



Bethesda Downtown Sector Plan Implementation Advisory Committee (IAC) Meeting Minutes

Friday, July 12, 2024 @ 8:00 AM

Notes Taken By: Naomi Spinrad

Hybrid Meeting (Microsoft Teams and in-person)

B-CC Regional Services Center, 4805 Edgemoor

Lane East Room B

IAC MEMBERS AND OTHER PARTICIPANTS PRESENT

IAC Members: Dedun Ingram, Co-Chair, Jack Alexander, Co-Chair, Naomi Spinrad, Patrick O’Neil, Amanda Farber, Dave Yampolsky, Jad Donohoe, Joyce Gwadz, Michael Fetchko, Stacey Band, Andrew Saul, Chris Smith

Other Participants: Grace Bogdan, Elza Hisel-McCoy, Lisa Govoni, Darcy Buckley (Planning); Eric Gunn, SHA: Linda Kobylski, Atiq Panjshiri, Brian Kim, Peggy Urban, Jason Staub (DPS); Jeff Burton, Brandan Stuckey, Cindy Gibson

1) **Park Impact Payment (PIP) Proposed Methodology/Designation of Parkland**, Grace Bogdan, Downcounty Planning

- This is a program that reduces the required PIP contribution when property owner/developer designates parkland.
- Some projects are now proposing to do this, notably those on Lots 25 and 44, on the Eastern Greenway.
- The Planning Board may reduce the PIP by the adjusted value of the land, and if the value is greater than the PIP, no PIP will be required.
- The value will be based on the most recent SDAT valuation, sales price, or a third-party valuation.
- “Designated” to parkland is not a conveyance, it is effectively an easement.
- The land value is adjusted to remove the maximum density as relayed by the developer multiplied by the PIP rate.
- Functionally it is not different than dedication. Parks operates it. It is a permanent dedication as long as it is used for parks; otherwise it reverts to the owner.
- The property owner pays for any third-party evaluation as part of the application.

- All the determinations are made during site plan, with opportunities to discuss throughout the application process.
- This proposed methodology will go to the Planning Board on September 12. If approved it would probably be added to the implementation guidelines. It would not be ZTA, rather a formal policy for the Bethesda Overlay Zone.

2) **Minor Master Plan Amendment Toolbox Update** – Elza Hisel-McCoy, Planning Area 1 Supervisor

- There are three workshops scheduled, two in person and one virtual.
- Data is being put together for transportation analysis, including climate assessment, with input from MCDOT, DHCA, and DGS regarding transportation, affordable housing, and a rec center as Planning thinks about framing its preliminary recommendations.
- Preliminary recommendations will be provided in September in powerpoint for discussion.
- Planning has been getting emails from the public with specific concerns regarding coming change, suggestion of a couple of years cooldown on construction in Bethesda – Comment that we have this right now.
- P3s are moving forward now but we’re not seeing many new applications.
- The Toolbox sessions will present in general terms how master plans are implemented, directly and indirectly. Indirect implementation includes transportation, school impact and other taxes.
- The Toolbox sessions will show the master plan/land use/transportation balance and how that has shifted from 2016 to 2024 via the GIP, as well as Parks (through dedication, the PIP, and direct improvements) and transportation (frontage, CIP/capital budget).
- So far planning staff do not see any new tools to recommend using for the Minor Master Plan Ammendment work.
- What holds implementation back in some cases is the process of real estate development: to get from start to finish is complex and takes money.
- A change in the density cap is not in the tools workshop, but a recommendation that we will talk about in September.
- In response to a question about how changes in benefit points would affect public benefit points in Bethesda: Grace Bogdan responded that the proposed changes were approved on June 20 by the Planning Board. The proposed changes will not apply to master plans, like Bethesda’s, that were already approved. Any changes to the benefit points specified for Bethesda in its master plan and the BOZ would be made through a sector plan amendment.
- Elza Hisel-McCoy noted that unless there was an outcry to revisit benefit points, this was not a problem to be solved and changes in Bethesda’s public benefit points will not be part of the Bethesda Minor Master Plan Amendment. However, new public benefit points could be used to incentivize elements of the plan. For example, if it was

decided to incentivize a rec center, targeted public benefit points could be a tool for that, or for art donations.

