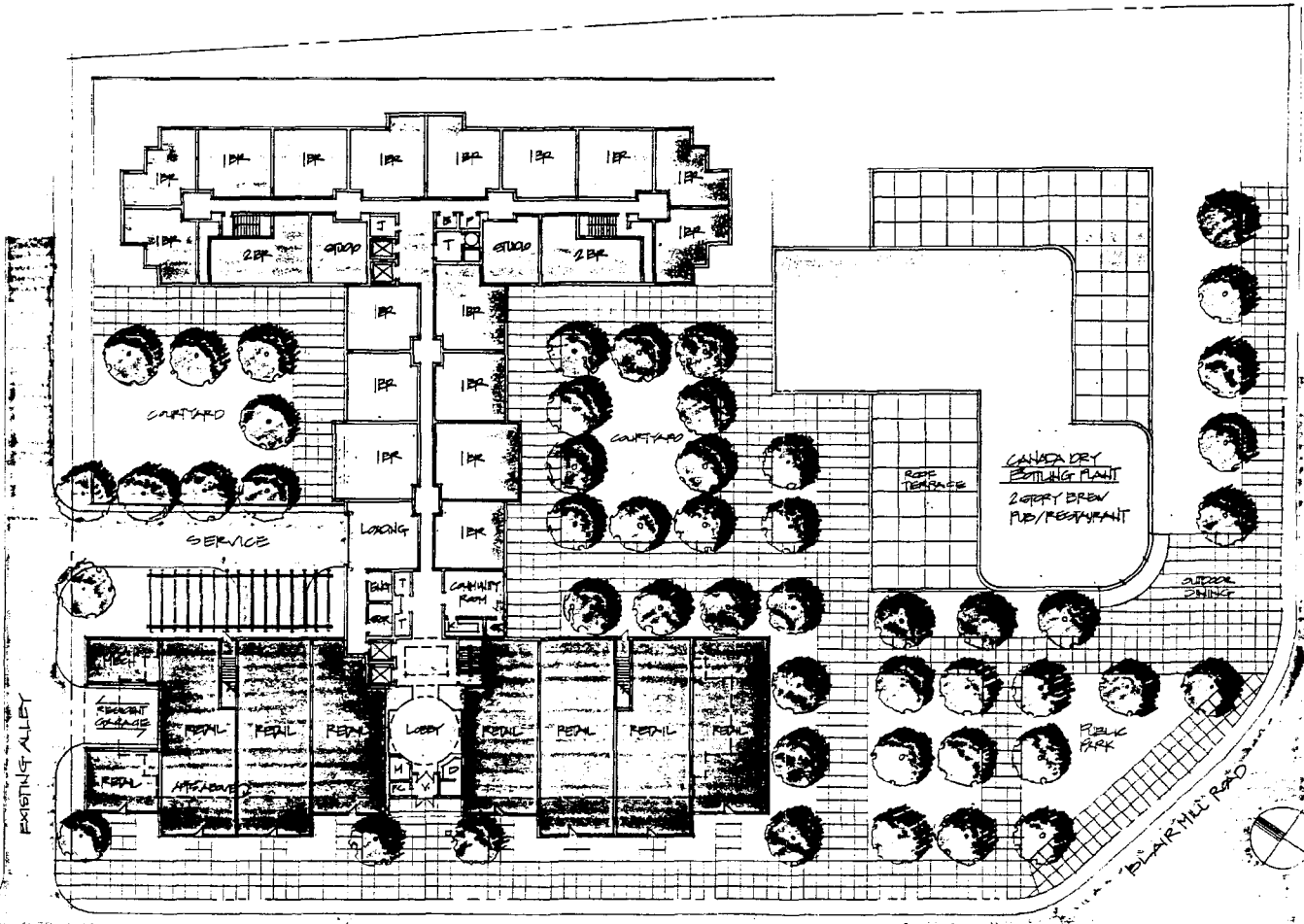
ROSE TERRACE

CANADA DRY DISTILLING PLANT
 2 STORY BREW PUB/RESTAURANT

OUTDOOR DINING

PUBLIC PARK

8
11



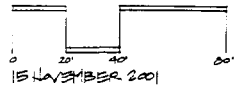
CANADA DRY PLANT (REBUILT)
 FIRST FLOOR 21,100 GSF
 SECOND FLOOR 16,500 GSF
 TOTAL 37,600 GSF

RETAIL SPACE
 TOTAL 16,320 GSF

10 STORY APARTMENT BUILDING
 STUDIO 38
 1 BEDROOM 280
 2 BEDROOM 38
 TOTAL 364 APARTMENTS

CANADA DRY
 SITE CONCEPT PLAN

- RE-USE OF EXISTING PLANT AS BREW PUB + RESTAURANT
- 10 STORY APARTMENT BUILDING W/ FIRST FLOOR RETAIL



EAST WEST HIGHWAY

Richard S. Rosen, AIA
 8910 Third Avenue
 Silver Spring, MD 20910
 301.588.6821 | rrosenaia@aol.com

Canada Dry - Waiting List

1. Amy Conner - 3-949-0907 Ind
10810 Pearson St Kensington, MD 20895
2. ANTHONY LANIER - EastBar, Inc.
202-737-1000 - 1815 Pennsylvania Ave.
DC 20006 - Joyce Kulewajk gave the
name to
him
- 3- STEVE GANG - Architect with LISARD -
703-760-9344, 5301 Wisconsin Ave,
Suite 300, DC 20015
- 4- Richard Rosen - 3-399-8950 Ind
8910 3rd Ave S.S. 20910
- 5- Marilyn Seitz - Pres., Woodside Park
Lives Assn., 301-589-0728, 1317 Woodside
Plewy S.S., 20910

Public Hearing Sign-up Sheet

Name of Hearing: Canada Dry Bottling Plant (MP - Prelim, Draft Amend.)

Location: MRO audit,

Date: 11/15/01

Time: 7:30

(Please Print Clearly)

Date	Alloted Time	Speaker	Representing	Phone No.	Address
10/18/01	5 NA	BRYANT FOULGER	Foulger-Pratt <i>official moved 240-499-9600</i>	301-948-0522	1355 Piccard Dr., Suite 400 Rock 20850
10/18/01	5	ELNORA HARVEY	Silver Spring Citizens Advisory Board	202-496-2100	1220 E-W Hwy. apt 11407 SS 20910
10/18/01	7	SCOTT REILLY	County Executive	240-777-2533	EOB-2nd fl., 101 Monroe St. Rock 20850
10/19/01	5	TODD BROWN	Greater Silver Spring Chamber of Commerce	301-565-3277	
10/19	5	Dan Meijer	Gateway Coalition	301-585-1458	929 G-st Ave SS 20910
10/22	5	Rob Blaker	Urban District SS	301-770-8259	Scheer Partners Inc 1700 Riville Pike #240 R 20852
10/24	3	Joyce Holowayk <i>ceding to</i>	Anthony Janier EastBrow, Inc	301-589-5780	8418 Queen Anne's Dr. SS, Md
10/26	7 44 min.	Kim Williams	HPC	301-907-3435	

(2)

Public Hearing Sign-up Sheet

Name of Hearing:

Canada Dief MP PH

Location:

Date: 11/15/01

Time:

(Please Print Clearly)

Date	Alloted Time	Speaker	Representing	Phone No.	Address
	15	STACY SILBER ROBERT MERICKSEY GRAIG BRUCH	AT&T (Hollander Knight)	301-664-7621	3 Bethesda Metro Ave #800 20814
		Robert Harrel			
10/25	3	Judy Reardon	Ind. has power point presentation	202-514-6284	8031 Eastern Ave #310 SS 20916
10/25/01	5	MARCIE STICKLE	Silver Spring Hist. Soc.	301-585-3817	8515 Greenwood Ave. apt. 8 Tak. Pl., MD 20912
10/25/01	3	GEORGE FRENCH	Save Our Legacy Ind.	301-585-3817	Same as above
10/25/01	5	MARIA HOEY	Mont. Preservation	301-476-7517	15613 Albrutt La. Burtors. 20865
10/26	10	Mary Reardon	202-7694-15186 SS Historical	301-565-2519	PO Box 800 Shager Ave SS 20910
10/26	3	Jerry McCoy	Soc.		
10/26	44 min.	Carolyn Heber	self	301-585-8470	615 Wayne Ave SS 20910

(3)

Public Hearing Sign-up Sheet

Name of Hearing: Canada Dry ~~Project~~

Location: MRO

Date: 11/15/01

Time: 7:30

(Please Print Clearly)

Date	Alloted Time	Speaker	Representing	Phone No.	Address
10/29/01	5	✓ WAYNE GOLDSTEIN	✓ Art Deco Society of Wash.	301-942-8079	3009 Jennings Rd, Kens. 20895
10/29/01	5	✓ LINDA LYONS	✓ Art Deco Society of Wash.	301-654-3929	3922 Oliver St, CC, MD 20815
10/31	5	✓ CHARLES WOLFF	✓ MC.CIVIC FED.	3 585-9744	635 BENNINGTON DR. #1 20910
11/2	5	✓ Barry Soorenko	✓ Photo Group	301-445-5800	1100 Blair Mill Rd SS 20910
11/2	5	✓ Arnold Kahn	✓ Tower G'v	301-984-7000	11501 HUFF COURT N.BETH 20895
11/5	5	JANEY ABRAMSON ULRRAINE PEARSELL	Historic	3-270-2096	700 Aikman Ave. TP 20912
11/5	3	NA NANCY URBAN	✓ ind.	301-589-8382	1325 Dale Dr. SS 20910

Public Hearing Sign-up Sheet

Name of Hearing: Carado Dry MP PH

Location: MPO Audit

Date: 11/15/01

Time: 7:30

(Please Print Clearly)

Date	Allotted Time	Speaker	Representing	Phone No.	Address
			allied civic group		
11/6	3 ^{NR}	Bill Burch ✓	Ind.	3-495-5559	1004 S. Noyes Dr SS 20910
11/6	3 ✓	Christine Morgan ✓	Ind.	3-587-3066	1008 Woodside Pl SS 20910
11/6	3 ✓	Patrick Sidwell ✓	Ind.	301-587-3066	" / "
11/7	5 ✓	Lorraine Pearsall ✓	Historic Takoma Inc	3-585-8062	7708 Takoma Ave HP 20912
11/7	5 ✓	ROBT DALRYMPLE ✓	J.B.G. Co.	3-650-7008	1010 WAYNE AVE SS 20910
11/8	3 ✓	Bonnie Rosenthal ✓	Ind.	3-495-9079	2547 Holman Ave SS 20910

(5)

Public Hearing Sign-up Sheet

Name of Hearing: Canada Dry

Location: MRO

Date: 11/15

Time: 7:30

(Please Print Clearly)

Date	Alloted Time	Speaker	Representing	Phone No.	Address
11/8	5V	Elise Butler	Preservation MD	410-685-2886 x303	24 W. Saratoga St Balt. 21201

146

**Planning Board Adopts New
Presentation Order and Time Guidelines for
Non-Regulatory Hearings
(Mandatory Referrals, Master Plans, Special Exceptions, etc.)**

The Montgomery County Planning Board values input from the public and will observe the following order of presentation and time guidelines:

- Staff Presentation 10 minutes
- Applicant (if any) 10 minutes
- Elected Officials/Government Representatives 7 minutes
- Organizations (e.g., civic and homeowner associations; corporations, LLCs, partnerships) 5 minutes
 - ◆ Up to 15 minutes if time ceded. Organizations may allow multiple speakers to testify during its 15 minutes.
- Individuals: 3 minutes
 - ◆ Up to 9 minutes if time ceded.
 - Adjacent, Confronting and Abutting Property Owners who sign up on a salmon-colored sign-up sheet will be called to speak before other individuals.
(This does not apply in master plan public hearings.)
- Rebuttal by Applicant (if any) 3 minutes

To CEDE time to another speaker or organization, please fill out a SPEAKER'S SIGN-UP SHEET and give it to the Community Relations representative. You must be present when that person is called to testify.

If you have brought copies of your testimony, please provide 10 copies to the Community Relations representative to your left on the podium **before you begin speaking**. Before beginning your presentation, please state your name for the record.

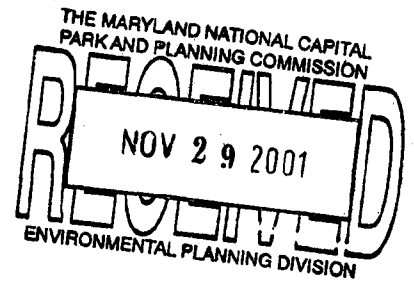
The green light will turn yellow when you have one minute remaining in your time, and red when your time has ended. **At the red light your time is up.**

The Chairman may establish an overall time limit on this hearing. If this limit precludes some individuals who have signed up to testify from speaking, the Board, time permitting, may hold open the record for a specified period of time to allow for written comments to be submitted into the record prior to the Board's final decision.

