



THE MARYLAND-NATIONAL CAPITAL  
Park and Planning Commission

# COMMISSION MEETING

---

**June 15, 2022**

9:30 a.m. – 11:30 a.m.

*via teleconference*

*and live-streamed by*

**Department of Parks and Recreation,  
Prince George's County**

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
MEETING AGENDA  
Wednesday, June 15, 2022**

**Via videoconference live-streamed by  
The Prince George’s County Department of Parks and Recreation**

**9:30 a.m. – 11:30 a.m.**

		<u>ACTION</u>	
		Motion	Second
1.	<b>Approval of Commission Agenda (9:30 a.m.)</b>	(+*) Page 1	
2.	<b>Approval of Commission Minutes (9:35 a.m.)</b>		
	a) Open Session – May 18, 2022	(+*) Page 3	
	b) Closed Session – May 18, 2022	(++*)	
3.	<b>General Announcements (9:35 a.m.)</b>		
	a) National Caribbean American Heritage Month		
	b) Lesbian, Gay, Bisexual and Transgender Pride (LGBT) Month		
4.	<b>Committee Minutes/Board Reports (For Information Only) (9:40 a.m.)</b>		
	a) Executive Committee Meeting – June 1, 2022 Open Session <i>(no closed session for 6/1/22)</i>	(+) Page 11	
	b) Employees Retirement System Board of Trustees Regular Meeting – May 3, 2022	(+) Page 17	
<i>Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9) a closed session is proposed to consult with counsel to consider matters that relate to negotiation.</i>			
5.	<b>Closed Session (11:00 a.m.)</b>		
	a) Collective Bargaining Update (Chiang-Smith)		
<i>Open session resumes.</i>			
6.	<b>Action and Presentation Items (9:40 a.m.)</b>		
	a) Resolution 22-13 Approval of Fiscal Year 2023 Employer Contribution for Retiree Group Health Insurance (115 Trust) (Cohen)	(+*) Page 21	
	b) Resolution 22-14 Adoption of the FY23 Commission Operating and Capital Budgets (Kroll)	(+*) Page 23	
	c) Fiscal Year 2023 Wage/COLA Adjustments	(+) LD	
	1) Resolution 22-19 Fiscal Year 2023 Wage/COLA Agreement (MCGEO) (Chiang-Smith)	(+*) LD	
	2) Resolution 22-20 Fiscal Year 2023 Wage/COLA Agreement (FOP) (Chiang-Smith)	(+*) LD	
	3) Resolution 22-21 Fiscal Year 2023 Wage/COLA Adjustment (Non-Represented Park Police /Command Staff) (Chiang-Smith)	(+*) LD	
	4) Resolution 22-22 Fiscal Year 2023 Wage/COLA Adjustment (Non-Represented Merit employees) (Chiang-Smith)	(+*) LD	
	5) Resolution 22-23 Fiscal Year 2023 Pay Adjustments (Term/Seasonal/Intermittent employees) (Chiang-Smith)	(+*) LD	
	d) Resolution 22-18 Adoption of the Silver Spring Downtown and Adjacent Communities Plan (Margolies)	(+*) Page 45	
	e) Resolution 22-24 Adoption of the Potomac Overlook Historic District (Liebertz)	(+*)Page 129	

*Continued*

**6. Action and Presentation Items (continued)**

- f) Resolution 22-15 Re-Appointment of Peter Shapiro to the ERS Board of Trustees for the Term July 1, 2022 to June 30, 2025 (Rose) (+\*) Page 137
- g) Acknowledgement of the Re-Appointment of Sgt. Howard Brown as the Fraternal Order of Police Representative Trustee to the ERS Board of Trustees for the Term July 1, 2022 to June 30, 2025 (Rose) (+\*)Page 139
- h) Acknowledgement of the Appointment of Lisa Blackwell-Brown as the UFCW Local 1994 MCGEO Representative Trustee to the ERS Board of Trustees for the Term July 1, 2022 to June 30, 2025 (Rose) (+\*)Page 140
- i) Hiring Initiatives Report (Chiang-Smith/Spencer) (*discussion only*)
- j) Resolution 22-25 Appointment of Debra S. Borden as Acting General Counsel and General Counsel (Gardner) (+\*) LD
- k) I-495/I-270 Managed Lanes Update (Borden) (+) LD

**7. Officers' Reports (11:00 a.m.)**

Executive Director's Report

- a) Late Evaluation Report, May 2022 (For Information Only) (+) Page 141

Secretary Treasurer

No report scheduled

General Counsel

- b) Litigation Report (For Information Only) (+) Page 143

(+) Attachment

(++) Commissioners Only

(\*) Vote

(H) Handout

(LD) Late Delivery



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting  
Open Session Minutes  
May 18, 2022

The Maryland-National Capital Park and Planning Commission met via videoconference with the Chair initiating the meeting at the Wheaton Headquarters Building in Wheaton, Maryland. The meeting was broadcast by the Montgomery Planning Department.

PRESENT

Montgomery County Commissioners

Casey Anderson, Chair  
Gerald Cichy  
Tina Patterson  
Carol Rubin  
Partap Verma

Prince George's County Commissioners

Peter A. Shapiro, Vice Chair  
Dorothy Bailey  
William Doerner  
Manuel Geraldo  
A. Shuanise Washington

Chair Anderson called the meeting to order at 10:03 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

Acting General Counsel Borden asked to add an item requesting a motion to appoint Peter Shapiro as M-NCPPC Vice Chair.

ACTION: Motion of Commissioner Geraldo to approve the amended agenda  
Seconded by Commissioner Bailey  
10 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – April 20, 2022

Closed Session – April 20, 2022

ACTION: Motion of Commissioner Geraldo to approve the minutes  
Seconded by Commissioner Rubin  
10 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

- a) National Fitness Month
- b) Asian-Pacific American Heritage Month
- c) Jewish American Heritage Month
- d) Military Appreciation Month

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee Meeting, May 4, 2022
- b) Employees' Retirement System Board of Trustees Regular Meeting, April 5, 2022

ITEM 5

ACTION AND PRESENTATION ITEMS

- a) Resolution 22-08 Corridor Forward: The I-270 Transit Plan (McVary/Young)  
No discussion  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-08  
Seconded by Commissioner Rubin  
10 approved the motion
- b) Resolution 22-09 Recommendation to Approve the FY2023 Operating Budget for the Employees' Retirement System in the amount of \$2,777,596 (Rose)  
No discussion  
ACTION: Motion of Commissioner Cichy to adopt Resolution 22-09  
Seconded by Commissioner Geraldo  
10 approved the motion  
Commissioner Rubin noted, for the purpose of conflict disclosure, that as an M-NCPPC retiree, she is a member of the Employees' Retirement System.
- c) Resolution 22-10 Recommendation to Approve an Amendment to the FY2022 Employees' Retirement System Operating Budget in the amount of \$325,100 (Rose)  
No discussion  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-10  
Seconded by Commissioner Cichy  
10 approved the motion  
Commissioner Rubin noted the same disclosure as in Item 5b
- d) Resolution 22-11 Revised and Updated M-NCPPC Investment Policy (Cohen)  
Commissioner Geraldo complimented Secretary-Treasurer Cohen for his insight on the M-NCPPC's retirement plan adding the policy is a great addition.  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-11  
Seconded by Commissioner Rubin  
10 approved the motion
- e) Resolution 22-12 Memorandum of Understanding (MOU) Between US Capitol Police and the M-NCPPC (Borden)  
Acting General Counsel Borden recommended support of this MOU, which allows the agency's Park Police force to assist in Joint Law Enforcement Events, noting both Park Police divisions have participated in such events in the past.  
  
