

MEETING OF THE JOINT LAND USE/LONG RANGE PLANNING COMMITTEE 9-14-2021

The meeting was called for 7 pm on Zoom. Present were Dedun Ingram, Chair; Tom Collins, Kathy Flaxman, Sybil Freeman, Eric Murtagh, Mark Patterson, Joe Rubin, Steve Seidel, Stuart Sessions, David Valenstein, Aadele Waugaman; and Ellen Cornelius Ericson and Irene Lane, Town Council liaisons.

Chair Dedun Ingram called the meeting to order at 7:02 pm. She explained that what had been two committees would be combined this year because they would have been addressing many of the same issues and one robust committee was deemed preferable to two smaller ones. Members introduced themselves.

Committee rules of conduct were reviewed: We meet publicly under the Open Meetings Act. Members wishing to testify to the Planning Board or to send in materials must represent themselves as individuals, not as committee members. The committee advises the Town Council and we now have two liaisons to the joint committee. The committee can consult with the Town Attorney as necessary. We can also suggest that the Town hire consultants to provide expert advice.

Projects for the year are expected to be:

- Thrive Montgomery, the County's new general plan.
- Attainable housing
- Farm Women's Market/Redevelopment of parking lots 10 and 24. A Town forum on 9/24 was noted.
- Folger-Pratt redevelopment of 7126 and 7140 Wisconsin Ave. and adjacent Miller Ave. properties
- Informing Town residents about construction projects near our borders
- Redevelopment of the 4-H property, insofar as it might involve changes to Town building regulations
- Zimmerman Park
- Possible changes to the Town code, including lot coverage and modification of storm water regulations.

Thrive Montgomery: The Town has helped to create a coalition of more than 30 municipalities which submitted a letter to the County on July 6. So the committee may not need to act on this for now.

Attainable housing: Council member Will Jawando surprised the Council by introducing a Zoning Text Amendment allowing multi-family housing by right in areas zoned R-60. Implementation was to come in advance of the more theoretical Thrive proposals. The County Council passed the ZTA off to the Planning Board staff, who studied it last spring (April-June) and are still presenting recommendations. They have agreed to allow 2-3-4-plexes in "priority housing districts" which includes most of the Town. Could each unit have an accessory unit as well? On-site parking would not be required and the plan would allow subdivision of properties to allow

for separate ownership. Within 500 feet of Connecticut and Wisconsin Aves. and maybe also within 300 feet of a commercial property, developers could qualify for alternative methods of development. We are hoping for more specifics from the October Planning Board meeting. The Coalition has been working on this as well. The Town does have height and setback regulations. Members were asked to think about what changes might be needed to the Town building code in order to handle multi-unit housing. Irene noted that we would be able to continue to enforce existing Town regulations. Steve Seidel expressed concern that the County might come after our local authority if it conflicts with what they want to see.

Dedun noted that the Planning Board is trying to create a single ZTA incorporating all desired changes, to be sent to the County Council. But we don't know whether the Council might act immediately, or put it aside for later. The County budget is taken up in March/April and primaries for the fall election will be held in June.

Farm Women's Market and associated redevelopment: The original plans for redevelopment of 7121 Wisconsin called for a very tall (22 story) building with underground parking. The Town approached the developers (Bernstein) suggesting the inclusion of Lot 24 behind the property. There was a petition with more than 6000 signatures recommending converting Lots 24 and 10 to parks. The initial plan was for "too much building". A second plan with smaller buildings was approved by the Planning Board. This has been on hold for two years due to the pandemic. There was a need to calculate the builder's contribution to undergrounding all of the parking. The County had agreed to float some bonds to cover part of the cost, but due to pandemic-caused financial difficulties the Parking Authority is no longer in a position to do this. The County will do a study to determine whether the full 300 spots initially proposed are still needed.

On September 24 there will be a Zoom forum with a presentation of the current plan. Chris Conklin from the County Dept. of Transportation will explain the parking details and funding gap. We expect that the Town will be asked to contribute to the creation of the park above the underground parking. We do have about \$5 million left from a State accounting error.

Folger-Pratt Development of 7126 and 7140 Wisconsin Ave.: This is the southwest corner of Bethesda Ave. and Wisconsin, and runs through to Miller Ave. This was originally part of the development proposed on the east side of Wisconsin but has now been separated. The original design from two years ago was very dense, and was eligible for 25% additional density if they contributed to the Farm Women's Market redevelopment, but how that would have been done was never clear. This development now includes the former bank building and includes 360 apartments with underground parking and a loading dock on Miller Ave. Revised sketch plan/preliminary plan/review will be in December and Dedun predicted that the Planning Board would rubber-stamp. One objection is that the corner of Bethesda/Wisconsin is shown as 90 degrees and taking off the corner might be better. Dedun offered to send a link to the presentation that had been made to the Design Advisory Panel.

Project updates: A Town resident had recently asked for information on projects close to the Town border. Probable focus will be along Wisconsin Ave. from Bradley to Est-West Highway,

with information on descriptions of projects, timelines, and possible closing of streets/sidewalks. Irene proposed brief updates with links to further information.

Redevelopment of the 4-H property: The committee will not need to do much, at least this year, due to the long timeline. This might ultimately require some redrafting of Town building codes.