Please direct questions regarding these Guidelines to the Community Relations Office at (301) 495-4600.

The Chairman may modify speakers' time limits on a case-by-case basis. To request additional time, submit a written request to the Chairman in advance of the hearing.

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011831 **DATE RECEIVED:** 11-27-01
CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-10-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Kathryn Hausman,
Art Deco Society of New York

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.

*To:
Gwen*

10 November 2001

Art Holmes
Planning Board Director
8787 Georgia Avenue
Silver Spring, MD 20910

RECEIVED
011831
NOV 27 2001



ART DECO SOCIETY
OF NEW YORK

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

RE: CANADA DRY BUILDING

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-26-01
Corres. No.: _____

Dear Mr. Holmes:

The Art Deco Society of New York wishes to express our strongest support for the listing of the Canada Dry Building on the County Atlas of Historic Places. As one of the most outstanding modernist buildings of Montgomery County, the property possesses a high level of architectural and historic integrity. In consideration of the formidable losses of resources of this style and period in Silver Spring, the Canada Dry Building is especially worthy of immediate protection and preservation.

Constructed in 1946, the property exemplifies the streamlined aesthetic, which once provided Silver Spring with a distinctive built environment, of which precious little remains. As an excellent design by noted architect Walter Monroe Cory, the property represents a rare and fully realized example of twentieth century modernism. It shares many of the pioneering features as its larger counterpart here in New York by the same architect, the treasured and influential Starrett-Lehigh Building (1930-31).

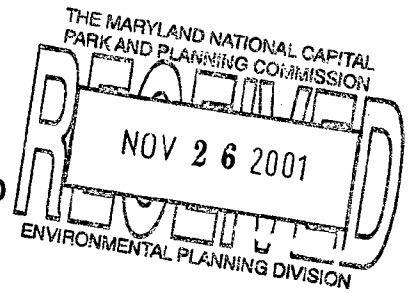
In addition to its local significance, we believe that the property is eligible for listing on the National Register of Historic Places, which would provide certain benefits and incentives for its preservation.

Silver Spring is blessed to have this remarkable historic gem in its midst. Through listing, it could be creatively adapted for new uses and continue to serve as a brilliant and distinguishing landmark. The Art Deco Society of New York respectfully requests that this significant and prominent building be listed on the County Atlas of Historic Places at the earliest possible date.

Sincerely,

Kathryn Hausman,
President

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE



FILE NUMBER: 011781 DATE RECEIVED: 11-15-01
CORRESPONDENCE TYPE: Letter DATE OF LETTER: 11-12-01
AGENDA DATE: 11-15-01
TO: Art Holmes
FROM: Dr. Randall Mason,
University of MD

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE: DATE DUE

REMARKS FROM CHAIRMAN'S OFFICE: REMARKS FROM CHAIRMAN'S OFFICE
Include in Planning Board packet. Include in Planning Board packet.

To:
Gwen

Item #12



UNIVERSITY OF MARYLAND

College Park, Maryland 20742-1611
301.405.6284 TEL 301.314.9583 FAX
<http://www.inform.umd.edu/ARCH>

SCHOOL OF ARCHITECTURE
ARCHITECTURE • HISTORIC PRESERVATION • URBAN STUDIES AND PLANNING

November 12, 2001

Mr. Arthur Holmes, Jr., Chair
Planning Board
Montgomery County
8787 Georgia Avenue
Silver Spring, MD 20910

By fax: 301.495.1320

Re: Canada Dry Building

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-15-01
Corres. No.: _____

RECEIVED
011781
NOV 15 2001

Dear Mr. Holmes—

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

I write to urge careful consideration of the proposed preservation and re-use of the Canada Dry building on East-West Highway.

Other scholars and experts have testified, no doubt, to the artistic and cultural value of the Canada Dry building as an exemplar of Modern architecture. (Indeed, my colleagues and I are presently engaged in a research project, funded by the Maryland Historical Trust, to document just such landmarks of 20th-century architecture across the State.) The scholars could not be more correct in their assessment of the building's value. But such buildings as Canada Dry are valuable not only as cultural assets—great works of architecture, markers of a community's achievements, sites of important historic events, and the like—but also as economic assets and seeds for community development.

I want to emphasize the economic and community-building values embodied in the Canada Dry building. It is immeasurably better to develop the local economy while using historic buildings rather than replacing them—when preservation is at all technically feasible: Why “immeasurably”? Because the benefits flowing back to the community from an attitude of preservation are literally not measurable. Such benefits cannot be expressed in dollars alone, but they fuel the historical and aesthetic richness of a town, they hold great educational value for our children, and they announce our intention to pursue sustainable (“smart”) growth rather than wasteful clearance and development. Development interests looking for the quickest and highest returns on their investment often overlook (indeed, often have little interest in) these longer-term and non-economic returns to be gained from preservation and the adaptive reuse of historic structures.

Page 2

Historic preservation does not mean putting all old buildings under glass. Indeed, the best way to preserve a building is to use it. The modern preservation ethic urges us to identify the buildings and places of greatest value to the community (now and in the future), and form partnerships to reuse and renew them.

So the matter of the Canada Dry building should not be seen as an all-or-nothing decision, preservation or development. I would urge consideration of the several viable options that combine preservation of the most important qualities of the Canada Dry building with newer development on the site. This approach has been successfully adopted all across the country, in cities and towns near (Washington, Alexandria, Baltimore) and far (Charleston, Denver, San Francisco, to name a few).

The experience of many cities has proven adaptive reuse to be not just economically viable but profitable—and not just for individual investors but for whole communities such as the one you represent.

I hope and trust that you and your colleagues will help retain the Canada Dry building as one of Silver Spring's undeniable community assets.

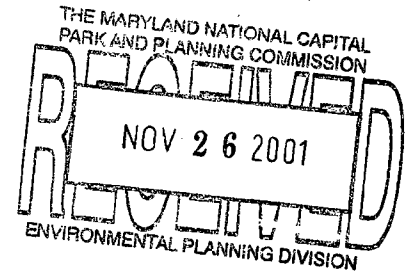
Yours sincerely,

Randall Mason

Dr. Randall Mason

Director and Assistant Professor
Graduate Program in Historic Preservation
School of Architecture, University of Maryland
College Park, MD 20742
tel 301.405.6309
email rmason@umd.edu

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011782 **DATE RECEIVED:** 11-15-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-15-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Dale Tibbitts

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
None required.

To
Gwen

November 15, 2001

Montgomery County Planning Board For inclusion in Public Hearing Record Re: <u>Hist. Site - Canada Dry Bottling Plant</u> Date of Hearing: <u>11-15-01</u> Date Rec'd: <u>11-15-01</u> Corres. No.:
--

Arthur Holmes, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RECEIVED
011782
NOV 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Holmes and members of the Planning Board:

Please save the Canada Dry building by designating it on the County's Historic Master Plan.

I moved to Silver Spring nine years ago. I was attracted to the older character of the town. I liked the Art Deco buildings. I saw the new Lee building, which complimented the old shopping center and Silver Theatre at Colesville and Georgia. The new City Place mall also picked up on the Art Deco elements of the town from its heyday. Along with the Tastee Diner, the Amory, the train station and small business buildings on Georgia Ave I knew that this is where I wanted to live.

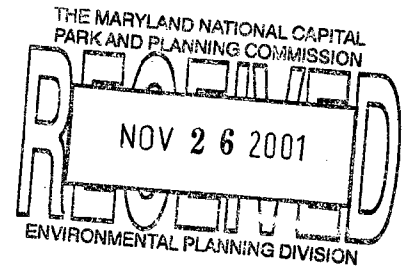
Everyday that I ride the Metro back from work, the Canada Dry sign was my signal that I am home. The long, sleek distinctive building fits nicely beside the railroad tracks. This building contributes to what makes Silver Spring unique and not just the same anyplace in the metropolitan area. It is a truly irreplaceable asset.

The historic elements of Silver Spring are being demolished. Please don't let another treasure shortsightedly be torn down. Once the Silver Theatre was considered an eyesore by some, but now as Mr. Duncan says, it is the crown jewel of the redevelopment effort. The Canada Dry building can make the same contribution to Silver Spring's revitalization.

The only way to have historic 100-year old buildings is not to allow them to be torn down when they are historic 50-year old buildings. The Canada Dry building is historic, attractive, functional, architecturally significant and worthy of Master Plan designation. Please follow the Historic Preservation Commission's recommendation for designation.

Thank you.

Sincerely,
Dale Tibbitts
9511 St Andrews Way
Silver Spring, MD 20901
(301) 587-9358



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011786 **DATE RECEIVED:** 11-15-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 11-15-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Eileen McGuckian

SUBJECT:
Letter regarding the Historic Site – Canada Dry Bottling Plant

TRANSMITTED TO: Director, Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

*To
Gwen*

Post-it Fax Note: 7571	Date: 11/15/01	# of pages: One
To: Arthur Holmes Jr	From: Eileen McGuckian	
Montg. Co. Planning Bd.	Co.:	
Phone #:	Phone #: 301-762-0096	
Fax #: 301-495-1320	Fax #: 301-762-0961	

Montgomery County Planning Board
 For inclusion in Public Hearing Record
 Re: Hist. Site - Canada Dry Bottling Plant
 Date of Hearing: 11-15-01
 Date Rec'd: 11-15-01
 Corres. No.:

#12

Eileen McGuckian
 11807 Dinwiddie Drive
 Rockville, MD 20852
 November 15, 2001

RECEIVED
 011786
 NOV 15 2001

Arthur Holmes, Jr., Chairman
 Montgomery County Planning Board
 8787 Georgia Avenue
 Silver Spring, MD 20910

Re: Canada Dry designation

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Dear Mr. Holmes and Members of the Planning Board:

I write to urge a favorable vote by the Planning Board to designate the Canada Dry Bottling Plant in Silver Spring on the Master Plan for Historic Preservation.

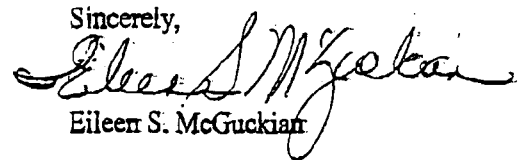
There should be no doubt that the Canada Dry building meets a number of criteria required in the ordinance for designation. Simply, it is an excellent example of streamlined Art Deco by a major American architect. The plant qualifies on its own merits or as a fine contributing property in a thematic Silver Spring Art Deco Historic District.

Beyond the letter of Montgomery County's historic preservation law, it makes common planning sense to preserve Canada Dry. The building is a strong anchor to increasingly fruitful private and public efforts to revitalize Silver Spring. The potential for adaptive use is well documented. Designation will encourage the property owner to incorporate existing architectural features into new development on that parcel.

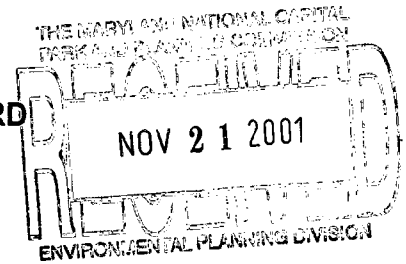
Since the passage of Montgomery County's Master Plan for Historic Preservation and Ordinance more than twenty years ago, the practice has been to designate the entire property - building(s), appurtenances, and environmental setting. Sometimes, for example in the case of a farmstead, the size of the parcel was later reduced, when portions of the land went to different ownership. Maintaining the entire property as an entity makes sense for designation, and still leaves the option for later reduction. There are so many unknowns and variables in this case that reduction now would be premature.

Development of the entire Canada Dry parcel will benefit from historic designation. County and Federal financial incentives are in place to provide any future owner with real assistance. Silver Spring as a community will benefit from designation, in holistic economic terms and in aesthetic cohesion that is quite clear to the public eye.

Thank you for your consideration.

Sincerely,

 Eileen S. McGuckian

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE



FILE NUMBER: 011761 DATE RECEIVED: 11-13-01

CORRESPONDENCE TYPE: Letter DATE OF LETTER: 11-13-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Randy Boehm

SUBJECT:

Letter in opposition to Historic Designation for Canada Dry Bottling Plant Site in South Silver Spring.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:

Include in Planning Board packet.