Chair Anderson acknowledged past partnerships between the two police forces and said this MOU reinforces and re-formalizes our agreement to support US Capitol Police.  
ACTION: Motion of Commissioner Geraldo to adopt Resolution 22-12  
Seconded by Commissioner Patterson  
10 approved the motion

g) Open Meetings Act (OMA) Training Update (Borden) (taken out of order)

Acting General Counsel Borden reported to Commissioners that the Legal Department continues to contact the agency's various boards and groups to analyze how the OMA impacts them. She said the agency has responded to a major OMA complaint regarding the Employees' Retirement System Board, noting there has not been any response from the OMA compliance board. She will share the response with Commissioners and with the ERS Board when they receive one.

She reported most M-NCPPC boards and committees were already substantially in compliance and has recommended occasional modifications to ensure their meetings are conducted appropriately under the law. She clarified it is the body's responsibility to make certain they adhere to the recommendations for compliance. Overall, the process is going well, and she anticipates analysis and recommended changes will be issued by mid-June. She will present a follow-up report in July.

f) CAS Salary Lapse Requests (Chiang-Smith)

Requests from:

- The Department of Human Resources & Management
- The Finance Department
- The Office of the Inspector General
- The Office of the Chief Information Officer

Executive Director Chiang-Smith shared with Commissioners plans for annual salary savings for the bi-county departments of the M-NCPPC, including the purchase of technology improvements to record and live-stream meetings, software for Public Information Act requests, and a variety of other items. She offered to answer Commissioners' questions.

Commissioner Washington asked if the recruitment challenges the agency is experiencing reflects past turnover rates or is reflecting the national trend of the "great resignation". She also asked if prospective employees are looking exclusively for remote work. Executive Director Chiang-Smith replied the agency is seeing an increase in turnover, although not as high as other industries/agencies, and agreed some prospective employees are requesting telework options.

Executive Director Chiang-Smith shared turnover statistics with Commissioners. Turnover within the M-NCPPC historically is 7-8%, compared with a national turnover rate in government employment of 18-21%. She said the major issue is that there are currently more than 400 jobs available. To address this, the M-NCPPC is working with Departments of Labor, Veteran's groups, elected officials, Casa de Maryland, and Employ Prince George's along with its sister agency in Montgomery County. Other initiatives include an increased ability to offer bonuses to attract qualified applicants, hiring Spanish-speaking recruiters, and coordinating with refugee assistance groups and returning citizens groups to provide employment.

She offered to bring to Commissioners a report of the different hiring initiatives the agency has enacted and groups to which the agency has reached out to become partners in a path to employment. She added this would be a good time for Commissioners to send out messages reinforcing that the M-NCPPC is looking to hire.

Commissioner Geraldo asked where the greatest number of vacancies are. Executive Director Chiang-Smith replied that the most difficult positions to fill have been in the Trades classifications, based on certification requirements. She also noted a great number of skilled seasonal employees were also needed, including lifeguards, counselors, and maintenance jobs.

Commissioner Doerner requested Executive Director Chiang-Smith send an email to him detailing employment opportunities for refugees. He said he will pass it along to different volunteer groups who are helping refugees, adding how helpful it would be to include employment opportunities.

ACTION: Motion of Commissioner Washington to approve the requests  
Secoded by Commissioner Geraldo  
10 approved the motion

## ITEM 6

### OFFICERS' REPORTS

#### Executive Director's Report

- a) Late Evaluation Report (April 2022) (For information only)

#### Secretary-Treasurer's Report

- b) 3<sup>rd</sup> Quarter Investment Report (For information only)
- c) Revenue Tax Projections (For information only)

#### General Counsel's Report

- d) Litigation Report (For information only)
- e) Legislative Update (Gardner/Borden)

General Counsel Gardner referenced his report, sent as a late delivery to Commissioners, of the legislative session of the 2022 Maryland General Assembly and provided a general overview of bills impacting the agency:

HB1057: Recreation Authority. Major changes to the language of this bill redirected focus from the creation of a new Authority to the formation of a study group to examine how best Prince George's County should administer a recreation program. Another major addition was to include an analysis of the retirement program solvency.

Commissioner Rubin asked how the change in the structure of the Recreational programs to move to a different entity would impact the recreational programming for the residents of Prince George's County. General Counsel Gardner said since the bill is now a study on the best way to provide those services, it will certainly lead to a robust debate on recreational programming. Commissioner Rubin asked if it would be worthwhile to expand the study to include whether Montgomery County is using the best model or whether the parks and recreation functions should re-merge. Chairman Shapiro said it would be reasonable that the study group would examine Montgomery County model's strengths and weaknesses to apply



to Prince George's, which may indirectly address that question. Commissioner Rubin suggested the study group could include staff from Montgomery Parks, who could provide input and would also provide opportunities to improve Montgomery County parks and recreation operations.

Commissioner Cichy said the ERS Board briefly discussed asking if the recreation authority could make contributions to the existing fund, versus creating a separate fund. General Counsel Gardner noted that Andrea Rose provided a memo for the legislative report explaining the issues for the Retirement System.

Vice Chair Shapiro said the refocus of this bill was a tremendous success.

HB396. Video and Audio streaming and minutes for the Montgomery County Planning Board (MCPB). General Counsel Gardner said this bill will not change much of the Planning Board's activities, as most of these practices are already in place.

HB284. Bi-County Agency Ethics Reform. General Counsel Gardner said this bill has County/Municipal requirements for lobbying regulations, conflicts of interest, and financial disclosure to mirror the State's. He said Ethics policies will be updated by April 2023.

SB275. Family Medical Insurance Leave Insurance Act. General Counsel Gardner said this legislation is analogous to a Workers' Compensation Insurance program. Funding for it will start in October 2023; benefits will start in January 2025. He said with a maximum benefit of \$1000/week for a maximum of 12 weeks, the effects of this bill should not cause major disruptions for the agency. He discussed eligibility requirements, and the need to synchronize the new benefit with existing M-NCPPC benefits.

General Counsel Gardner reviewed passed legislation that pre-funds 21 agency projects with \$47.5M in approved funding for FY24 through the Open Spaces Act.

General Counsel Gardner advised Commissioners to be aware of the upcoming SB812, State Government Cybersecurity Coordination and Governance, which both requires upgrades in cybersecurity, but offers local governments help from the state to meet those requirements. The Chief Information Officer and IT managers should have this bill on their radar and be ready to take advantage of it.

General Counsel Gardner thanked the legislative management team for their help throughout the session, and especially Ms. Kufera, who will be departing the M-NCPPC to pursue a degree in Environmental Law.

ITEM 5h. Motion to appoint Peter Shapiro as Vice-Chair of the Commission (*added item, taken out of order*).