3) **Growth and Infrastructure Policy (GIP)** – Lisa Govoni and Darcy Buckley, Planning

- The GIP directs implementation of Adequate Public Facilities. It gives guidelines to the Planning Board, which is currently reviewing the GIP. A Council hearing is expected in September with the new GIP in place by November 15.
- Overarching themes: make implementation more effective and clearer; review impact taxes; review the alignment of county priorities; insure adequacy of schools and transportation; enhance predictability transparency, and proportionality.
- The last time the GIP was reviewed was pre-pandemic; Planning would like to be more precise.
- In 2020 the county got rid of the moratorium on building but had differing school boundaries and impact areas. Now these will be aligned.
- Overall it is a more context-sensitive approach.
- The proposed GIP will create three new red policy areas and upgrade other areas. Bethesda will continue as a red policy area.
- There would be a one-time payment at permit for transportation based on the size of new commercial construction or the number of dwelling units. Red areas will have the lowest rates, as this is where Planning wants to see growth or where there is existing transportation infrastructure.
- In red areas like Bethesda, there is no need to do LATR studies because developers cannot do much mitigation to the existing infrastructure. Instead developers are asked to do non-motor vehicle improvements.
- In addition to making the GIP simpler, they have tried to provide exemptions for desired outcomes. For example, providing impact tax reductions for affordable housing, and in particular three-bedroom units,. There would be a 50 percent reduction for three-bedroom units.
- Montgomery County impact taxes are generally high compared to other jurisdictions.
- Planning is proposing carve-outs for housing.
- Planning is proposing taking state aid out of education calculations. State aid covers 30 percent of the cost of a seat.
- Planning is proposing a reduction or exemption in impact taxes for office-to-residential conversions – full exemption if adaptive, 50 percent if demolition/renovation.
- The public hearing draft is at https://montgomeryplanningboard.org/wp-content/uploads/2024/05/Attachment-1-2024-GIP-Update-Public-Hearing-Draft_5-23-24.pdf.
- Lisa Govoni will send a PDF of this presentation to all IAC members.

4) **Signage Regarding Sidewalk Closings** - Eric Gunn, SHA: Linda Kobylski, Atiq Panjshiri, Brian Kim, Peggy Urban, Jason Staub (DPS)

- Amanda Farber reported that the law requiring signage regarding closed sidewalks, an estimated time frame for the closure, and contact info was not being followed in Bethesda. Nor were state and county laws requiring frequent review of projects blocking sidewalks and requiring provision of safe alternate pedestrian passage on the same side of the street.
- DPS said they hand out these signs and they should be up within 15 days of the closure.
- Dates on the signs can be changed as long as the dates are approved.
- If needed, DPS brings these issues to a reviewer and they revise the traffic control plan.
- Eric Gunn/SHA noted that if there is an amendment to an approved traffic plan, SHA works with the county. Because of Bethesda's density SHA tries to use signalized crosswalks as much as possible, and they try to use covered crosswalks. SHA wants to be responsive.
- DPS said that Bethesda is not easy. Safety is the prime concern – if it's not safe for pedestrians to be on the same side as construction, DPS would rather see them on the other side of the street.
- In the past, the traffic control plan was tied to the construction permit and was good for 18 months. This is no longer the case. A separate traffic control plan is issued for each affected street, coordinated with the state.
- If the traffic closure is greater than 15 days, DPS issues a permit for sidewalk or lane closure for six months. They inspect every six months to ensure enforcement.
- If a building is being demolished, it is hazardous and there is no option except to have pedestrians cross the street.
- There was discussion regarding 7340 Wisconsin Avenue, where people walk in the traffic lane and there are significant backups, leading to drivers blocking crosswalks and intersections.
- Cindy Gibson noted that it was a 2019 Friedson bill requiring the signage, and suggested that if the information was easier to find people might notice that there was no sign and report it. Also, a six-month permit may be excessive; a sidewalk closure may not be needed for the full six months.
- DPS said it's a juggling act for them as timing is important. Sometimes there is construction on both sides of a street, so DPS holds one back.
- Detours are required to be ADA-accessible.
- Upcoming closures: WSSC on southbound Woodmont between Strathmore and Wisconsin – DPS is looking at options as WSSC replaces a vault; and on Montgomery Avenue part of the bike lane will need to be closed.

5) New Business

- Dedun Ingram reminded the IAC of a July 24 zoom with Councilmember Andrew Friedson.
- Next IAC meeting is September 6.