*To
Gwen*



11/15 #12
RECEIVED
011761
NOV 13 2001

CORPORATE OFFICES:

8035 13th Street
Suite 2
Silver Spring, MD
20910 - 4870

BRANCH OFFICE:

7826 Eastern Ave. NW
Suite 311
Washington, DC
20012 - 1324

Phone-

301.562.1400

Fax

301.562.5945

E-Mail

gatewaycdc@aol.com

Web Site

www.gatewaycdc.com

November 13, 2001

Arthur Holmes, Chairman
Montgomery County
Maryland National Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

**Re: Opposition to Historic Designation for Canada Dry Bottling Plant
Site in South Silver Spring**

Dear Chairman Holmes and Fellow Planning Board Members:

I write as Vice President of the Gateway-Georgia Avenue Revitalization Corporation, a 501 c 3 non-profit community development corporation, which has been working for three years toward the revitalization of South Silver Spring. We are a community based organization, with board members from the residential and business community in Silver Spring, Takoma Park, and the northern most neighborhoods of D.C. adjacent to Silver Spring.

We strongly oppose the proposed designation of the Canada Dry bottling plant as an historic structure.

Our opposition is based on many considerations.

First, we find it an ill-advised risk to the revitalization of South Silver Spring, in that historic designation would likely embroil any potential future developer with uncompromising extremists in the Montgomery County preservation movement. We learned how uncompromising and extreme the preservation movement has become during the deliberations over the Montgomery College expansion plan. In this plan the College proposed using one-half an acre of thirteen and a half acre historic Jesup Blair Park for a cultural arts facility that would serve both to enhance the amenities of the Park and provide the College with a critical transitional structure in it's extension of the Takoma Campus to south Silver Spring. This minor concession—approximately 1/27th the area of the Park—is widely supported throughout the Silver Spring and Takoma Park Community. Yet the preservation movement ignored the community consensus, embarked upon aggressive (including unethical*) tactics to thwart the development, and presently foments a lawsuit to upend the decision of the Planning Board to proceed with the development.

We think it is imprudent to subject potential developers to these tactics. If the Canada Dry site were designated historic, and a development proposal suggested altering 1/27th of the site (or 1/10th or 1/4), there is every reason to fear

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-13-01
Comes. No.:

Gateway Georgia Avenue Revitalization Corporation is a interjurisdictional project between the District of Columbia Department of Housing and Community Development, the Montgomery County Department of Housing and Community Affairs, and Potomac Electric Power Company Washington DC.

that your historic designation would be seized upon by extremists in an attempt to thwart the redevelopment of the site. Given the demonstrated behavior of the preservation movement in Montgomery County, potential developers have every reason to fear extreme and uncompromising opposition to even modest proposals to modify historic structures. Historic designation could provide traction for a law suit (as is the case presently with the Montgomery College expansion). Designation would divert decision making from the Planning Board to the Historic Preservation Commission, threatening to escalate the risks and costs of redevelopment. We urge you not to lay this burden upon future developers nor upon the blighted and beleaguered community of South Silver Spring.

I would also point out that there are many methods by which the legacy of architect Walter Monroe Corey and the era of Silver Spring's industrial development can be honored short of designating such a large urban parcel as historic. The preservation movement could work on the creation of scale models, architectural renderings, and photographic documentation of the building for display in libraries or other public venues.


Also, South Silver Spring is filled with older buildings that are reused without significant alteration in the absence of any historic designation. The premises of Photogroup, of Aceco, of National Tire and Battery, and soon the headquarters of Inner Visions Worldwide Institute all have renovated older buildings without making major changes to original architectural facades. Your refraining from designation of the Canada Dry site does not, therefore, eliminate the possibility that (all or part of) the building will be preserved by future developers.

Finally, we recognize that historic preservation is one, but only one, among many desirable goals in urban revitalization. We have used historical buildings and settings in South Silver Spring as major props in our recruitment of business to South Silver Spring. You can see from our web site, www.gatewaycdc.com that we are actively engaged in leveraging historical elements in South Silver Spring in the cause of revitalization.

But historical preservation should be balanced with other pressing needs of the greater Silver Spring community. In downtown Silver Spring, the competing needs are many. In particular the worst affordable housing crisis in the greater metropolitan area since the Second World War needs to be addressed, and it would be a tragedy if a housing development proposed for this site were thwarted by historic preservation designation. The need for infill development and the elimination of urban blight are also goals that we worry could clash with historic designation. As I write this, so-called preservationists are trying to wreak tragedy upon Montgomery College's expansion with a law suit. There is every reason to fear that the same extremist impulse will leverage your designation in order to wreak tragedy upon future development of this site.

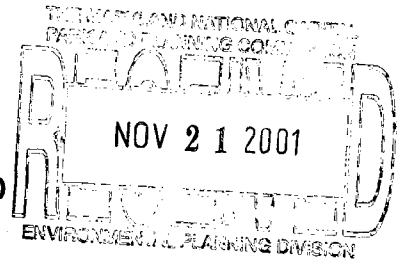
Accordingly we urge you in the strongest terms to refrain from making the designation of the Canada Dry site.

Sincerely,


Randy Bbehm
Vice President, GGARC

* Among the ethically objectionable tactics employed by the preservation movement in the Montgomery College development proposal, were the swindling of an elderly heir of the estate that bequeathed the Park property to the County and the aggressive publicizing of that heir's defective "endorsement" of a petition opposing the College. The heir in question later clarified his position before the Planning Board and repudiated the "endorsement" of the preservationist position.

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011771 **DATE RECEIVED:** 11-14-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:**

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Marcie Stickles

SUBJECT:
Letter regarding the Canada Dry Ginger Ale Bottling Plant.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

*To
Gwen
Walton*

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: <u>Hist. Site - Canada Dry Bottling Plant</u>
Date of Hearing: <u>11-15-01</u>
Date Rec'd: <u>11-14-01</u>
Corres. No.:

301-585-1555

p.2

#12

Canada Dry Ginger Ale Bottling Plant, A Building for All Seasons
 Master Plan for Historic Preservation Designation,
 Creative and Economically Vital New Uses,
 Art Deco Treasure for the Renaissance of Silver Spring,
 Let the Collaboration Begin!

RECEIVED
 011771
 NOV 14 2001

Testimony by Marcie Stickle & George French, Save Our Legacy,
 Before the Planning Board, 11/15/01

OFFICE OF THE CHAIRMAN
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

Imagine yourself in Walter Monroe Corey's mind, what skill and cleverness you would call upon in designing the Montgomery County Canada Dry Ginger Ale Bottling Plant: in Silver Spring, to be productive, utilitarian, easy and enjoyable to use, and full of grace; imagine your joy at designing and selecting your building materials, glass brick, blond brick, yellow glazed and terrazzo tile, wrought iron, mahogany wood, strip glass windows, to name only a few, then to mix them together exuberantly in a recipe to create a (functional and artistic) building for all seasons, for all time; a Streamline Moderne structure built to last, worked in, used, and enjoyed; and now to be reused creatively, and in an economically vital way.

Imagine the men and women who took these elements and built these structures; steel beams and girders rising proudly into the sky; skillfully placing brick upon mortar upon brick, creating streamline moderne art deco curves which are as functional inside the Plant as they are aesthetically beautiful on the outside! Imagine the energy, care and craftsmanship with which they worked; this (creativity and) vitality is a central part of its intrinsic worth, the heart and soul of the (creation and history) of the building, and its meaning to Mo County and S.S.

Imagine working in the building, coming through its awesome circular rotunda, 2 stories high, like being inside an effervescent elegant soda pop bottle of the finest materials, light suffusing in from the glass curvilinear wall, then either entering the Plant component through the rotunda or spiraling up cantilevered steps with decorative wrought iron bannister to second floor offices, heading across a dynamic, dramatic bridge and catwalk, then down into the vast and cavernous bottling arena! All the workers are a central part of its intrinsic worth, they too are heart and soul of the use of and history of the building' and its meaning to Mo Co and S.S.

We request, recommend, and will be grateful that the Planning Board take a tour of the Canada Dry Building accompanied by HPC Staff Gwen Wright and Robin Zlek, and a member of the Preservation community. We believe you will be delightfully surprised! Let your imaginations freely roam!

I can picture the vast open space as an entertainment center with music, dance, song, and multimedia performances, movies, retail, shops, museums and restaurants! Incorporating also an exercise and recreational facility for all ages! I speak to an exciting collaboration:

HPC Amendment: Critically importantly, the HPC unanimous Amendment clearly indicates that "development at the site is anticipated and welcomed." Canada Dry Bldg is 66,000 sq. ft. in an environmental setting of 2.93 acres. Endless possibilities to working with this site in conjunction with its elegant art deco centerpiece building. (Master Plan designation protects the outside; through HPC's legal checks & balances review processes, the outside can be considered to be changed; interior can be changed in any way desired; although in this case, a purchaser/developer, I believe, would want to preserve & promote our whole distinctive structure; rotunda & bridge/catwalk overlooking the vast, cavernous former bottling component, because they will draw myriad Tourists to Silver Spring from Mo Co and beyond!)

Historic Inventory: Remember the Inventory! Canada Dry Bldg. and site should already be on the Historical Architectural Inventory/Survey for potential National Register designation of S.S.'s Central Business District, which was to have been initiated in 9/99!, "with a strong potential for the nomination of a thematic Art Deco District," initially stated as a condition in the 6/23/98 HPC "Historic Area Work Permit," allowing destruction of the historic Armory. This is an extremely exciting and useful requirement. The Maryland (State) Historical Trust Inventory is a state requirement, a top priority required "mitigation" for the loss of our Master Plan for Historic Preservation 1927 National Guard Armory. This Inventory is to be a blue print, a road map of our treasures in the CBD which we should be respecting and treating with (great) sensitivity; and especially, incorporating into our redevelopment projects; expressing the drama of combining the best of the old with the best of the new! Doing so leads to the Renaissance of Silver Spring! We do not understand why it is now Nov. 2001, and although so much long, hard work has already gone into it by the HPC staff, the consultant even has been chosen, the County has yet to carry out its legally required (long overdue) commitment; which is beneficial to us all! We would not be in this situation this evening if the Inventory were already in place as it should be. We ask tonight for a moratorium on demolition of significant buildings approaching 50 years or older, structures that will be embraced by the Inventory, long overdue, and advantageously for us all.

Rodney Little, MHT, Director, 6/19/98, to Gary Stith, "If an eligible historic district exists, then the Inventory form would identify all the contributing and noncontributing buildings to the district. The overall redevelopment project would benefit greatly from this step because it could accelerate the rehabilitation of buildings that qualify for federal and state historic preservation tax credits. This intensive architectural survey should be one of the first priorities of the mitigation measures."

"MHT & County Executive Office MOA, Architectural Survey: By September 1999, the County will initiate an intensive architectural survey of the SS CBD....one of the primary products of this survey will be a determination of National Register eligibility of the CBD." 10/1/99

We are all eager to have the Historic Inventory "kickoff," so we can all collaborate together, in this wonderful interplay of the best of the old and the best of the new; it flows also into the Mo County Entertainment Master Plan; with the use of "older buildings" as exciting venues! We will all benefit. We request that the Planning Board require now that the Inventory commence; (find out and unstick what is unnecessarily preventing it from doing so, give it the Green Tape go ahead!), that we all start NOW, setting the marvelous precedent with our precious Canada Dry Building; allowing no harm to befall it; raising up and praising the purchaser/developer who works with it! Let the collaboration begin! Unleash our mutual energies!

Heritage Tourism: The Canada Dry Building and setting will be an intrinsic part of the State of Maryland Certified Heritage Tourism Management Area, in the "Railway Cluster," as is B&O R.R. Station, on the Master Plan for Historic Preservation. Mo County was approved for this Certification, Fall 2000. Heritage Tourism is Economic Development: David Edgerly, County Economic Dev. Chief, and Kelly Groff, Conference and Visitors Bureau Executive Director have pledged to work energetically together with us to promote Heritage Tourism in Mo County, bringing folks from around the County to visit our vital treasures, our vital reference points and signs. If we destroy our heritage treasures, how will we ever compose a Heritage Cluster? We will have nothing to put into it!

Heritage Tourism is a State/County collaboration. The State offers broad economic and program support through its many agencies, through Target Investment Zones, Grants, Loans, income tax credits, and much more!

Allow this important State & Mo County economic incentive to come to fruition! Economic development and education is inextricably linked with the burgeoning Heritage Tourism arena. HPC staff, the preservation community, the County Council, and the State, have so diligently worked in concert together to make this happen. Now we must allow it to thrive and prosper!