ACTION: Motion of Commissioner Geraldo to appoint Peter Shapiro  
as M-NCPPC Vice Chair  
Seconded by Commissioner Rubin  
10 approved the motion

*Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) (9) and (15) a closed session is proposed on the following topic. The purpose of closing this meeting is generally to*

*protect and promote the public interest by: (i) preserving privileged and confidential deliberations needed to manage ongoing litigation and collective bargaining negotiations.*

Chair Anderson read the applicable provisions of the Open Meetings Act and asked for a motion to move to closed session. Commissioner Geraldo moved; Commissioner Bailey seconded. Commissioners in attendance voted for the measure and the meeting moved to closed session at 10:52 a.m. The meeting reconvened in a separate virtual meeting platform to discuss Executive Director’s collective bargaining update.

ACTION: Geraldo moved to start closed session  
Bailey seconded  
10 approved the motion

The following individuals were present (via videoconference):

Montgomery County Commissioners

Casey Anderson, Chair  
Gerald Cichy  
Tina Patterson  
Carol Rubin  
Partap Verma

Prince George’s County Commissioners

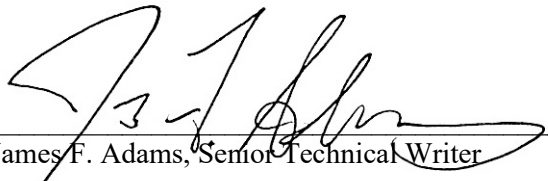
Peter A. Shapiro, Vice Chair  
Dorothy Bailey  
William Doerner  
Manuel Geraldo  
A. Shuanise Washington

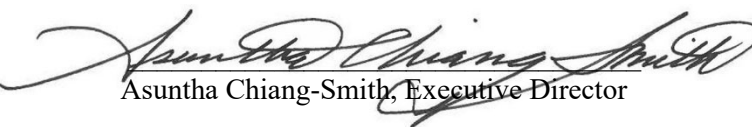
Also present (by videoconference):

Asuntha Chiang-Smith, Executive Director  
Gavin Cohen, Secretary-Treasurer  
Debra Borden, Deputy General Counsel for General Counsel Adrian Gardner  
Andree Checkley, Director, Prince George’s Planning  
Mike Riley, Director, Montgomery Parks  
Bill Tyler, Director, Prince George’s Parks and Recreation  
Robert Kronenberg, Deputy Director, Montgomery County Planning for Director Gwen Wright  
James Adams, Senior Technical Writer, DHRM  
Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director  
Gary Burnett, Acting Deputy Director, Montgomery Parks  
Mazen Chilet, Chief Information Officer  
Christian Gabriel, Deputy Director, Prince George’s Parks and Recreation  
Suzann King, Deputy Director, Prince George’s Planning  
John Kroll, Corporate Budget Director  
Wanda Ramos, Deputy Director, Prince George’s Parks and Recreation  
William Spencer, Corporate Human Resources Director  
Tanya Stern, Deputy Director, Montgomery Parks  
Wanda Wesley-Major, Risk and Safety Manager, DHRM

The Executive Director updated Commissioners on collective bargaining negotiations and related matters. Commissioners provided direction and support on how to proceed.

There being no further business to discuss, Chair Anderson adjourned the meeting from closed session at 11:18 a.m.

  
James F. Adams, Senior Technical Writer

  
Asuntha Chiang-Smith, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**WRITTEN STATEMENT FOR CLOSING A MEETING  
UNDER THE OPEN MEETINGS ACT**

Date: 5/18/2022

Time: 10:52 am

Location: Via Videoconference

Motion to close meeting made by Commissioner Geraldo. Seconded by Commissioner Bailey.

Members voting in favor: Anderson, Bailey, Cichy, Doerner, Geraldo, Patterson, Rubin, Shapiro, Verma, Washington

Opposed:     N/A     Abstaining:     N/A     Absent: N/A

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b)  
(check all that apply):**

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15) To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information, such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

**FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:**

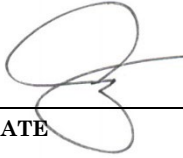
Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9), a closed session is proposed. The purposes for closing this meeting generally are to protect and promote the public interest by: (i) preserving privileged and confidential deliberations needed to manage ongoing collective bargaining negotiations.

The topics to be discussed include a) Collective Bargaining Update (Chiang-Smith)

This statement is made by:

Casey Anderson, Chair, Presiding Officer.

**PRINT NAME**



JUNE 2, 2022

**SIGNATURE & DATE**



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**EXECUTIVE COMMITTEE MEETING MINUTES**

**June 1, 2022**

The Maryland-National Capital Park and Planning Commission’s Executive Committee met via teleconference. Present were Chair Casey Anderson, Vice Chair Peter Shapiro, and Executive Director Asuntha Chiang-Smith. Also present were:

Department Heads

- Andree Checkley, Director, Prince George’s County Planning (PGPL)
- Debra Borden, Deputy General Counsel for General Counsel Adrian Gardner
- Gavin Cohen, Secretary-Treasurer
- Mike Riley, Director, Montgomery County Parks (MCPK)
- Bill Tyler, Director, Prince George’s County Parks and Recreation (PGPR)
- Gwen Wright, Director, Montgomery County Planning (MCPL)

Presenters/Staff

- Areaya Abebe, Acting Policy Manager, CPMO
- James Adams, Senior Technical Writer
- Michael Beckham, Acting Corporate Policy and Management Operations (CPMO) Director
- Michael Doaks, Policy Analyst, CPMO
- John Kroll, Corporate Budget Director
- Jennifer McDonald, Benefits Manager, CHR
- William Spencer, Corporate Human Resources (CHR) Director

For item 5a:

- Amanda Aparicio, Sustainability Committee
- Lauren Belle, Sustainability Committee
- Adrienne Thomas, Sustainability Committee

**ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA**

Discussion	Executive Director Chiang-Smith modified item 3e to include a discussion on Recruitment.
ACTION	All agendas passed, with amendments. Chair Anderson moved; Vice Chair Shapiro seconded. Approved unanimously.

**ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for June 15, 2022**

Discussion	Executive Director Chiang-Smith noted several changes to the June Commission agenda that were added after the publication of the packet: <ul style="list-style-type: none"> <li>• Adding three appointments or re-appointments of Board members to the Employees’ Retirement System Board of Trustees;</li> <li>• Moving a Montgomery County Plan Resolution from the July agenda to the June agenda;</li> <li>• Moving the 3<sup>rd</sup> Quarter MFD Report from June to July, at the request of Secretary-Treasurer Cohen.</li> </ul>
ACTION/Follow-up	See item 1a

<b>ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS</b>	
Discussion	<ul style="list-style-type: none"> <li>• Movement of the Montgomery County Plan Resolution from July to June (see 1b).</li> <li>• Movement of the 3<sup>rd</sup> Quarter MFD Report from June to July (see 1b).</li> <li>• Secretary-Treasurer Cohen added two Bond sale Resolutions to the July meeting.</li> </ul>
ACTION/Follow-up	See item 1a

<b>ITEM 2 – EXECUTIVE COMMITTEE MEETING MINUTES</b>	
Discussion	May 4, 2022, Open Session <i>No closed session for May 4</i>
ACTION	Vice-Chair Shapiro moved; Executive Director Chiang-Smith seconded. Minutes approved unanimously.