Zimmerman Park: The Land Use Committee has worked on this for years. The Town Council is now seeking some alternate plans; this joint committee may be asked to comment. Ellen noted that the Council has been working with a contractor to determine the identity and location of all utilities under Zimmerman Park; there will be a presentation soon.

Possible work on Town building codes:

- Lot coverage: There are currently no specific regulations on lot coverage; rather, the Town relies on setbacks and the FAR to control. Montgomery County does have lot coverage rules, but the expectation is that they will be relaxed to allow for multi-unit housing. So we might want to consider adding lot coverage restrictions, or to regulate impervious surfaces.
- Two-year lookback on storm water management: If less than 700 square feet has been disturbed, a storm water management plan is not required. This resets after two years, at which point an additional area up to 700 square feet can be disturbed. We might want to revisit this, or extend the timeframe.

Farm Women's Market project: At the September 20 forum, how should the Town's potential contribution be presented to Town residents? We have \$5 million which is not really ours, and expect to contribute some (or all?) to develop the existing parking lots into parks. What is the best way to present this?

Stuart asked whether the Town's ARPA funds would also be in play. Dedun: They could be if used for storm water management.

Steve: It is hard to talk money when we don't know the needs. Dedun: If the number of underground parking spaces is reduced to 200, expect an \$18 million shortfall [is this for the parking and park together?] and the County is now saying that they won't float bonds.

Irene: We would like to get some sense from the County Executive of the importance of this particular project. We will be looking for more clarity from the 9/20 meeting.

Steve asked about the possibility of raising private money as has been done in New York City for Bryant Park. "Friends of Bethesda Commons"?

Irene noted that on September 21 the Georgetown Hill Early School would be doing a presentation on the traffic issues that would result from their opening. They will be using some spaces on Elm Street for dropoff/pickup. They had been unaware of this project. Perhaps they could help with fundraising.

Adele noted that the context of the Town contribution is important. Greater clarity/context for that is needed. What is the proposal absent a Town contribution? What would the Town get for its contribution? Dedun clarified that the Town has not been asked for a specific amount.

The developer will be leasing part of the current parking lot from the County; the rest of the land will be transferred to the Parks Department.

Stuart noted that the promised underground connection for the Capital Crescent Trail, estimated to cost \$50 million, has been taken out of the current plans. Dedun expressed concern that the language providing for these parks is vague; we fought hard for them but Casey Anderson might be happy to leave them out. They have not generally been included in presentations.

Irene suggested that if the expected shortfall can't be covered, plans that get moving in Spring on 2022 might revert to earlier plans that did not include parks on the lots.

Dedun thought that the Town would put conditions on any money provided.

Adele asked whether it would be possible to use a conservation easement as a way of protecting the Town's contribution.

Stuart asked about the Bethesda Urban Partnership: who are they? Dedun: They are staffed by County staff and take care of the streetscape, monitor businesses, sponsor events. Stuart: So they could be looking for event spaces. Steve mentioned that Long Range Planning had met with them and they do support the park project but don't have money to contribute.

Bottom line: Funding the creation of the park is an example of a broader good which will benefit Town residents but also many others.

Structure of the combined committee going forward: We could continue as one full group or could break into projects. In terms of prioritizing, some has been done by the Council already. Irene suggested that **attainable housing and the Farm Women's Market were one chunk** [this seems wrong but not sure how]; projects in general and keeping residents informed is another. Joe is on the 4-H Committee and can keep us informed. Ellen said that Zimmerman Park will be minimal for now. Irene suggested that attainable housing could be tied to Town regulations on lot coverage etc.

Meeting times: For now will be the first Monday of every month.

Informing residents: Dedun noted that on the subject of Attainable Housing, Irene had met recently with a group of Town residents and they had heard nothing about this. How can we get information out to Town residents? How can they not be aware?

Mark asked whether we had done a poll to ask where Town residents get their information about local issues.

Irene responded that the Town Neighbors listserv and the Town Crier seem to be major sources, and not the Town website or Facebook; also not generally the Forecast newsletter. The problem with the listserv is that it is not official. Irene further noted that these topics are complicated and even the Planning Board is confused, so she was not sure that the issue is really what channels of communication we use, or how.

Adele asked whether committee members participated in the Town Neighbors listserv. She noted that some strong views have been expressed there.

Dedun said that there had been a really good reporter covering the Bethesda Downtown Plan, but not now.

Irene pointed out that with respect to the Coalition, many letters had been sent to the editors of the Washington Post and other outlets. The eastern parts of the County are afraid of gentrification and other things that the new plan could bring. That part of the County is more diverse. There has also been a lot of on-line abuse of those submitting letters/opinion pieces. Adele suggested highlighting the coalition on Town Neighbors, making it clear that a broad community is concerned about increased density.

David suggested that looking at how new regulations impact Town properties can help to get residents interested.

Steve Seidel asked about access to sidewalks during construction. Dedun said that with respect to 7000 Wisconsin, the Town has been in contact with the Bethesda Urban Partnership, Andrew Friedsen's office, and others. So far, the developer says that this is the only way to put up the building. Pete Fosselman is working on making the sidewalk passable while they are not working. The State, not the County, has jurisdiction.

Dedun encouraged committee members to attend the September 20 forum and to hear the comments and questions.

Next meeting is Monday, October 4 at 7 pm.