Adaptive Reuse! Bottling Plant Dressed/Retrofitted for Success!

Davis Business Center, Portland, Oregon, AKA Canada Dry West!

Our West Coast Twin by Walter Monroe Corey is a 20-year success story!
The Dan and Andrew Davis family who retrofitted it say:

"The distinctive architecture of the DBC building makes it easy to find." (And we're "At the Center of It All, "ideally located at the center of Portland . . . visible and accessible," close to transportation and other amenities, which sounds so clearly like our own centrally located situation in downtown S.S., near our transportation hub!

"DBC is convenient to shopping, restaurants and exercise facilities. One block from DBC is the Hollywood Transit Center where you can use the TriMet bus and MAX light rail systems," sound familiar?!"

Dan Davis, lifelong Portland resident, developed, constructed, and leased buildings, offices, and warehouse space for over 30 years. He was recognized as one of the first on the Pacific Coast to develop the concept of the modern industrial park. His best known industrial parks include Banfield Industrial Park, Davis Industrial Park, Oregon Office/Industrial Park and Yakima Industrial Park.

"Committed to Excellence," the Davis Business Center has transmuted, through the alchemy and magic of the Davis family, Canada Dry West into a successful arena for individuals and organizations to carry out their business enterprises, in the "finest facility" and with the "highest quality of service found anywhere." Each business is treated as DBC only business.

DBC offers:

Extensive personalized and individualized administrative office services and office space, including storage and warehouse; its myriad gracious services includes:

"First Impressions:

Impressive. Inviting. Beautiful. Elegant. Visitors to Davis Business Center describe our building in this way. The décor gives your company not only a professional, first-class image but also lends credibility to your business.

"Building Features:

"Reception and Waiting Areas - The central reception area is beautifully appointed. The professional receptionist staff personally greets you and your clients. The staff also provides you with updated information, phone and personal messages, and notification of your clients' arrival. Your clients receive a warm, welcoming smile and the attention they deserve.

"The features, amenities, and services provided by Davis Business Center are designed to make your business day run smoothly.

"Conference Rooms - Five private conference rooms are available for small or large meetings. All conference rooms feature audio-visual equipment such as televisions, VCRs and marker boards.

"Kitchens and Break Areas - Complete with microwave ovens, refrigerators, dish washing machines, vending areas and complimentary coffee and tea service.

"Tax Library - An extensive tax library is provided.

"Lockers and Shower Facilities - Modern facilities for the fitness-minded.

"Reader Board - An outdoor electronic message display board for your business advertising needs.

"Security - The entire Davis Business Center building is secured and monitored at all times by ADT Security Systems. Davis Business Center staff and clients have 24-hour access.

"Exceeding Your Expectations, Providing the Best

"DBC offers a wide range of administrative services to meet your every business need. We assure you of the highest quality, fast turnaround and, of course, complete confidentiality with all of your work.

Office Services:

"Telephone Answering and Voice Mail - Calls are answered using your company's name. If you are unable to take the call, a message can either be left with the receptionist or directed to our voice mail system.

"Receptionists - Professional, warm, with a friendly greeting for you and your visitors.

"Word Processing and Desktop Publishing - From correspondence, extensive proposals, and repetitive letters to legal documents, medical reports, and newsletters.

"Mail Services - Personal and prompt delivery of your incoming mail; complete outgoing mail and delivery services including all types of postal service mailings, Federal Express service, UPS, bulk rate mailings, and other delivery services.

"Laser Printing - High quality and high speed to provide you with a first-class document.

"Dictation and Transcription Services - Quick and accurate transcription of dictation from equipment we provide.

"Computer Assistance - If you have your own computer system, we can assist you in setup and trouble-shooting.

"Fax - Send and receive facsimile transmissions with prompt service and complete confidentiality.

"Office Supply Service - We will order your office supplies with prompt delivery.

"Travel Arrangements - Complete reservations made for your business trips.

"Coffee and Tea - Always complimentary and always fresh.

"Parking - Ample off-street parking for you and your clients.

"Building Maintenance and Security - Always assuring you of a pleasant and safe environment to work in

Cost-Effective:

Our concept makes you more efficient and at the same time saves you lots of money. We help to reduce the time and money required to operate a business.

"Lease Agreements Flexible & Individual Lease Agreements "allows our clients to easily adjust their office sizes and services, or warehouse space and services, according to their specific requirements. We never forget that no two businesses are alike, and each deserves our special attention."

"Time Share Office Program

DBC also offers part-time or time-share offices. This arrangement is ideal for those who need an office and professional staff on a part-time basis, while still receiving the high level of professional attention our full-time clients receive.

Warehousing Program

Davis Business Center provides warehouse and storage space. Our program allows you the flexibility to change your requirements as your inventory changes. Warehousing services are available as you need them.

We have request into DBC to provide us with their retrofitted floor plans for Canada Dry West to be able to achieve this level of success since 1982!

Its Web site contains many glowing testimonials, one below.

"As my law practice continues to grow, Davis Business Center is always there to provide me with the support I need." Michael Redden. Attorney at Law "

"I have been at DBC for over seven years because it's so conveniently located for my clients - and for me. It only takes me minutes to get to where I need to go." Carol Marr, Vreeland, CFP, Certified Financial Planner, First Investment Advisors"

Let our Canada Dry (East) have our opportunity for success! Through its rightful place on the Inventory, through its rightful place in the Heritage Tourism Railway Cluster, through its rightful place on the Historic Preservation Master Plan, let us ALL PROUDLY carry our S.S. history forward from our vibrant past through our present and into our exciting future, all in concert with each other, the best of the old with the best of the new, promoting each other at every opportunity through Mo Co Economic Development Dept., Conference and Visitors' Bureau, HPC and Historian's Office, Heritage Organizations, Mo Co & S.S. Chambers of Commerce, Mo Co Entertainment District, HOC, Library System, School System, and Md. State Depts., the possibilities are endless, all working together at the same table, in a marvelous collaboration, in an uplifting mutual harmony from this time forth!

Marcie Stickle & George French
Save Our Legacy, 301-585-3817
8515 Greenwood Ave., Silver Spring, MD 20912
MarciPro@aol.com

Ziek, Robin

From: Kreger, Glenn
Sent: Tuesday, October 09, 2001 11:02 AM
To: Ziek, Robin
Cc: Wright, Gwen; Zyontz, Jeff
Subject: Canada Dry

I have sent you and Jeff copies of a letter from Bryant Foulger to Art Holmes asking that Canada Dry not be designated. His reasons are essentially the same as those expressed by Jeffrey Abramson of the Tower Companies, owners of the Blair apartment complex.

Ziek, Robin

From: Mary Reardon [mreardon@ers.usda.gov]
Sent: Monday, November 19, 2001 4:16 PM
To: Ziek, Robin
Subject: MoCo Journal article

In the weekend Journal. Contains picture of Wayne in front of building. Please share with Gwen also.

Katherine Frey, Photographer/Journal, 11/17/01, Sat.
Wayne Goldstein, a spokesman for the Art Deco Society of Washington, D.C., wants historic designation for the 1950s Canada Dry building in Silver Spring. The Montgomery County Planning Board will vote in December.

Eyesore or link to the past? Journal, 11/17/01, By KARL HILLE,
Journal
staff writer

Is the 50-year-old Canada Dry Bottling Plant a pothole of blight on the road to urban renewal in Silver Spring or a tool to attract residents and businesses to a hip, historic downtown?

The question was debated Thursday at a Silver Spring public hearing before the Montgomery County Planning Board. The panel heard residents' views on whether to grant the building, at 1201 East-West Highway, historic status.

While civic and business interests, as well as the owners of the property, would like to see the building demolished, neighbors and historic preservationists want at least the facade restored as a selling point for new development.

Stacy Silber, an attorney with Holland and Knight, represented AT&T Corp., the building's owner. She said the company bought the building in 1999, to demolish and redevelop as a long-distance and Internet transfer station. The company has changed its plans, but not before the Silver Spring Historic Society filed for historic designation of the site.

"Because of the uncertainty created by a pending historic designation request, few purchasers showed interest in the property," Silber told the commission. "One initially signed a contract to buy the property but later terminated the contract because of the threat of designation."

AT&T was joined by the potential buyers, several civic and business groups and some business owners located adjacent to the former ginger ale depot.

Preservationists outnumbered urban-renewal advocates by a 2-to-1 margin. They said historic preservation laws were written with buildings like

Canada

Dry in mind.

Marie Hoey, president of Montgomery Preservation Inc., said tax breaks can make historic revitalization projects attractive for the "right developer."

"Tax incentives offered by federal, state and local governments are luring savvy developers and private property owners to historic preservation projects," Hoey said. "One example shows how property-tax incentives on a \$100,000 rehabilitation of a commercial building reduced the net cost of improvements to \$45,550."

Hoey was joined by the Art Deco Society of Washington, D.C., the Silver Spring Historic Society and local residents. They said the building's neon sign is a comforting beacon in their neighborhood.

"What makes this building aesthetically interesting and what captures its streamline Moderne style are its key architectural features: the walls of yellowed brick with horizontal wraparound windows, the second story curved corners and the rotunda," said Mary Reardon, preservation chair of the Silver Spring Historical Society.

Reardon said County Executive Douglas M. Duncan (D) has yet to make good on promises made when the Silver Spring Armory was demolished in 1998, including a promise to create an inventory of the city's historic buildings.

"In effect, the promise of an inventory, because of the gravity of demolishing the historic armory, implied a moratorium on demolition until the inventory was done," she said. "It would be highly ironic if this building ... were demolished before the inventory is even under way."

To further their case, preservationists said the building's designer, Walter Monroe Cory, qualifies as a master architect; the building is one of several in Silver Spring that exemplify the Art Moderne style; and that a building made with the same blueprint in Portland, Ore., has already been granted historic status.

Silber, however, characterized Cory as a some-time citrus farmer who served as a draftsman and engineer under his more famous brother Russell Cory and was dwarfed by his brother's skills.

"Walter Cory's solo work was not on the same scale and prestige as was the work done by Russell and Cory & Cory," she said. "In fact, Walter focused his work on far less significant and substantial buildings such as bottling plants."

Robert Harris, another attorney with Holland and Knight, said the preservationists' proposals were laughable without the money to back

up
costly, historically sensitive redevelopment plans.

The Montgomery County Planning Board will meet in December to vote on historic designation for the site, after which it goes to the Montgomery County Council. In order to preserve the building, the council will likely have to rally enough votes to overturn an expected executive veto.

In 1999, Duncan notified AT&T of the historic value of their new purchase and recommended the company try to preserve that character. Scott Reilly, Duncan's assistant chief administrative officer, told the planning board Thursday that the building's historic significance should not outweigh developers' interests.

"The county executive opposes the designation of the Canada Dry building and the site in the Master Plan for Historic Preservation," Reilly said.

"Instead, he recommends that the planning board and the site purchaser discuss the possible retention of some of the architectural features of the existing building as part of the development approval process."

Proposed Site Concept Plan for the Adaptive Re-use of the Canada Dry Bottling Plant

East West Highway and Blair Mill Road
Silver Spring, Maryland

Richard S. Rosen, AIA
Architect
8910 third Avenue
Silver Spring, MD 20910
301.399.8950

November 15, 2001

When the status of the Canada Dry Bottling plant came to my attention, I was concerned that this wonderful Art Moderne building would be lost to Silver Spring. Like the Silver Theater and the shopping Center at Georgia Avenue and Colesville Road, the Bottling plant is a gateway and symbol of Silver Spring's History, almost Catty-corner with the large Acorn Marking the Original Silver Spring. I offer this site concept plan as one way of adapting and restoring the building while making it part of a viable and diverse site redevelopment.

The proposed Site concept plan Adaptively re-uses the Most Significant portions of Canada Dry, Maintaining both signs on Blair Mill and facing the railroad Tracks. Key features of the plan include:

- Maintaining the corner glass-block entry lobby and stairs of Canada Dry, as well as the second story curved corners and a portion of the factory clerestory. This would serve as the entry to a proposed Brew Pub/ restaurant which could have a second floor and roof Terrace and ground level outdoor dining.
- A proposed 10-story residential apartment building with approximately 324 units and structured parking below grade. The H-Shaped apartment building is oriented parallel to East West Highway, with Northwest and Southeast facing courtyards, which create a spatial buffer between it and Canada Dry and offer opportunity for meaningful outdoor and landscaped areas. This configuration would not cast significant shadows on Canada Dry most of the day. The building would reflect art moderne and deco building shapes and motifs.
- The first floor of the Apartment Building provides resident and community accessible retail, with the apartment building lobby located as part of this one-story base.
- Parking and service for both residents and the commercial space is accessible from the existing alley on the north side of the site.
- A public park is provided between the apartments/retail and in front of the Canada dry building on the corner of East-West and Blair Mill road. The

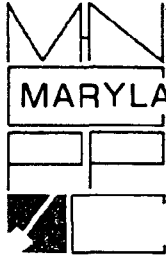
actual design of this area would be carefully studied if this concept moved forward.