<b>ITEM 3 – DISCUSSION/PRESENTATION ITEMS</b>	
Discussion	<u>3a. Request for Extension for Current Sustainability Plan (Sustainability Committee)</u> No discussion
ACTION/follow-up	Vice-Chair Shapiro moved to approve the requested extension; Executive Director Chiang-Smith seconded. Approved unanimously.
Discussion	<p><u>3b. RFP for Medical Plans (Spencer/McDonald)</u></p> <p>Benefits manager McDonald briefed the Executive Committee on the results of recent bids for Point of Service/Preferred Provider Plan (POS/PPO) and Health Maintenance Organization (HMO) medical plans which were conducted with the help of the agency’s health plan consultant, Aon. They requested proposals for POS/PPO bids with four different health plan providers responding. After the best and final offers were made, the results indicated both United Health Care (UHC) and Cigna tied at #1 for the best and most affordable plan. Because UHC is our current POS/PPO provider, and both insurers were rated the same, staff recommends retaining UHC for purposes of keeping disruptions in plans minimal.</p> <p>The only bidder for a fully-insured HMO was Kaiser Permanente. Staff recommends retaining Kaiser Permanente.</p> <p>Vice Chair Shapiro asked if the agency considered a Flex Choice Plan with Kaiser, to include a point-of-service add-on. Ms. McDonald replied that the option was not considered, since it would have led to an increase in premiums for the Kaiser plan, which is designed to be a low-cost medical alternative. She said if the agency includes the option, the cost would be the same as a PPO. An individual cannot enroll in a Flex Choice Plan without providing the flex option to the whole workforce.</p> <p>Corporate HR (CHR) Director Spencer added keeping a low-cost medical plan as an available option was in response to a union request to offer a budget-priced health plan.</p>
ACTION/follow-up	Vice Chair Shapiro motioned to support staff recommendation. Chair Anderson seconded. Motion carried unanimously.

Discussion	<p><u>3c. Vaccine Policy and Background Check Requirements for Out-of-State Interns and Volunteers (Beckham/Spencer)</u></p> <p>Corporate HR (CHR) Director Spencer requested Executive Committee support on a proposed waiver policy to allow individuals, under specific circumstances, from having to adhere to the agency’s vaccine mandate and fingerprinting requirements.</p> <p>He said the agency receives 5-6 requests annually from people who wish to volunteer or intern for the agency while working entirely from out of state for a limited amount of time. Currently, the vaccine mandate would exclude those interns/volunteers. CHR Director Spencer countered that the business reason for the mandate does not apply. He added that Counsel agreed. Waiving the vaccine requirement for these instances would provide a benefit for both the individual and the agency without putting the workforce at risk.</p> <p>CHR Director Spencer said the policy/waiver would also apply to fingerprinting for background checks. He stressed employees and volunteers would still be required to pass a National Center for Safety Initiatives (NCSI) background check.</p> <p>He said the waivers might also apply to 1-day outdoor projects for volunteer groups and asked for input from the Executive Committee if the groups should be subject to the same background requirements and vaccine mandate that are required for employed staff. Exposure for a 1-day, outdoor experience would be minimal.</p> <p>Acting CPMO Director Beckham reviewed the memo sent as a late delivery item, which addressed the proposal in the context of existing policy. It would allow out-of-state interns or volunteers, or short-term/1-day volunteers, who will not have the same interactions with staff, to be waived from the vaccine and fingerprinting requirements that regular full-time or part-time staff must follow.</p> <p>Acting General Counsel Borden said the change to the existing policy would still call for a background check. It would not have the added fingerprint check, which the agency conducts as an extra precaution for staff who may be required to work with or near children.</p>
ACTION/follow-up	Chair Anderson moved to support the policy waiver. Vice Chair Shapiro seconded. Motion carried unanimously.
Discussion	<p><u>3d. Discussion of Administrative Leave for COVID Cases (Chiang-Smith)</u></p> <p>Executive Director Chiang-Smith conveyed to the Executive Committee the summary of a discussion with Department Heads indicating they supported the idea of providing administrative leave to staff who develop a breakthrough case of COVID, despite being <i>both</i> vaccinated and having received recommended booster shot(s). She noted the discussion included that it would be prohibitively difficult to require a booster, but the agency can offer incentives to encourage it.</p> <p>Suggested options:</p> <ol style="list-style-type: none"> <li>1. Leave amount to recover from COVID (provided the individual has received a booster shot): <ol style="list-style-type: none"> <li>a. Provide five days of leave; or</li> <li>b. Provide up to 10 days of leave with a physician’s written recommendation;</li> </ol> </li> <li>2. Booster requirement:</li> </ol>

	<p>a. One shot for all employees;</p> <p>b. Two booster shots for employees, if recommended by the Centers for Disease Control and Prevention (CDC). Note, the CDC currently recommends two booster shots for those who are over 50 and/or are among other vulnerable groups as defined by the CDC.</p> <p>Chair Anderson said he would approve five days of administrative leave, with a doctor’s confirmation that they have contracted a breakthrough case; or with a physician-recommended amount of time if longer. Vice Chair Shapiro concurred.</p>
ACTION/Follow-up	Executive Director Chiang-Smith will have staff develop the policy and present it to Directors and the Executive Committee.
Discussion	<p><u>3e. Discussion of Hybrid Work Model / Recruitment Enhancements (Chiang-Smith)</u></p> <p>Executive Director Chiang-Smith said there is currently a consensus among Department Heads to continue a hybrid telework schedule of 3 days in office/2 days telework and would consider an indefinite extension and greater flexibility.</p> <p>Chair Anderson said he has heard no complaints with the ongoing telework schedule and is hesitant to suggest changing something that appears to be working well, adding there is a benefit to giving people stability in their work schedule. He said unless there is clear evidence an employee is abusing it, the agency should continue the model. Vice Chair Shapiro agreed and asked the Parks Directors if they had any additional input. Directors Riley and Tyler confirmed they had no issues continuing the model.</p> <p>Executive Director Chiang-Smith asked if the agency anticipates ever going back to a 5-day in-office schedule. Vice Chair Shapiro expressed that while it was possible, he was doubtful. Chair Anderson agreed, saying this model appears to be the new normal, and said the Executive Committee can revisit the issue if it becomes necessary to do so.</p> <p>Executive Director Chiang-Smith noted this hybrid telework model may be a recruitment incentive or benefit. She said the Recruitment Office staff confirmed that while some candidates are asking for telework, the majority are asking for more pay.</p> <p>To assist with the ongoing need to fill positions, Executive Director Chiang-Smith asked Department Heads to consider funding to hire more recruitment specialists, which will help with the massive workload to fill so many positions. The Recruitment Office is also requesting more feedback to better meet departmental needs. The Recruitment Office will soon be sending a brief 3-question survey. Executive Director Chiang-Smith asked Directors to respond to and encourage their staff to respond to the survey.</p> <p>Executive Director Chiang-Smith also shared reports of threats to recruitment staff from disgruntled candidates whose applications were rejected due to not meeting minimum qualifications. She explained some people have the qualifications, but they may not list them in their resume/applications, which can disqualify their applications from being forwarded to the hiring managers. Recruitment staff have offered to pre-screen resumes for preferred candidates, and reply with a request for more information if they do not meet the minimum qualifications before or during the early stages of the application process.</p>



	Chair Anderson agreed the recruitment office should flag an internal candidate's disqualified resume/application with the hiring manager to determine if more information may be needed to verify qualification.
ACTION/Follow-up	The current hybrid telework model will be continued indefinitely. The conversation may be revisited, if necessary.  Department Directors are to let supervisors know the Recruitment Office can pre-screen a resume for qualifications during the application process, to let applicants know if they need to add or clarify education or work experience/skills.
Discussion	<u>3d. May 2022 Investment Report (Cohen) (information item only)</u> No discussion.
ACTION/Follow-up	

*Closed session canceled.*

With no further business to discuss, the meeting adjourned at 10:59 a.m.



