

MINUTES OF THE JOINT LAND USE AND LONG RANGE PLANNING COMMITTEES 5-MEETING2-2022

The meeting was called for 7 pm on Zoom. Present were Dedun Ingram, Chair; Tom Collins, Kathy Flaxman, Jay Kelly, Tandra Leonard, Eric Murtagh, Joe Rubin, Steve Seidel, Stuart Sessions, David Valenstein, Adele Wagaman; Irene Lane, Council Liaison, and Mayor Barney Rush.

Chair Dedun Ingram called the meeting to order at 7:03 pm.

Minutes of the April meeting: Tom Collins moved to approved as circulated. Seconded, passed.

Brief history of proposed Foulger-Pratt development at 7126 Wisconsin Ave. Dedun presented a brief overview of the proposed project. Originally the project involved the properties on Wisconsin Ave. between Miller Ave. and Bethesda Ave. (7126 and 7140) and the property on Miller Ave. to their west (where Vacce etc. are located). It began as a joint venture with the FWM project on the east side of Wisconsin Ave. and the two projects had joint sketch and preliminary plan hearings. The two projects are no longer moving forward as a joint venture, and each will have their own site plan hearings.

This project had asked for an additional 25 feet of height for the Wisconsin Ave. properties, as allowed for in the Bethesda Downtown Plan, conditional on a substantial contribution to the redevelopment of the Farm Women's Market site,

The current plans for the project were presented to the Dap at its April 28, 2022, meeting. The DAP seemed pleased overall with the proposal, but has asked for a re-presentation of the design, with particular requests concerning the structural engineering of the Bethesda Ave. corner tower.

Farm Women's Market update: Mayor Rush reported that the current project total is estimated at \$40 million. \$12 million of that is for the plaza and FWM, and will be paid for by the developers – mostly by Bernstein and supplemented with contributions from Foulger-Pratt in lieu of PIP. The cost of the proposed parks has been estimated at \$28 million, of which \$18 million is for building underground parking (200 public spaces) and \$10 million is to develop the parks themselves. Source of the \$28 million: \$7 million from density payments from Bernstein, \$4 million from the Town of Chevy Chase, \$3.5 million from the State of Maryland. This leaves a shortfall of \$13.5 million which is the ask from the County. Jake Weissman, Deputy Chief Administrative Officer, has said that County Executive Marc Elrich will support the project and present a number to the County Council as an amendment to the Capital Improvements Projects budget.

Results of the County's parking lot study conducted in fall of 2021 still has not been released, but the 200 parking space number seems to have become hardened.

It is expected that the anticipated amendment to the CIP for money for the FWM project will be approved. Most of the State money has to be spent this fiscal year and \$.5 million in the next fiscal year, so the County can delay their contribution.

Charette process for the park amenities? Barney said that no timing for this process had been set, but would likely take place in the fall.

Foulger-Pratt presentation on 7126 Wisconsin Ave. project. Heather Dihopolsky and Judd Ullom from Foulger-Pratt gave the committee a presentation about the latest version of the 7126 Wisconsin project. The building was redesigned after acquisition of the Capital One property located to the west of the original properties involved.

The portion of the building on the Miller Ave and Capital One parcels will be 200 feet high and the Wisconsin Ave. parcels will be 225' provided that a substantial contribution is made towards the FWM redevelopment. In the 225-foot part of the building, there will be rooftop amenities, including an outdoor pool, outdoor patio, etc.

The building is proposed to be about 400,000 square feet, with 9,000 square feet of retail space and around 260 parking spaces for residents. The original design called for 363 apartments; this number has been reduced to 335 apartments (the size mix now includes some larger ones – up to 3 bedrooms). They are still proposing 15% MPDUs. The retail will run along 75-80% of the Bethesda Ave. frontage and about halfway down the Wisconsin Ave. side. The rest of the ground floor will be used for residents' amenities. They expect to have a Capital One bank branch (the drive through for the bank has been nixed by the county). Parking will be entered off Bethesda Ave. and the loading dock off Miller Ave. The clear pedestrian walkway portions of the sidewalks will be 12 feet wide along Wisconsin Ave., 8 feet on Bethesda Ave. and 6 feet on Miller.

The building steps back as required by the Bethesda Design Guidelines – at 6 stories and again at 200 feet. Under the new design, the building's Bethesda Ave.-Wisconsin corner is cut off for the first two stories (there is a column support). This had been requested by many to improve sightlines to the FWM and generally create a more open corner. Base of the building will be darker masonry and the tower portion lightest with larger windows and aluminum panels. There will be balconies – both inset and projecting.

The building will adhere to Night Skies criteria.

The developers hope to submit the site plan before summer, have a Planning Board hearing in October, and break ground in eighteen months. They will need to amend their sketch and preliminary plans.

Mayor Rush pointed out that the slide showing the parks development on Lots 24 and 10 was not accurate – it still shows buildings on Lot 10. Judd will have this corrected.

Judd and Heather were asked for more information regarding the payments that will be made to the FWM redevelopment. Fouger-Pratt will make two separate payments.:

- 1) lieu of PIP (Park Impact Payment) will be about \$3.4 million. It will be used for refurbishment of the FWM site. Heather said that there is an understanding that the PIP will be made as an “payment in lieu of PIP?” so it can go to the FWM redevelopment, and that Parks and Planning supports this.). They will purchase about 280,000 square feet of BOZ density. It appears that the in lieu of PIP payment will be larger than had been expected
- 2) An amount to be paid to the vendors, additional to what Bernstein has paid them (this is what gets Foulger-Pratt the extra height.

Judd was asked about staging and logistics during construction. Judd said they don't know yet, but closure of a lane on Wisconsin Ave and/or Bethesda Ave. is possible.

A committee member expressed concern about the ability of trucks to turn from Miller Ave. into the loading dock (Miller is so narrow. Judd said that they expect deliveries from box trucks, not semis.

A committee member asked if the building would provide any lighting that would increase illumination of the pedestrian area at the Bethesda Ave.-Wisconsin Ave. intersection. Crosswalks at this intersection currently are not well lit and are dangerous at night. Heather noted that Wisconsin is a state road and said she had heard that this intersection was being studied. Something to bring up again.

Judd could not speak to the stormwater measures that will be in place. Heather: There will be a full presentation on Friday, May 6 and there will be a civil engineer there. There will be a later presentation at WMoCo and Wednesday May 25 on Zoom; a notice will go out soon.

Following this presentation, Barney noted that if more money from F-P was going to the FWM plaza (the figure given was \$3.4 million, up from an anticipated \$2.5 million) then EYA-Bernstein might be willing to put more money into the planned parks.

Thrive Montgomery 2050: The County has issued the RFP for the study regarding outreach to groups of color. Latest word is that study results are expected in September. The current Council must pass the legislation by October 30 or vote to defer it to the next Council, or if they fail to act the Planning Board version of Thrive will be automatically adopted..

ZTA 22-02. At its May 5 meeting, the Planning Board was to take a look at a ZTA that Andrew Friedson has introduced. The ZTA would allow bio-health facilities to be built in any CR zone with no height restrictions. It looks like this bill would override all master plans and overlay zone stipulations. We have asked him for further explanation.

Dedun announced that for June we will want to start looking at topics referred to us by the Town Council, including stormwater management.

June meeting. It was suggested that the June meeting be hybrid. Irene said that she would soon attend a meeting where it would be determined whether we could hold a hybrid meeting without having to record. It was suggested that virtual meetings were preferable in the summer because this would allow those who are out of town to participate.

The meeting adjourned at 8:35 pm.