- The Canada Dry Brew Pub is shown to provide an outdoor dining area near its entrance, which would create an opportunity for music and dancing, similar to the plaza at the Bethesda Hyatt hotel.

This site concept plan puts forward a realistic option for providing residential, retail and dining opportunities on the Canada dry site while preserving and restoring a significant and beloved landmark to useful life. I can think of no better second life for a bottling plant than as a center of sparkling conversation and dining!

Thank you for your time and consideration. I am available at your convenience to discuss this concept plan or any questions you may have.

Richard S. Rosen, AIA



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

FAX TRANSMITTAL SHEET

**Historic Preservation Office
Department of Park & Planning**

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

650.4379

TO: Mary Reardon FAX NUMBER: 202-694-5638

FROM: Robin Ziek

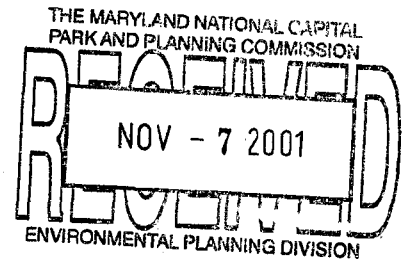
DATE: ~~11-5-01~~ 11/13/01

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 8 4

NOTE:

As requested

ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE



FILE NUMBER: 001735 DATE RECEIVED: 11/7/01
CORRESPONDENCE TYPE: Letter DATE OF LETTER: 10/31/01
AGENDA DATE: 11/15/01
TO: Arthur Holmes
FROM: Richard Guy Wilson

SUBJECT:
Letter strongly urges the Canada Dry Building be historically preserved

TRANSMITTED TO: Director/Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include Letter in Planning Board Packet and also Public Hearing Record

To
Gwen WRIGHT

University of Virginia School of Architecture

Campbell Hall, P.O. Box 400122, Charlottesville, VA 22904-4122

p 804.924.3715

f 804.982.2678

October 31, 2001

Arthur Holmes, Jr., Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RECEIVED
NOV 7 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11/7/01
Corres. No: 011735

Re: Canada Dry Bottling Plant

I previously wrote the County Planning Board and its chair, Gus Bauman on April 6, 1993 concerning the status of the Canada Dry Bottling Plant located on East-West Highway and Blair Mill Road in Silver Spring, Maryland. At that time I urged the Board to recognize it as a significant piece of architecture that should be saved and preserved. I was pleased to learn that after all this time the Historic Preservation Commission had voted unanimously to recommend the building to be listed on the County Master Plan for Historic Preservation. But I have also learned that your board may be reluctant to do this designation.

I urge you and your board to consider this building as a truly outstanding example of American modern design of the 1940s. Its sleek form and rounded corner is an eye-catching landmark that impresses anybody with an aesthetic sense that travels that road. I have seen the building many times and referred to it in courses I teach here at the University of Virginia. It is an excellent example of commercial architecture of the post-depression era, well designed and evocative.

The architect, Walter Monroe Cory, has a reputation as an important designer of industrial buildings and although no book has yet been written on his work, his buildings were widely recognized in the 1920s and 1930s and are included in many guidebooks to New York as well as architectural journals. He was included in the landmark "International Style" or "Modern Architecture: International Exposition" held at the Museum of Modern Art in New York in 1932. This exhibit and Cory's work then traveled for the next six years throughout the United States. I included some of his work in an article I did some years ago for Progressive Architecture Magazine on this landmark exhibit. Cory was perhaps the preeminent industrial building designer on the east coast between the late 1920s and the early 1950s.

In the eight plus years since I originally wrote my letter to your board, the architecture of this period has become even more recognized for its importance and how it helped make America modern. The Canada Dry Building is an important structure that played a critical role in the industrial and commercial history of the Washington-Maryland area. It is worthy of being preserved on its aesthetic merits alone, but also it serves as an important urban design element.

I base these observations upon my career in architectural history and the numerous books and articles I have written and over 30 years of teaching. Perhaps most important is my book, The Machine Age in America, which deals with this type of architecture. Although the Canada Dry Building is Post World War II, it is a continuation of trends that started in the 1930s.

I enclosed my brief resume for your review.

I urge you and the Board to designate this building worthy of preservation. I also would like my letter included in the hearing record.

Sincerely,

Richard Guy Wilson
Commonwealth Professor and Chair
Department of Architectural History
University of Virginia

Cc: Mary Reardon, 8007 Eastern Ave., #110, Silver Spring, MD. 20910

Architectural History

Landscape Architecture

Urban and Environmental Planning

RICHARD GUY WILSON

OFFICE:

Department of Architectural History
School of Architecture, University of Virginia
Charlottesville, Virginia 22903
(434) 924-6462
8/01

HOME:

1860 Field Road
Charlottesville, Virginia
(434) 977-3682

Education:

B.A. 1963 University of Colorado
M.A. 1968 University of Michigan
Ph.D. 1972 University of Michigan, American Culture,
Art and Architectural History. Dissertation:
"Charles F. McKim and the Renaissance in America."

Professional Employment:

University of Michigan, History of Art, Dept. of Arch. 1971.
Iowa State University, Dept. of Arch.,
Assistant Professor, September 1972 - June 1976.
University of Virginia, Commonwealth Professor of Architectural
History, Adjunct Art History
Chair, Department of Architectural History, 1979-1983;
1989-present
(Exchange Senior Lecturer, Polytechnic of South Bank,
Department of Architecture, London, England,
Aug.-Dec., 1981);
Vicenza, Italy, Summer Program, 1983.
Victorian Society Summer School, Director, 1979-present

Honors and Awards:

Guggenheim Fellow, 1984-1985
Phi Beta Phi and Beta Phi Mu honoraries
Outstanding Teaching Citation, Engineering College,
Iowa State University, 1976
Honorary Member, American Institute of Architects, 1986
Best Article American Historical Association, Pacific Coast Branch,
, 1986
Outstanding Article, Western Historical Association, 1986
Charles Montgomery Prize, Most Distinguished Contribution
Decorative Arts Society, 1987
Best Book of Year, American Library Association, 1987
Catalogue Award Society of Architectural Historians, 1993
Award of Excellence, 1993, Southern Library Association
Best Essay of Year, 1993, Southeast Society of Architectural
Historians
Society honors for Contributions to Architecture, 1994, Virginia
Society of Architects
Bronze Award, History Documentary, 28th Houston International
Video Festival, 1994
Best Essay, 1994, Southeast Society of Architectural Historians
Doctor of Fine Arts, Salve Regina University, 1999
Arthur F. Stocker Award, University Circle of ODK, March 2001
Last Lecture, 4th year class, April 2001
Distinguished Professor Award, University of Virginia Alumni
Association, April, 2001

Guest Lectures:

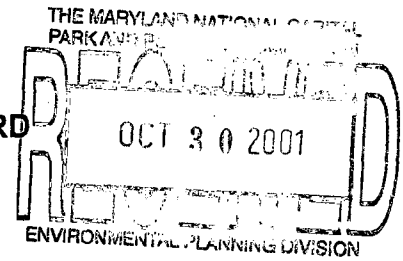
Over 350 at universities, museums, historical Societies.

Juried Papers:

Over 30 for various academic groups such as Society of
Architectural Historians, College Art and others.

- Reviews and Notices: Over 70 signed book reviews and notices in JSAH, Progressive Architecture, Architecture, Design Book Review
- Articles and Essays: Over 60 published in Architecture, Winterthur Portfolio, Architectural Review, and collections such as "Thomas Jefferson's 'Bibliomanie' and Architecture" American Architects and Their Books to 1848, edited by Kenneth Hafertepe and James F. O'Gorman, Amherst MA: U Mass Press, 2001.
- Books: Old West Side: A Report on the Environmental Survey of a Neighborhood, 1971;
The Prairie School in Iowa, 1977 (with S. K. Robinson)
The American Renaissance, 1979 (with D. Pilgrim and R. Murray)
McKim, Mead & White, Architects, 1983
The AIA Gold Medal, 1984
The Machine Age in America, 1986, (with D. Pilgrim, D. Tashjian)
Modern Architecture in America: Visions and Revisions 1991 (co-editor with S. K. Robinson and contributor)
The Making of Virginia Architecture, 1992 (with C. Brownell, C. Loth and W. Rasmussen).
Thomas Jefferson's Academical Village: The Making of an Architectural Masterpiece, 1993 (editor and contributor)
The University of Virginia: Campus Guide 1999 (with S. Butler)
Richmond's Monument Avenue 2001 (with S. Driggs and R. Winthrop)
- Exhibitions: The Prairie School in Iowa, Iowa State University, 1976
 Photographs and multi-media;
The American Renaissance, 1876-1917, Guest curator
 NEH Funded, shown 1979-1980 at museums in Brooklyn, Washington, DC, San Francisco, and Denver;
Honor and Intimacy: Architectural Drawings by AIA, Guest curator,
 at 1984-85 at Art Institute, Chicago, and The Octagon, Washington, DC;
The Machine Age in America, 1918-1941. Guest curator, NEH Funded, October 1986 at museums in Brooklyn, Pittsburgh, Los Angeles and Atlanta.
The Arts and Crafts Movement in America. Exhibition, guest curator for architecture, March 1987 at Museum of Fine Arts, Boston, then to Los Angeles, Detroit, New York.
The Making of Virginia Architecture, exhibition, Co-curator, at Virginia Museum of Fine Arts, Richmond, and A Treasury of Designs: exhibition, 1992, Virginia Historical Society, Richmond.
Thomas Jefferson's Academical Village, exhibition, guest curator, 1993-1995 Bayly Museum, University of Virginia; Carnegie Museum Pittsburgh, Octagon, Washington, D C.
- Television: Videos for National Trust and other organizations, appearance on PBS's "American Experience," History Channel, C-Span book, and commentator and advisor on 67 programs of A & E's "America's Castles".

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**



FILE NUMBER: 011674 **DATE RECEIVED:** 10-24-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 10-22-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: County Executive Duncan

SUBJECT:
Letter regarding the Historical Site – Canada Dry Bottling Plant.
PUBLIC HEARING

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Planning Board packet.

DATE DUE: [faded]
REMARKS FROM CHAIRMAN'S OFFICE: [faded]
Include in Planning Board packet

*To:
Gwen
FOR PACKET*

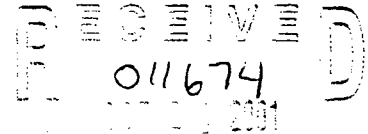


Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: **Hist. Site - Canada Dry Bottling Plant**
Date of Hearing: 11-15-01
Date Rec'd: 11-24-01
Corres. No.: _____

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

October 22, 2001



Arthur Holmes, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Chairman Holmes:

I want to take this opportunity to state my opposition to the designation of the entire Canada Dry building and site in the Master Plan for Historic Preservation. Instead, I recommend that some of the architectural features of the existing building be preserved and retained, where practical, in the redevelopment of the property.

The Canada Dry building has an architectural feature that is of significance to the Silver Spring community. The curved glass block corner feature with the Canada Dry sign is very interesting and contributes to the historic architectural style that was used in the design of several buildings throughout Downtown Silver Spring. However, the historic designation of the entire site has been reviewed and rejected many times. We believe that the significant architectural feature of this building can be preserved while allowing the site to be redeveloped and contribute to the economic rebirth of Silver Spring.

This site is located between the NOAA development to the north on East-West Highway and Discovery's Creative and Technology Center and the future location of the Innovation Center, a high tech incubator and offices, to the South. There must be a balance between the desire to preserve elements of our past and the need to renew our Downtown for the future.

It has been suggested the proposed historic designation of the Canada Dry site is analogous to the designation and reuse of the Silver Theatre. We were very fortunate that a viable reuse by the American Film Institute allowed us to preserve the theater as a piece of our past. However, the preservation of the Silver Theatre came at great public expense. We cannot make the same financial commitment to every building in Silver



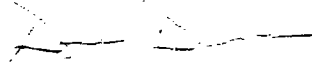
Arthur Holmes
October 22, 2001
Page 2

Spring that has some architectural value. We need to do everything we can to encourage the private sector to redevelop this key site. It is one of the few remaining large pieces of land left in Downtown.