James F. Adams, Senior Technical Writer



Asuntha Chiang-Smith, Executive Director

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**EMPLOYEES' RETIREMENT SYSTEM**  
The Maryland-National Capital Park and Planning Commission

**BOARD OF TRUSTEES MEETING MINUTES**  
**Tuesday, May 3, 2022; 10:00 a.m.**  
**Kenilworth Office Building, Riverdale, MD**  
**(Due to COVID -19 Attend via Microsoft Teams)**

Due to COVID-19, the Maryland-National Capital Park and Planning Commission (“Commission”) Employees’ Retirement System (“ERS”) Board of Trustees (“Board”) met virtually through Microsoft Teams on Tuesday, May 3, 2022. The meeting was called to order at 10:01 a.m. by GERALD R. CICHY.

**Board Members Present**

Gerald R. Cichy, Board of Trustees Chairman, Montgomery County Commissioner  
Peter A. Shapiro, Board of Trustees Vice Chairman, Prince George’s County Commissioner  
Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio Arrived at 10:10 a.m.  
Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio  
Pamela F. Gogol, Montgomery County Public Member  
Caroline McCarthy, Montgomery County Open Trustee  
Amy Millar, MCGEO Represented Trustee  
Sheila Morgan-Johnson, Prince George’s County Public Member  
Theodore J. Russell, III, Prince George’s County Open Trustee  
Elaine A. Stookey, Bi-County Open Trustee

**Board Members Absent**

Howard Brown, FOP Represented Trustee

**ERS Staff Present**

Andrea L. Rose, Administrator  
Sheila S. Joynes, Accounting Manager

**ITEM 1 APPROVAL OF THE MAY 3, 2022 CONSENT AGENDA**

ACTION: MS. GOGOL made a motion, seconded by MS. STOOKEY to approve the Consent Agenda. The motion PASSED (9-0). MS. CHIANG-SMITH was absent. (Motion #22-25)

**ITEM 2 CHAIRMAN’S ITEMS**

The Board welcomed new trustees Peter A. Shapiro, Prince George’s County Planning Board Chairman, and Theodore J. Russell, III, Cost Recovery Manager for Prince George’s County Parks and Recreation Department, to the Board of Trustees. At its April 20, 2022 meeting, the Maryland-National Capital Park and Planning Commission approved Resolution 22-06 appointing Peter A. Shapiro as the Prince George’s County Planning Board representative for the remainder of the term ending June 30, 2022 and Resolution 22-07 acknowledging Theodore J. Russell, III as the Prince George’s County Open Trustee for the remaining term ending June 30, 2024.

### **ITEM 3 MISCELLANEOUS**

**ACTION:** MS. MILLAR made a motion, seconded by MS. GOGOL to approve a Resolution to appoint Gerald R. Cichy as Chairman and Peter A. Shapiro as Vice Chairman of the Board of Trustees for the remaining term ending June 30, 2023. The motion PASSED (9-0). MS. CHIANG-SMITH was absent. (Motion #22-26)

MS. CHIANG-SMITH arrived.

### **ITEM 4 COMMITTEE REPORTS/RECOMMENDATIONS**

MR. COHEN presented the Administration & Personnel Oversight Committee (“Personnel Committee”) report of April 19, 2022.

A joint Request for Proposal (RFP) for Actuarial Consulting Services was issued with the Maryland-National Capital Park and Planning Commission on March 4, 2022. Bolton Partners, Inc., Buck, Cheiron, Inc., Segal Company, and The Howard E. Nyhart Company submitted responses.

Each firm was required to meet minimum requirements and submit certain documents as part of the RFP. The Personnel Committee evaluated each firm’s qualifications and relevant experience, key personnel and allocation of hours, methodology and approach, and proposed fees. The Personnel Committee overwhelmingly believed continuing the relationship with Cheiron was critical and in the best interests and benefit of the ERS. Subsequent negotiations with Cheiron resulted in an additional reduction in fees.

**ACTION:** MS. CHIANG-SMITH made a motion, seconded by MS. GOGOL to award the actuarial consulting services agreement to Cheiron, Inc. effective May 3, 2022 – May 3, 2025 with the option to renew for two additional one-year terms. The motion PASSED (10-0). (Motion #22-27)

The Personnel Committee examined each category for the proposed FY2023 Operating Budget which included funding for two additional positions to address increased work program demands and initiatives, single points of failure and succession planning. The Personnel Committee recommended approval of the FY2023 Operating Budget in the amount of \$2,777,596 which is a 1.9% increase from FY2022.

**ACTION:** MS. CHIANG-SMITH made a motion, seconded by MR. RUSSELL to approve the FY2023 Operating Budget in the amount of \$2,777,596. The motion PASSED (10-0). (Motion #22-28)

Staff recommended approval of an amendment to the FY2022 Operating Budget to add \$325,100 in capital outlay for a total FY2022 Operating Budget of \$3,049,785. The costs for document imaging were budgeted in FY2021 but due to delays, the milestones were not completed until FY2022. The Amended FY2022 Operating Budget of \$3,049,785 includes an increase of \$325,100 in capital outlay. While there may be savings in other areas (i.e., salary lapse, benefits, training, etc.), staff do not anticipate enough to cover the entire \$325,100. The funding source is the ERS Trust Fund, so no additional funds are required from the Commission.

**ACTION:** MS. GOGOL made a motion, seconded by MR. SHAPIRO to approve an amendment to the FY2022 Operating Budget to add \$325,100 in capital outlay for a total FY2022 Operating Budget of \$3,049,785. The motion PASSED (10-0). (Motion #22-29)

## ITEM 5 ADMINISTRATOR'S REPORT

Andrea Rose presented the Administrator's Report dated April 25, 2022.

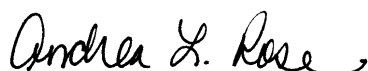
Staff are implementing Wilshire's recommended rebalancing as a result of the new asset allocation policy as follows:

- A \$40 million reduction in the non-U.S. equity allocation as follows:
  - \$15 million from Capital Guardian
  - \$25 million from Earnest Partners
- A \$40 million increase to the core fixed income, high yield fixed income and cash allocations as follows:
  - Core Fixed Income: \$7.5 million each to Eaton Vance and CSM Advisors
  - High Yield: \$10 million each to Neuberger Berman and Loomis Sayles
  - Cash: \$5 million to cover benefit payments and expenses until the employer contribution is received in July.

At its November 2, 2021 meeting, the Board approved updating the actuarial equivalence assumptions used for optional forms of benefit and for actuarial deficiency calculations. As a result, the actuarial equivalence factors used to convert from one form of benefit to another based on the member's and spouse's ages, using mortality and the interest rate assumptions were revised. Implementation of the actuarial equivalence factors required 6-9 months of lead time for the vendor to load the factors and program the software to be effective date driven; and for staff to test. The factors will be loaded into production within the next couple of weeks which will allow staff to begin providing estimates with a January 1, 2023 effective date using the new actuarial equivalence factors.

The Board meeting of May 3, 2022 adjourned at 10:32 a.m.

Respectfully,



Andrea L. Rose  
Administrator

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**M-NCPPC RESOLUTION NO. 22-13**

**APPROVAL OF FISCAL YEAR 2023 EMPLOYER CONTRIBUTION  
FOR RETIREE GROUP HEALTH INSURANCE**

**WHEREAS**, the Maryland-National Capital Park and Planning Commission (the “Commission”) as “Plan Sponsor” entered into an Amended and Restated Post-Retirement Insurance Benefits Program Trust Agreement as of July 1, 2007 (“the Agreement”); and

**WHEREAS**, Section 1.1 of the Agreement states that the Plan Sponsor shall contribute such amounts as it deems necessary, in its sole discretion, from time to time, to meet its benefit obligations under the Group Health Insurance Plan (“Plan”). Contributions shall be made to the Trust Fund (“Section 115 Trust Fund”) on a periodic basis or in a lump-sum in the discretion of the Plan Sponsor. The Plan Sponsor shall not be required to make contributions unless (and only to the extent) it has obligated itself to do so by resolution; and

**WHEREAS**, although the Commission expects to continue the Group Health Insurance Plan (the “Plan”), it is the Commission’s position that there is no implied contract between employees and the Commission to do so and that the creation of a retiree health benefit was not the product of collective bargaining negotiations. Therefore, the Commission reserves the right at any time and for any reason to amend or terminate the Plan, subject to the needs of the Commission and subject to any applicable collective bargaining; and

**WHEREAS**, the Plan Sponsor engaged Bolton Partners, Inc. (“the Actuary”) to prepare a Retiree Healthcare Programs Actuarial Valuation as of July 1, 2021; and

**WHEREAS**, after consideration of the Retiree Healthcare Programs Actuarial Valuation as of July 1, 2021, projected a Fiscal Year 2023 Plan Sponsor contribution consisting of \$9,409,000 for prefunding the Section 115 Trust Fund; and

**WHEREAS**, funding of the current portion will come from the Commission and the Maryland-National Capital Park and Planning Commission Employees’ Retirement System (for its retirees) in the amounts of \$9,375,921 and \$33,079, respectively.

**NOW THEREFORE, BE IT RESOLVED**, that the Commission as Plan Sponsor approves a \$9,409,000 payment to the Section 115 Trust Fund: and

**BE IT FURTHER RESOLVED**, that the Maryland-National Capital Park and Planning Commission does hereby authorize the Executive Director and other officers to take action as may be necessary to implement this resolution.

APPROVED FOR LEGAL

SUFFICIENCY:

/s/ Tracey Harvin

M-NCPPC Legal Department

June 1, 2022

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**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

6611 Kenilworth Avenue Riverdale, Maryland 20730

June 15, 2022

To: The Maryland-National Capital Park and Planning Commission

Via: Asuntha Chiang-Smith, Executive Director *ACS*

From: John Kroll, Corporate Budget Director *JKK*

**Subject: Resolution 22-14 - Adoption of the Commission's FY 2023 Operating and Capital Budgets**

**Recommendation:**

Approve Resolution No. 22-14 "Adoption of the FY 2023 Commission Operating and Capital Budgets".

**Background:**

Pursuant to the Land Use Article, of the Annotated Code of Maryland, the Commission submitted its Proposed Budget to the County Executives of Prince George's County and Montgomery County on January 15<sup>th</sup>. On May 12, 2022, in accordance with the Land Use Article, each County Council approved the portion of the Commission budget allocated to its county. On May 26, 2022, Montgomery County Council adopted resolutions 19-1288 and 19-1279. On June 1, 2022, the Prince George's County Council approved bill CB-55-2022.

Commission Resolution No. 22-14, "Adoption of the FY 2023 Commission Operating and FY 2023 Capital Budget" adopts the budget for FY23 including the additions, deletions, increases, and decreases from the submitted Proposed Budget as approved by the respective County Councils of Montgomery County and Prince George's County.

The Adopted Budget totals \$913.0 million excluding reserves, ALARF, and Internal Service Funds. Compared to the FY22 Adopted Budget, the FY23 Budget is about \$226.5 million higher.

In Prince George's County, the budget is increasing by 44.7 percent for FY23. This primarily reflects both a substantial increase in the capital program and one-time transfers to the Largo HQ Building Fund. Property tax rates remain the same as those set in FY16.

In Montgomery County, the budget is increasing by 9.2 percent for FY23. This net increase is due to an increase in the tax-supported funds and the capital program. As part of the final balancing, the County decreased both the Administration Fund's and the Park Fund's proposed property tax rates and increased the use of fund balance in both the Administration Fund and Park Fund. The following chart provides a comparative summary of the FY23 Adopted Budget for each county.

**Summary of FY23 Adopted Budget Expenditures  
(net reserves, ALARF, and Internal Service Funds)**

	<b>FY22 Adopted</b>	<b>FY23 Adopted</b>	<b>\$ Change</b>	<b>% Change</b>
<b>Prince George's Funds</b>				
Administration (1)	\$ 58,762,287	64,913,753	\$ 6,151,466	10.5%
Park (2)	173,637,121	246,062,288	72,425,167	41.7%
Recreation (3)	98,486,658	167,018,943	68,532,285	69.6%
ALA Debt	-	-	-	-
<b>Subtotal Tax Supported</b>	<b>330,886,066</b>	<b>477,994,984</b>	<b>147,108,918</b>	<b>44.5%</b>
Park Debt Service	13,288,277	14,438,603	1,150,326	8.7%
Capital Projects (4)	89,603,244	153,610,000	64,006,756	71.4%
Enterprise	19,882,440	13,524,910	(6,357,530)	-32.0%
Special Revenue	6,819,205	6,769,838	(49,367)	-0.7%
<b>Total Prince George's</b>	<b>\$ 460,479,232</b>	<b>666,338,335</b>	<b>\$ 205,859,103</b>	<b>44.7%</b>
<b>Montgomery Funds</b>				
Administration (5)	\$ 34,927,336	37,497,696	\$ 2,570,360	7.4%
Park (6)	116,879,055	124,446,478	7,567,423	6.5%
ALA Debt	2,125,166	2,197,763	72,597	3.4%
<b>Subtotal Tax Supported</b>	<b>153,931,557</b>	<b>164,141,937</b>	<b>10,210,380</b>	<b>6.6%</b>
Park Debt Service	6,580,058	6,862,019	281,961	4.3%
Capital Projects (4)	45,744,000	55,933,000	10,189,000	22.3%
Enterprise	10,965,938	10,613,078	(352,860)	-3.2%
Property Management	1,657,600	1,737,800	80,200	4.8%
Special Revenue	7,052,119	7,330,040	277,921	3.9%
<b>Total Montgomery</b>	<b>\$ 225,931,272</b>	<b>246,617,874</b>	<b>\$ 20,686,602</b>	<b>9.2%</b>
<b>Combined Total</b>	<b>\$ 686,410,504</b>	<b>912,956,209</b>	<b>\$ 226,545,705</b>	<b>33.0%</b>

(1) Includes transfer to Capital Projects Fund

(2) Includes transfer to Debt Service, Capital Projects Fund and Largo HQ Bldg Fund

(3) Includes transfer to Enterprise Fund, Capital Projects Fund and Largo HQ Bldg Fund

(4) Includes transfer to Park Fund

(5) Includes transfer to Special Revenue Fund

(6) Includes transfer to Debt Service and Capital Projects Fund

**Summary of Adjustments in the FY23 Adopted Budget**

The FY23 budgets, as approved by the respective County Councils, included the following adjustments from the Proposed Budget.