Again, I recommend that the Canada Dry site not be designated in the Master Plan for Historic Preservation. I would further request that County and Planning Board staff work with any redeveloper of the Canada Dry site to find ways of preserving the significant architectural features of this building where practical.

Thank you for your consideration of this recommendation. I know you will give it careful consideration.

Sincerely,



Douglas M. Duncan
County Executive

DMD:gs/sr



Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 11-24-01
Corres. No.: _____

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

October 22, 2001

RECEIVED
OCT 24 2001

Arthur Holmes, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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The Canada Dry building has an architectural feature that is of significance to the Silver Spring community. The curved glass block corner feature with the Canada Dry sign is very interesting and contributes to the historic architectural style that was used in the design of several buildings throughout Downtown Silver Spring. However, the historic designation of the entire site has been reviewed and rejected many times. We believe that the significant architectural feature of this building can be preserved while allowing the site to be redeveloped and contribute to the economic rebirth of Silver Spring.

This site is located between the NOAA development to the north on East-West Highway and Discovery's Creative and Technology Center and the future location of the Innovation Center, a high tech incubator and offices, to the South. There must be a balance between the desire to preserve elements of our past and the need to renew our Downtown for the future.

It has been suggested the proposed historic designation of the Canada Dry site is analogous to the designation and reuse of the Silver Theatre. We were very fortunate that a viable reuse by the American Film Institute allowed us to preserve the theater as a piece of our past. However, the preservation of the Silver Theatre came at great public expense. We cannot make the same financial commitment to every building in Silver



Arthur Holmes
October 22, 2001
Page 2

Spring that has some architectural value. We need to do everything we can to encourage the private sector to redevelop this key site. It is one of the few remaining large pieces of land left in Downtown.

Again, I recommend that the Canada Dry site not be designated in the Master Plan for Historic Preservation. I would further request that County and Planning Board staff work with any redeveloper of the Canada Dry site to find ways of preserving the significant architectural features of this building where practical.

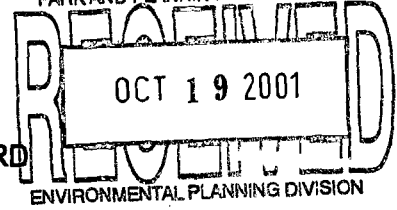
Thank you for your consideration of this recommendation. I know you will give it careful consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Duncan", written over a horizontal line.

Douglas M. Duncan
County Executive

DMD:gs/sr



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011607 **DATE RECEIVED:** 10-15-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 10-4-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Domenick Fioravanti

SUBJECT:
Historical Site – Canada Day Bottling Plant – Public Hearing.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE: **DATE DUE:**

REMARKS FROM CHAIRMAN'S OFFICE: **REMARKS FROM CHAIRMAN'S OFFICE:**
Include in Planning Board packet. Include in Planning Board packet.

*To:
Gwen Whinn*



7700 Wisconsin Avenue
Bethesda, Maryland 20814-3579
301-771-5814
fax 301-771-3562
dfiorava@discovery.com

Domenick Fioravanti
Senior Vice President and
Administrative Officer

October 4, 2001

Mr. Arthur Holmes, Jr.
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RECEIVED
011607
OCT 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Re: Canada Dry Property
1201 East-West Highway

Dear Chairman Holmes:

As a major investor and believer in the economic revitalization of Silver Spring, I am writing to express Discovery Communications' opposition to the historic designation of 1201 East-West Highway (the "Property"). We believe that while historic preservation is certainly appropriate in many instances, it is not fitting for this Property.

Discovery Communications is committed to Silver Spring and its rebirth. This is evidenced through our construction and renovation of over one million square feet of office and parking space in Silver Spring, and our employment of over 1,900 persons.

In South Silver Spring, we invested in and are utilizing the former 150,000 square foot Caldor property, which is directly across from 1201 East-West Highway. Frankly, the vacant Canada Dry warehouse is an eye sore and presents a safety concern to our company. On a daily basis, our employees walk past the Property on their walk to the metro or on their drive home. Having such a blighted, vacant property is not good for our business or for the business of the County.

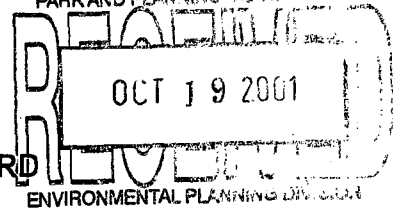
With the economy as it is, we are not at a point where we should be putting roadblocks in the way of redevelopment. We fear that if the Canada Dry warehouse is designated historic, such building will remain vacant and further add to the blight of South Silver Spring. None of us can afford this to occur.

We greatly appreciate your consideration of our position, and respectfully urge that you reject any designation of the Property as historic. Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Domenick Fioravanti".

Domenick Fioravanti



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011606 **DATE RECEIVED:** 10-15-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 9-9-01

AGENDA DATE:

TO: Art Holmes

FROM: Tim Morawetz, Co-Founder,
Art Deco Society of Toronto

SUBJECT:
Letter in support for listing of former Canada Dry building.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
None required.

To: Gwen Wainwright

Tim Morawetz

374 Davisville Avenue, Toronto, Ontario M4S 1H3 Canada
Tel: (416) 487-8147 • Fax: (416) 487-8331 • Email: morgowan@sympatico.ca

Tuesday, September 9, 2001

Art Holmes, Director
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910 USA

RECEIVED
011606
2001 09 15 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING

Dear Mr. Holmes:

Re: Support for listing of former Canada Dry building

As a lecturer, tour-guide and writer on 1930s architecture in Toronto and Canada, as a proponent of appropriate historic preservation, and as a member of the Art Deco Society of Washington and periodic visitor to your region, I am writing to add my support to those who encourage the listing of the Canada Dry building in Silver Spring to the County Atlas of Historic Places.

Although perhaps less visually attractive than other historic buildings, commercial structures – such as the Canada Dry building of 1946 – are an important aspect of the region's architectural heritage. In the case of the Canada Dry building, the glass block rotunda, yellow brick and glazed tile exterior, curved corners, ribbon window and distinct signage all make it a significant architectural resource that deserves appropriate protection and reuse.

I urge you to support the listing of this unique building.

Sincerely,



Tim Morawetz
Co-founder, Art Deco Society of Toronto

c.c. Art Deco Society of Washington
Silver Spring Historical Society

Letters for Canada

Buy (you've
probably already
seen all of these)

Given

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011637 **DATE RECEIVED:** 10-18-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 10-14-01

AGENDA DATE: 11-15-01

TO: Art Holmes

FROM: Bill Burch

SUBJECT:
Letter in support of the designation of the Canada Dry bottling plant.

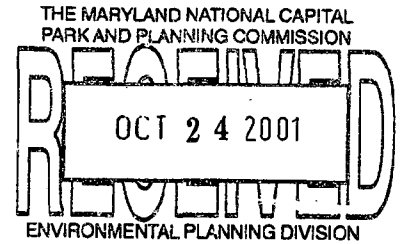
TRANSMITTED TO: Director/Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.

REMARKS FROM CHAIRMAN'S OFFICE:
Include in Public Hearing records.



*To
Gwen Waigert*

Montgomery County Planning Board
For inclusion in Public Hearing Record
Re: Hist. Site - Canada Dry Bottling Plant
Date of Hearing: 11-15-01
Date Rec'd: 10-18-01
Corres. No.: _____

Arthur Holmes Jr.
Montgomery County Planning Board
Montgomery County Dept. of Park and Planning
8787 Georgia Ave.
Silver Spring, MD 20910

011637
10-18-01

October 14, 2001

Mr. Holmes,

I'm writing in support of the designation of the Canada Dry bottling plant in Silver Spring as a historical building worthy of preservation.

I'm a businessman who recently relocated to Silver Spring from Washington, D.C. I currently have an office in the 7900 block of Georgia Ave., close to the Canada Dry plant.

On my walk to work, I pass by the plant regularly and often admire the building. Its prominent rounded corner of glass bricks complements its sleek, low profile. The edifice of the Lee building at Colesville and Georgia owes an obvious debt to the bottling plant. When the renovation of the Silver Theater is complete, the three together will give downtown Silver Spring a unique, local character.

However, I doubt the Board needs further testimony on the bottling plant's architectural merits. Instead, I would like to point out the potential of the plant's neighborhood. As a recent transplant to Silver Spring, I see the plant and its environs with a fresh pair of eyes. Where others may see a neglected building that's been declining over the years, I see a unique building with great design sitting in an arts district on its way up.

A visit to the neighborhood finds the small hook of Blair Mill Road creating an eddy in the river of traffic on Eastern Highway. In its relative stillness, the Blair Mill Arts Center offers a haven for culture. On Eastern Avenue, the Meredith Glass Arts Center at 1115 Eastern Avenue went under, but left an eye-catching building with a good location for the right retailer.

A half block over on Georgia Avenue, Abbey Camera shows how an older brick building can be updated for modern usage. Across Georgia, a renovation updates 8025-9 Georgia Avenue with modern details. On the corner of Georgia and East-West Highway, the handsome old Metro building in yellow brick and green tiles presides over the intersection from the northeast corner. Overall, the neighborhood has the potential to develop into a distinctive, arty neighborhood along the lines of Adams Morgan in the District or Clarendon in Arlington County.

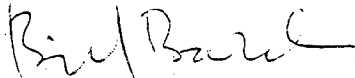
With the heavy traffic on Eastern Ave., the bottling plant could be developed for retail. The bottling plant's large parking lot could easily handle customers for several stores. A

dual-use design might situate offices on the southwest corner and shops in the warehouse portion that lines up along Eastern Avenue. The warehouse portion could also be turned into office space, with an open floor plan and light wells.

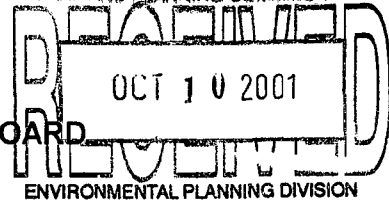
The development of the bottling plant and its neighborhood may take a little time, but it's not a decade away. The Discovery Channel headquarters, the Borders bookstore and the new Silver Spring Library building are filling in the downtown's center. Renovations along the west side of Georgia Avenue north of the railway underpass show development spreading out from the city's center.

With the bottling plant's location on a heavily traveled road, large parking lot and proximity to the Silver Spring Metro, the building is a prime candidate for renovation. All that's needed is the Planning Board's protection and a little patience

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Burch". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bill Burch
1004 Noyes Dr.
Silver Spring, MD 20910



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011574 **DATE RECEIVED:** 10-9-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 10-4-01

AGENDA DATE:

TO: Art Holmes

FROM: Bryant Foulger, V.P.
Foulger Pratt

SUBJECT:

Letter opposes any historic designation for the Canada Dry Building at 1201 East-West Highway.

TRANSMITTED TO: Director/ Chairman

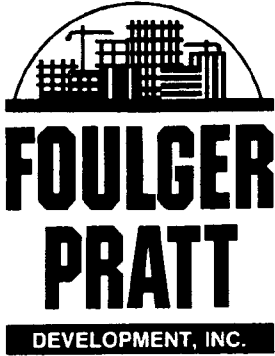
COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:

None required.

*To:
Gwen*



October 4, 2001

RECEIVED
011574
OCT 05 2001

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Chairman Arthur Holmes, Jr.
Montgomery County Planning Board
8787 Georgia Avenue
Suite 211
Silver Spring, Maryland 20910

Re: Canada Dry Building
1201 East-West Highway

Dear Chairman Holmes:

I am writing to you in our capacity as a major commercial property owner in the vicinity of the old Canada Dry building to express my opposition to any historic designation for the building.

We developed and own the Silver Spring Metro Center which houses the headquarters for the National Oceanic and Atmospheric Administration ("NOAA"). We are in the final planning process for the last phase of that project, which is a 200-unit apartment project. We have worked continually for the past ten years to develop this building, but market conditions have not allowed us to move forward. But conditions in Silver Spring (with the revitalization efforts and successes) will now allow us to move forward. Construction of this last phase of the Silver Spring Metro Center is scheduled to begin next spring. The apartment building will be located immediately adjacent to the Canada Dry building. We have developed the Silver Spring Metro Center over the past 15 years and are encouraged by the important changes that are occurring in Silver Spring, with our Downtown Silver Spring project being one of the important developments in recent years. We are pleased that the public sector has taken such an interest in Silver Spring, and are encouraged by the manner in which the private sector has followed the public sector's lead and have invested heavily in Silver Spring. We are optimistic that the efforts to revitalize Silver Spring will enjoy continued, spectacular success.

1355 Piccard Drive
Suite 400
Rockville, Maryland 20850
301-948-0522
301-948-5949 Fax

Arthur Holmes, Jr., Chairman

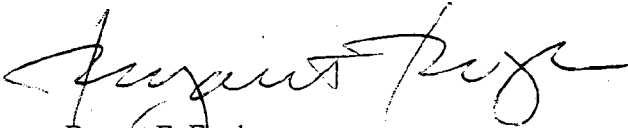
October 4, 2001

Page 2

As major owners and investors in the area, we have been encouraged by the County's determination to revitalize Silver Spring and are pleased to see new development both in the core and elsewhere. These projects have respected Silver Spring's past, but also focused on its future. These public and private investments will be jeopardized if vacant and abandoned buildings remain in the area and if development that has long been planned throughout the Silver Spring CBD area is not allowed to proceed. We are finally at the point where such land use plans match improving market conditions in Silver Spring and an overall willingness of property owners to reinvest in the area. The required preservation of a vacant warehouse building instead of master planned residential and commercial redevelopment will certainly hinder these efforts. We are very concerned that the proposed designation of the Canada Dry building will stifle development of that site, leading to the appearance of further Silver Spring blight. Such deterioration could negatively affect our ability to move forward with our proposed apartment project next door. We have worked long and hard with the County and the community to eliminate such problems. We respectfully request that you reject the request to now designate this property historic and that you instead allow the master planned redevelopment to proceed.

Very truly yours,

FOULGER-PRATT DEVELOPMENT



Bryant F. Foulger
Vice President

cc: Glen Kreger



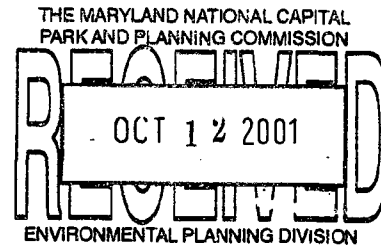
7700 Wisconsin Avenue
Bethesda, Maryland 20814-3579
301-771-5814
fax 301-771-3562
dfiorava@discovery.com

Domenick Fioravanti
Senior Vice President and
Administrative Officer

*FYI
TO
Gwen
WRIGHT*

October 4, 2001

Mr. Arthur Holmes, Jr.
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910



Re: Canada Dry Property
1201 East-West Highway

Dear Chairman Holmes:

As a major investor and believer in the economic revitalization of Silver Spring, I am writing to express Discovery Communications' opposition to the historic designation of 1201 East-West Highway (the "Property"). We believe that while historic preservation is certainly appropriate in many instances, it is not fitting for this Property.

Discovery Communications is committed to Silver Spring and its rebirth. This is evidenced through our construction and renovation of over one million square feet of office and parking space in Silver Spring, and our employment of over 1,900 persons.

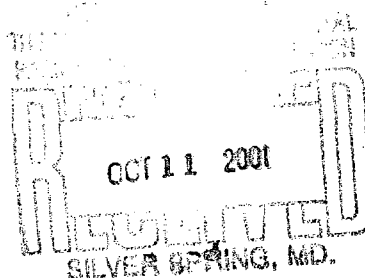
In South Silver Spring, we invested in and are utilizing the former 150,000 square foot Caldor property, which is directly across from 1201 East-West Highway. Frankly, the vacant Canada Dry warehouse is an eye sore and presents a safety concern to our company. On a daily basis, our employees walk past the Property on their walk to the metro or on their drive home. Having such a blighted, vacant property is not good for our business or for the business of the County.

With the economy as it is, we are not at a point where we should be putting roadblocks in the way of redevelopment. We fear that if the Canada Dry warehouse is designated historic, such building will remain vacant and further add to the blight of South Silver Spring. None of us can afford this to occur.

We greatly appreciate your consideration of our position, and respectfully urge that you reject any designation of the Property as historic. Please contact me should you have any questions.

Sincerely,

Domenick Fioravanti
Domenick Fioravanti





I. Dean Ahmad, President
4323 Rosedale Avenue
Bethesda, MD 20814
August 2, 2001

Mr. Steven Spurlock, Chair
Montgomery County Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Spurlock:

The Montgomery County Civic Federation strongly favors placing the Canada Dry bottling plant building in Silver Spring on the County's Locational Atlas and Index of Historic Sites in Montgomery County and also on the Master Plan for Historic Preservation.

The Civic Federation voted in a general membership meeting to support the preservation and historic designation of this valuable architectural resource. Research conducted by the Silver Spring Historical Society, which submitted the nomination for historic designation around the time of our vote, has revealed a wealth of impressive evidence about the architectural significance of the building, its importance in the commercial and industrial history of the County, and the eminence of its architect, Walter Monroe Cory. Experts in architecture and architectural history concur with those findings. The Canada Dry bottling plant, with its yellow brick and Art Deco features, is a striking landmark in Silver Spring that reflects the community's early history and contributes to its uniqueness. Communities should take care to recognize and preserve such buildings.

The Civic Federation welcomes the revitalization of Silver Spring, but we are also sensitive to the risk that revitalization without preserving buildings dating from the past will result in irretrievable loss of the distinctive character of the community. In the case of the Canada Dry Building, we are concerned that the community (and the County) would lose a structure that constitutes a link to the post-World War II era when Silver Spring was coming of age economically. We understand also that the building may be the only Cory-designed structure in the County, if not in the State of Maryland. Thus, the prominence of the firm Cory and Cory is alone a compelling argument for Atlas designation.

For these reasons, the Civic Federation urges the Historic Preservation Commission to formally recognize the value of this building and designate it as a historic resource. The current uncertain fate of the building, which at this date is for sale, suggests that designation should proceed expeditiously.

Thank you for considering our views.

Sincerely,

A handwritten signature in dark ink, appearing to read "I. Dean Ahmad". The signature is written in a cursive style with a horizontal line underneath.

I. Dean Ahmad, President

cc: Jerry McCoy, President, Silver Spring Historical Society

**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

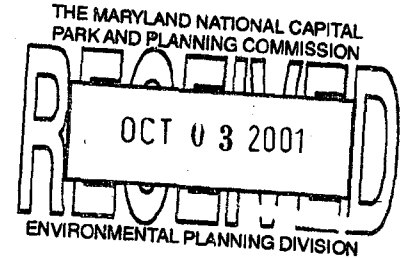
FILE NUMBER: 011534 **DATE RECEIVED:** 10-1-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:** 9-27-01

AGENDA DATE:

TO: Art Holmes

FROM: Walter Gottlieb



SUBJECT:

Letter supports the Preservation of the Canada Dry Building in Silver Spring.

TRANSMITTED TO: Director/ Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:

Prepare a response for Chairman's signature by ~~10-17-01~~

*"Not necessary!"
Barb Peller 10/10/01*

*To:
Gwen WAIGHT*

September 27, 2001

RECEIVED
011534
SEP 27 2001

Mr. Arthur Holmes, Jr., Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910
Fax: 301-495-1320

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

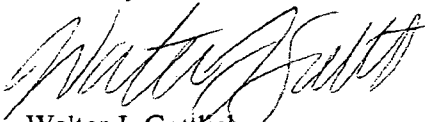
Dear Mr. Holmes:

I am writing in support of the preservation of the Canada Dry building in Silver Spring as an important historic site in our community.

Recent historical structures deserve as much respect as older buildings do, and the Canada Dry building is a wonderful example of mid-20th century architecture.

We have already lost many precious historic buildings in our community; We must thoughtfully preserve the remaining ones.

Sincerely,



Walter J. Gottlieb
215 Baden St.
Silver Spring, MD 20910
(301) 587-9492



7700 Wisconsin Avenue
Bethesda, Maryland 20814-3579
301-771-5814
fax 301-771-3562
dfiorava@discovery.com

Domenick Fioravanti
Senior Vice President and
Administrative Officer

October 4, 2001

Mr. Arthur Holmes, Jr.
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Canada Dry Property
1201 East-West Highway

Dear Chairman Holmes:

As a major investor and believer in the economic revitalization of Silver Spring, I am writing to express Discovery Communications' opposition to the historic designation of 1201 East-West Highway (the "Property"). We believe that while historic preservation is certainly appropriate in many instances, it is not fitting for this Property.

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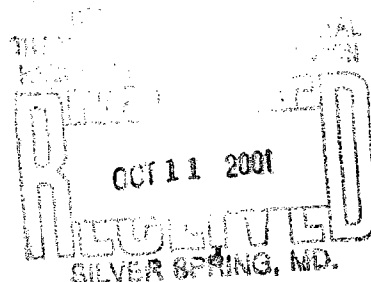
With the economy as it is, we are not at a point where we should be putting roadblocks in the way of redevelopment. We fear that if the Canada Dry warehouse is designated historic, such building will remain vacant and further add to the blight of South Silver Spring. None of us can afford this to occur.

We greatly appreciate your consideration of our position, and respectfully urge that you reject any designation of the Property as historic. Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Domenick Fioravanti".

Domenick Fioravanti



✓

Tim Morawetz

374 Davisville Avenue, Toronto, Ontario M4S 1H3 Canada
Tel: (416) 487-8147 • Fax: (416) 487-8331 • Email: morgowan@sympatico.ca

Tuesday, September 9, 2001

Stephen Spurlock, Chair
Montgomery County Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, MD 20910 USA

Dear Mr. Spurlock:

Re: Support for listing of former Canada Dry building

As a lecturer, tour-guide and writer on 1930s architecture in Toronto and Canada, as a proponent of appropriate historic preservation, and as a member of the Art Deco Society of Washington and periodic visitor to your region, I am writing to add my support to those who encourage the listing of the Canada Dry building in Silver Spring to the County Atlas of Historic Places.

Although perhaps less visually attractive than other historic buildings, commercial structures – such as the Canada Dry building of 1946 – are an important aspect of the region's architectural heritage. In the case of the Canada Dry building, the glass block rotunda, yellow brick and glazed tile exterior, curved corners, ribbon window and distinct signage all make it a significant architectural resource that deserves appropriate protection and reuse.

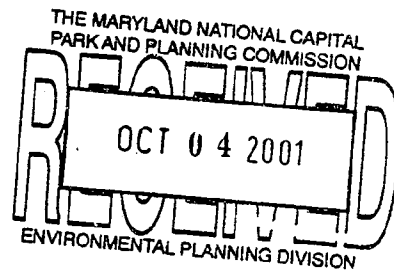
I urge you to support the listing of this unique building.

Sincerely,



Tim Morawetz
Co-founder, Art Deco Society of Toronto

c.c. Art Deco Society of Washington
Silver Spring Historical Society



**ROUTING SLIP
MONTGOMERY COUNTY PLANNING BOARD
CHAIRMAN'S OFFICE**

FILE NUMBER: 011554 **DATE RECEIVED:** 10-3-01

CORRESPONDENCE TYPE: Letter **DATE OF LETTER:**

AGENDA DATE:

TO: M-NCPPC

FROM: Daniel Meijer

SUBJECT:

Letter from the Silver Spring Historical Society urging that the Canada Dry Bottling Plant remain a Historical Marker.

TRANSMITTED TO: Director / Chairman

COPIES TO: Zyontz

DATE DUE:

REMARKS FROM CHAIRMAN'S OFFICE:

None required.

*Robin -
FYI*

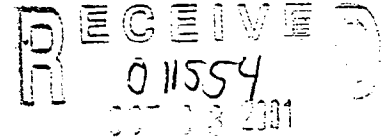
*To:
Gwen*

Memorandum

Subject: Historical preservation of the abandoned Canada Dry Bottling Plant

Location: South Silver Spring

From: Daniel Meijer



OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

The following statement by the "nominating group" (Silver Spring Historical Society) on the above subject matter appears on page 14 of the transcript of the August 15th, 2001 hearing before the Historic Preservation Commission.

"We realize, however, that the property is large, three acres in large. We want to be flexible and we want to work with the new owners in arriving at a plan that incorporates preservation while successfully redeveloping the site with a stylish result that will be beneficial to the entire community."

Please encourage the Silver Spring Historical Society to give credibility to such testimony - by requesting they exemplify such principals - by applying them to current cases - for example: the renovations proposed for Jesup Blair Park.



P.O. Box 1160 • Silver Spring, Maryland • 20910-1160

August 30, 2001

Dear All:

In March of 1998 a small group of individuals meet in my living room, brought together by our concern over the rapidly disappearing remnants of Silver Spring's past. Together we formed the Silver Spring Historical Society, whose simple mission was "to create pride in the Silver Spring community by creating an awareness of it's past and by preserving and exhibiting artifacts of that past for future generations."