## ***Montgomery County Adjustments from Proposed***

### Administration Fund

- ✓ In the Commissioners' Office, a reduction of \$5,309 in supplies, materials and staff training and conferences.
- ✓ Within the Planning Department,
  - Moved the Placemaking Initiative from Downcounty Planning to the Planning Director's Office.
  - Reduction of \$34,523 in seminars and training, and reallocated training dollars within and between several divisions.
  - Reduction of \$50,000 for the Growth and Infrastructure Policy Update in Countywide Planning.
  - Reduction of \$4,727 in Information Technology and Innovation for inflationary effect in supplies and contracts.
  - Elimination of the funding (\$125,000) for the Redevelopment Tools Study in Research and Strategic Projects.
  - Elimination of funding (\$60,000) in Countywide Planning for the Parking Lot Design Study.
  - Elimination of the funding (\$45,220) in Support Services for the department's share of the ERP replacement project.
  - Reduction of \$39,296 in Support Services for transit subsidy for Wheaton HQ.
- ✓ In the Department of Human Resources and Management, a hiring lapse of two months was included (\$8,735) for the new ERP Automation position.
- ✓ In the Finance Department, a hiring lapse of three months was included (\$13,370) for the new Payroll Accountant.
- ✓ In the Office of the Inspector General, a hiring lapse of three months was included (\$28,371) for the new Deputy Inspector General and Inspector III positions.
- ✓ In Corporate IT, the funding for Office 365 enhancements was reduced by \$24,663.
- ✓ In CAS Support Services, reduction of rental expense (\$6,873) and payroll postage (\$17,218).
- ✓ Property tax revenues have been adjusted to reflect the March 2022 assessable base estimates issued by Montgomery OMB; and the tax rate contemplated in the Proposed Budget (1.96 cents) was reduced to 1.90 cents.
- ✓ To balance the Administration Fund, use of fund balance was increased by \$586,089.

### Park Fund

- ✓ ActiveMontgomery staff were transferred from the Enterprise Fund to the Park Fund, accompanied by chargebacks to the Enterprise Fund.
- ✓ Increase of \$100,000 in Southern Parks for nutrient management for athletic fields.
- ✓ The transfer to the Debt Service Fund was reduced by \$629,989.

- ✓ Reduction of \$1,093,100 for debt service for capital equipment.
- ✓ Property tax revenues have been adjusted to reflect the March 2022 assessable base estimates issued by Montgomery OMB; and the tax rate contemplated in the Proposed Budget (6.25 cents) was reduced to 6.10 cents.
- ✓ To balance the Park Fund, use of fund balance was decreased by \$951,613.

#### Enterprise Fund

- ✓ ActiveMontgomery staff were transferred from the Enterprise Fund to the Park Fund, accompanied by chargebacks to the Enterprise Fund.

#### Park Debt Service Fund

- ✓ Reduction of \$629,989 in debt service.

#### Advance Land Acquisition Debt Service Fund

- ✓ Property tax revenues have been adjusted to reflect the March 2022 assessable base estimates issued by Montgomery OMB; the tax rate remained unchanged.
- ✓ Contribution to the Advance Land Acquisition Revolving Fund was similarly adjusted.

#### Advance Land Acquisition Revolving Fund

- ✓ Contribution from the Advance Land Acquisition Debt Service Fund was adjusted as was the budget for land acquisition.

#### Capital Projects Fund

- ✓ Capital project expenditures were increased by \$10,792,000, reflecting a decrease of \$820,000 in acquisition and an increase of \$11,612,000 in park development. This corresponds with similar increases in state POS funds and other state funding, and decreases in County funding and contributions.

#### Capital Equipment Fund

- ✓ Internal debt service from the Park Fund was reduced by \$1,093,100.

#### CWIT Fund

- ✓ CWIT project funding from Planning was reduced by \$45,220.

### ***Prince George's County Adjustments from Proposed***

#### Administration Fund

- ✓ In the Planning Department, two new workplan initiatives were added:
  - \$500,000 for consulting services to initiate a Blue Line Corridor Sector Plan and SMA;
  - \$500,000 for consulting services to initiate an update to the 2013 Central Branch Avenue Corridor Sector Plan and incorporate an SMA.

- ✓ In the Department of Human Resources and Management, a hiring lapse of two months was included (\$11,919) for the new ERP Automation position.
- ✓ In the Finance Department, a hiring lapse of three months was included (\$13,915) for the new Payroll Accountant.
- ✓ In the Office of the Inspector General, a hiring lapse of three months was included (\$40,724) for the new Deputy Inspector General and Inspector III positions.
- ✓ In Corporate IT, the funding for Office 365 enhancements was reduced by \$18,091.
- ✓ In CAS Support Services, reduction of rental expense (\$9,379) and payroll postage (\$23,495).
- ✓ Property assessment valuations have been adjusted to reflect the March 2022 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are marginally changed from those reflected in the Proposed Budget, resulting in no change to estimated revenues.

#### Park Fund

- ✓ Project charges were increased by \$100,000.
- ✓ CIP Pay-go transfer to the Capital Projects Fund was increased by \$8,000,000.
- ✓ Property assessment valuations have been adjusted to reflect the March 2022 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are marginally changed from those reflected in the Proposed Budget, resulting in no change to estimated revenues.

#### Recreation Fund

- ✓ Project charges were increased by \$517,500.
- ✓ Added \$1,500,000 of funding for Saturday School program.
- ✓ Added \$35,000,000 to support athletic facility partnerships between the Commission and Prince George's Public Schools and/or various Boys and Girls Clubs.
- ✓ Property assessment valuations have been adjusted to reflect the March 2022 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are marginally changed from those reflected in the Proposed Budget, resulting in no change to estimated revenues.

#### Capital Projects Fund

- ✓ Capital project expenditures were increased by \$29,630,000, funded by \$4,480,000 of additional state POS funds, \$8,150,000 of state bond bills and grants, \$8,000,000 of additional Pay-Go from the Park Fund, and \$9,000,000 of additional GO Bonds.