Little did we know that within seven months of that meeting, Silver Spring's 1927 Maryland National Guard Armory, a Montgomery County government-designated Master Plan for Historic Preservation site, would be reduced to rubble to make way for the construction of parking garage. Nearly three years later the Armory site sits empty, a weed and trash-strewn lot. The delay is due to the signing of a lease so construction of a commercial building can begin which, *in turn*, would allow the construction of the parking garage to proceed.

Sad to say but this cutting-up of the historic fabric of our community had only begun. As Silver Spring's revitalization starts to heat up, future losses on the horizon are quickly becoming apparent. A contract purchaser wants to demolish architect Walter Monroe Cory's 1946 Canada Dry Bottling Plant on East-West Highway to make way for housing. The circa-1935 Little Tavern, located on the corner of Georgia Avenue and Ripley, has recently been earmarked for removal from the site so a new arts complex can be built. A plan shows the site of architect Arthur Heaton's 1927 National Institute of Cleaning and Dyeing, the building on the corner of Georgia Avenue and Burlington whose original architectural drawings are housed in the Library of Congress, as a parking lot.

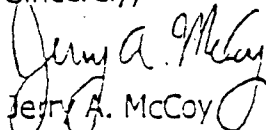
But perhaps the greatest historic loss that this community will ever see, and it is happening as you read this, is the incursion by Montgomery College's Takoma Park Campus into neighboring Jesup Blair Park. Montgomery College is proceeding with plans to build a "Cultural Arts Center" in the park as well as a pedestrian bridge connecting the park, on the west side of the CSX/Metro train tracks, to the Takoma Park Campus on the east side of the tracks. Even though the neighboring Giant Bakery site has been purchased for the school's use, and could be used to accommodate construction of this arts center/bridge, the college is adamant in its decision to intrude into this last remaining open space (and historic landscape) in downtown Silver Spring.

This impending construction will, in the process, take out a portion of the park's grove of 150-175 year old oak trees. These trees were the pride and joy of the property's last owner, Violet Blair Janin who, upon her death in 1933, willed her circa-1850 summer estate "The Moorings" and the surrounding property to the community as a public park. Mrs. Janin, the grand daughter of Silver Spring founder Francis Preston Blair, stipulated that the property's trees be preserved and only replaced in the event of disease/death. Some of these trees are old enough to have seen Confederate troops march through Silver Spring in July of 1864 as well as having seen the passing of the first steam locomotives on the neighboring Metropolitan Branch, of the Baltimore & Ohio Railroad in May of 1873. Unless Montgomery College's plans are thwarted these trees, as well as the historic landscape of Jesup Blair Park and its utilization by the public, will forever be lost.

Silver Spring's revitalization *can* be balanced with historic preservation. Unfortunately Montgomery College does not see it that way. On behalf of the Coalition to Preserve Jesup Blair Park, I ask you to carefully read the attached sheet and to stop this desecration by offering your written and/or monetary support. As a personal "thank-you," contributors of \$100 or more will receive a print depicting Silver Spring's 1850s Acorn Gazebo which I will pull from the original 1950s linoleum-block print executed by the anonymous artist "GW" (pictured below in full-size).

Thank you for your support of Silver Spring's unique heritage.

Sincerely,


Jerry A. McCoy
President

Silver Spring Historical Society
sshistory@yahoo.com
www.homestead.com/silverspringhistory

P.S.

If a red "X" appears next to your address, please consider renewing your membership.



**INSTRUCTIONS FOR PLAINTIFFS AND DONORS
IN THE LAW SUIT
TO PRESERVE JESUP BLAIR PARK**

The Coalition to Preserve Jesup Blair Park has decided that it has become necessary to file a law suit over Montgomery College's proposal to build a Cultural Arts Center in historic Jesup Blair Park. We are convinced that if this project were allowed to proceed, it would destroy the historic and environmental features that make Jesup Blair Park a unique urban treasure, and it also would rob us of our public park, as laid out in the Maryland State Code – the legal statement of the 1933 will of Violet Blair Janin. Our recommendation continues to be that the College build on one of the several suitable sites in the already-impacted area of its recently acquired 4-acre Giant Bakery site. This is a Win-Win solution in keeping with the principles of Smart Growth, environmental and historical guidelines, and Maryland State Code.

We have met several times with Attorney Robin Ficker, who has twice before successfully sued to prevent incursions and building in Jesup Blair Park. We agreed to pay a ceiling of \$3,000 to defray some of the expenses (research and filing fees) involved in this endeavor.

At this point, we are seeking plaintiffs and donations.

- We are seeking people and organizations who agree to be plaintiffs (those that bring the suit to the Court and ask the Court to order some action). The more plaintiffs we have, the better we will be able to impress the Judge by showing him/her that there are a lot of people who care about saving Jesup Blair Park.
- Plaintiffs can be individuals or organizations that have a connection with Jesup Blair Park, which could also include your past history with the Park. The key is that **the plaintiff has ties to the Park different than those of the general public and will consequently suffer injury different than the general public**. This could include such things as:
 - a childhood history with the Park,
 - regularly walking your dog in the park,
 - living near the park and enjoying the park atmosphere,
 - using the park as a sanctuary in this highly developed urban setting,
 - owning property nearby that would be adversely impacted by having the College move into the park,
 - playing in the park,
 - bringing children to the park,
 - personal harm due to some special relation that you have to the park (e.g. ties to the Park's history).
- To help you decide if you want to be a plaintiff, here is what is expected of a plaintiff:
 - prepare a one-page signed statement (affidavit) – include your name, address and phone number – that describes how this project in the park would adversely impact your park experience. If you would like, we can help you draw up this statement, and the attorney can review it for you. This is a simple, honest, and straightforward statement that comes from your heart and head. It tells of your use of the Park, how often you go there, and what special benefits you enjoy from using the Park. Special benefits can also include relief from the urban pollution, renewal from enjoyment of the trees and green space, watching children play, and so on.
 - Usually that is all that is involved. However, the attorney may need some of the particular plaintiffs to testify before the court, e.g. the botanist who can explain the tree impacts. If you are asked to testify, we would work with our attorney to help you prepare for this testimony, though you are not required to testify.
 - If you do testify, you may be asked questions by the attorney on the other side. But if your signed statement is honestly based on your heart and clear reason for not wanting any building in Jesup Blair Park, then this should not present a problem.
- **Bottomline:** the plaintiff must sincerely want to preserve Jesup Blair for yourself, your family and friends, and future generations to enjoy the historic features, the trees, and the open green space.

- As we mentioned above, we also need to raise \$3,000 to cover expenses for research, filing, and serving legal papers. If you want to make a donation to help cover the legal expenses, please make the check payable to RG Steinman (RG is serving as the Treasurer) and send to: RG Steinman, 9009 Fairview Rd., Silver Spring, MD 20910. My telephone: 301.565.2025 and email: lifeonearth@iuno.com.

The affidavit can be sent to Attorney Robin Ficker to review, either by regular mail or email. His address is: Robin Ficker Law Offices, 8002 Wisconsin Avenue, Bethesda, MD 20814. His email is: ficker@erols.com. Telephone number: 301.652.8199 or (cell) 301.601.5151. When you have finalized your written statement, it has to be notarized.

Please feel free to call if you have any questions. Thanks so much for caring enough to save Jesup Blair Park. The trees thank us too!

RG Steinman
On behalf of the Coalition to Preserve Jesup Blair Park

August 20, 2001

Ziek, Robin

From: Kreger, Glenn
Sent: Thursday, October 11, 2001 8:16 AM
To: Ziek, Robin
Cc: Carter, John
Subject: RE: Canada Dry

I know they have been done-- in fact, I have told you several times that I would love for a microbrewery to reuse this particular building. However, I also believe that historic preservationists tend to underestimate the difficulty and cost of reusing old buildings. The market in South Silver Spring is marginal and the revitalization in that area is too fragile to take the chance that someday someone might reuse Canada Dry. If reuse should ultimately occur, the Planning Board would undoubtedly be supportive when they review the project plans. The extent to which preservation occurs in the context of redevelopment should be their call, not a requirement and not up to the HPC.

As I have informed you and Jeff, CBP opposes designation. I am simply letting you know that all the surrounding property owners seem to be lining up to oppose it as well, it is not simply the owner of the property.

-----Original Message-----

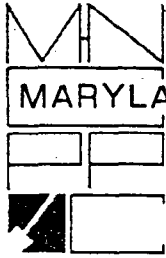
From: Ziek, Robin
Sent: Wednesday, October 10, 2001 3:52 PM
To: Kreger, Glenn
Subject: RE: Canada Dry

Thanks Glenn. Of course, they make an assumption that a designated Canada Dry will remain an empty building. No one in historic preservation anticipates that. I hope we can make that clear to the Planning Board, and I hope that is clear to you. Would you like to meet to discuss rehabilitation projects which have been undertaken on empty, derelict historic structures?

-----Original Message-----

From: Kreger, Glenn
Sent: Tuesday, October 09, 2001 11:02 AM
To: Ziek, Robin
Cc: Wright, Gwen; Zyontz, Jeff
Subject: Canada Dry

I have sent you and Jeff copies of a letter from Bryant Foulger to Art Holmes asking that Canada Dry not be designated. His reasons are essentially the same as those expressed by Jeffrey Abramson of the Tower Companies, owners of the Blair apartment complex.



FAX TRANSMITTAL SHEET

Historic Preservation Office
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Elsie Butler FAX NUMBER: 410-539-2182

FROM: Robin Zep

DATE: 11/13/01

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 11

NOTE:

Canada Dry

Good Evening. My name is Kim Williams. I am an architectural historian and a private consultant specializing in historic preservation. I currently serve as a Commissioner on the Historic Preservation Commission. I would like to highlight the principal architectural reasons why the HPC unanimously supports this proposed designation.

To begin, I would like to note that the building is presently 55 years old, and thus meets the 50-year cut-off date for evaluating historic properties established by the National Park Service. This fifty-year date has been adopted by the Historic Preservation Commission as a rule for evaluating 20th-century properties. When the Historical Atlas was compiled and published in 1976, the Canada Dry Bottling Plant did not meet the 50-year cut-off date, and was thus not considered for inclusion in the Atlas. Today, however, the building exceeds the 50-year cut-off date and has been determined eligible for listing on the Master Plan for Historic Preservation for the following reasons:

Firstly, the building meets criteria 1 (a) and 1 (d); that is "it has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, and exemplifies the cultural, economic, social, political, or historic heritage of the county." Built and opened in 1946, the Canada Dry Bottling Plant represents a rare example of the post-War industrial development of the county. Prior to the mid-20th century, industry in Montgomery County was limited to agriculture and mining activities. Granaries, mills and bank barns are typical structures which represent these industries, and, as such, several have been designated to preserve this aspect of the county's history.

These early industries reflect the capitalization of the county's natural resources, both for self-consumption, as well as for exportation. After WWII, as our residential market expanded, new industries were established using imported products, transported via the railroad, for the manufacture of goods for the growing local community. The Canada Dry Bottling Plant survives as an excellent example of this type of post-War industry.

Secondly, the building qualifies for designation under criteria 2 (a), 2 (b), and 2 (c); that is it "embodies the distinctive characteristics of a type, period, or method of construction;" "it represents the work of a master;" and "it possesses high artistic value."

The Canada Dry Bottling Plant is a period building designed by a master architect, with high artistic value. In designing the Silver Spring bottling plant, the Canada Dry Corporation chose a nationally prominent architect from New York, Walter Monroe Cory, to design an image building that would announce to the public that the company was in the forefront of the economy. Its choice of the Art Moderne style of architecture--a building style which looked forward to a new way of living--did just that. The Art Moderne style embraced progressive new materials, such as glass block and neon lighting, in a way that celebrated the new building technologies, including curtain wall construction and strip windows. Stylistically, the use of curving corners--an expression of speed and streamlining--was an Art Moderne design trend found on buildings and objects ranging from locomotives to kitchen toasters.

Thirdly, the building meets Criteria 1 (e), that is the building “represents an established and familiar visual feature of the neighborhood, community, or county, due to its singular physical characteristic or landscape.” The Canada Dry Bottling Plant is a well-established landmark. The building's neon signs were prominently placed, and are still highly visible from the railroad tracks as well as the surrounding roads. Indeed, the Canada Dry Bottling Plant is completely intact and stands out in this once-industrial section of the county--south Silver Spring--adjacent to the railroad tracks, where many of its industrial neighbors, now gone, once joined it.

Our chairman, Steven Spurlock, will now address the proposed designation and issues involved in establishing the environmental setting for this site.