Attachments  
M-NCPPC Resolution 22-14  
Exhibits A, B, and C

cc: Gavin Cohen, Secretary-Treasurer  
Adrian Gardner, General Counsel  
Department Directors

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M-NCPPC  
RESOLUTION NO. 22-14  
**June 15, 2022**

**ADOPTION OF THE FY 2023 COMMISSION OPERATING BUDGET  
AND FY 2023 CAPITAL BUDGET**

WHEREAS, the Maryland-National Capital Park and Planning Commission (the “Commission”) has prepared and submitted its proposed FY 2023 operating budget (“the Proposed Operating Budget”) and its proposed FY 2023 capital budget (“Proposed Capital Budget”) to the County Executives of Montgomery and Prince George’s Counties in compliance with the § 18-104 of the Land Use Article of the Annotated Code of Maryland (“Land Use Article”), as amended and to the County Councils of Montgomery and Prince George’s Counties in compliance with § 18-105 of the Land Use Article; and

WHEREAS, the respective County Councils have established work programs and made certain deletions and additions to the Proposed Operating Budget, which actions are set forth in the Montgomery County Resolution 19-1288, and Prince George’s County Bill CB-55-2022; and

WHEREAS, the Montgomery County Council made certain revisions to the Proposed Capital Budget, which action is set forth in Montgomery County Resolution 19-1279; and

WHEREAS, the Prince George’s County Council made certain revisions to the Proposed Capital Budget, which action is set forth in the Prince George’s County Bill CB-55-2022; and

WHEREAS, the County Councils on May 12, 2022 have reviewed and together acted to approve the Bi-County budget items allocable to both counties; and

WHEREAS, the respective County Councils have acted to appropriate as the Commission’s FY 2023 operating budget (“the Operating Budget”) and FY 2023 Capital Budget certain expenditures, including those funded by grants, together totaling in the aggregate \$268,288,465 allocable to the various sources derived in Montgomery County as set forth in Exhibit A hereto and \$703,053,899 allocable to the various sources derived in Prince George’s County as set forth in Exhibit B hereto; and

WHEREAS, the Operating Budget includes the Executive Office Building and Group Health Insurance Funds as set forth in Exhibit C, which are Commission-wide Internal Service Funds funded through the operating department appropriations made by the respective County Councils for Montgomery County and Prince George's County; and

WHEREAS, the Commission does hereby delegate to the Montgomery County Planning Board and the Prince George's County Planning Board for review of expenditure plans for departments, offices and divisions within the Commission and the allocation of funds in accordance with the Operating Budget and this Resolution;

NOW, THEREFORE BE IT RESOLVED that the Commission does hereby approve and adopt the FY 2023 Operating Budget and the FY 2023 Capital Budget as set forth in Exhibit A, Exhibit B, and Exhibit C hereto; and

BE IT FURTHER RESOLVED that the Commission's Secretary-Treasurer and other officers are authorized to carry out financing for the Capital Equipment Internal Service Fund consistent with funding levels in the Operating Budget at such time and on such terms as they believe to be advantageous to the Commission without further action required by the Commission or either Planning Board; provided that the appropriate officers shall provide the Commission and each Planning Board subsequent notice of any action taken pursuant to this resolution; and

BE IT FURTHER RESOLVED that the Executive Director and Secretary-Treasurer are directed to establish the necessary controls to ensure compliance with the § 18-109 of the Land Use Article, which provides that no expenditure of funds shall be made or authorized by the Commission in excess of the approved budget amounts plus 10% thereof for each park and recreation project and for each administration or operating department or function of the Commission, and for each planning project contained in the planning work program for each county, as set forth in the approved Council Resolutions, unless approved by either or both County Councils, whichever is appropriate, and which also stipulates that the Commission may not exceed the total approved budget for each of its Funds, except for Enterprise Funds, without the prior approval by either or both County Councils, as applicable; and

BE IT FURTHER RESOLVED that in the event operational necessity requires that a budget amendment be made during the fiscal year, as outlined in § 18-108 of the Land Use Article and Budget Adjustment Practice 3-60, the budget amendment requires approval of the appropriate County Council. An amendment may change the total amount of the appropriation stated in the adopting resolutions of the County Council, or transfer more than 10% of appropriated funds from one appropriation to another. A budget may be amended by resolution by the respective county councils on their initiative or at the request of the Commission after receipt of recommendations from the respective county executives and after public hearing upon reasonable notice to the public. With



respect to budget items applicable to both counties, an amendment is not effective unless it has received the concurrence of both county councils; and

BE IT FURTHER RESOLVED that in the event operational necessity requires that budget adjustments be made during the fiscal year, as outlined in Budget Adjustment Practice 3–60, the officials and managers listed below are authorized to approve adjustments within or between budget appropriations for objects of expenditure or other levels of control within a department, division, office, or program under their direction, as those appropriations are set forth in the Operating Budget adopted by the respective County Councils and pursuant to this Resolution, provided however that any cumulative budget adjustments increasing budget control levels by an amount in excess of \$100,000 shall be reviewed and approved by the Commission and/or the appropriate Planning Board; and provided further that any budget adjustment which involves any change in the work program shall be reviewed and approved by the Commission and/or the affected Planning Board; and provided further that any budget adjustment which would result in the Commission exceeding the total approved budget for any of its Funds, except the Enterprise Funds, must have the prior approval of either or both County Councils, as applicable:

Executive Director  
Secretary–Treasurer  
General Counsel  
Director of Parks – Montgomery County  
Director of Planning – Montgomery County  
Director of Parks and Recreation – Prince George's County  
Director of Planning – Prince George's County  
Chair – Prince George’s County Planning Board  
Chair – Montgomery County Planning Board; and

BE IT FURTHER RESOLVED that the transfer of funds between departments or administrative units as listed above as adopted shall require the approval of the Commission and/or the appropriate Planning Board; and

BE IT FURTHER RESOLVED that the Office of the Secretary–Treasurer and the Budget Office are authorized to review all budget adjustments and disapprove those budget adjustments for which funds are not available or which do not comply with law or Commission fiscal policies.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>ADMINISTRATION FUND</b>					
<b>REVENUES</b>					
Tax Revenue (Tax rates: Real = 1.90 Cents, Personal = 4.75 Cents) Assessable Base in Billions (Real/Personal): 180.620 / 4.252	37,189,800	(1,063,294)	36,126,506		
Taxes - Interest and Penalties	50,000	-	50,000		
Intergovernmental	578,100	-	578,100		
Charges for Service	204,700	-	204,700		
Interest Income	10,000	-	10,000		
<b>Current Revenue</b>	<b>38,032,600</b>	<b>(1,063,294)</b>	<b>36,969,306</b>		
Use of Fund Balance	1,052,201	586,089	1,638,290		
<b>Total Sources</b>	<b>39,084,801</b>	<b>(477,205)</b>	<b>38,607,596</b>		
<b>EXPENDITURES</b>					
Commissioners' Office	1,144,059	(5,309)	1,138,750	9.00	6.50
Planning Department					
Planning Director's Office	1,526,362	83,300	1,609,662		
Management Services	1,160,147	(3,600)	1,156,547		
Communications Division	1,666,049	(2,000)	1,664,049		
Countywide Planning & Policy	3,250,296	(113,600)	3,136,696		
Downcounty Planning	1,718,568	(86,400)	1,632,168		
Mid-county Planning	2,190,794	2,200	2,192,994		
Upcounty Planning	2,166,337	5,500	2,171,837		
Intake & Regulatory Coordination	1,084,282	2,300	1,086,582		
Information Technology and Innovation	4,046,478	(29,229)	4,017,249		
Research and Strategic Projects	1,264,733	(132,721)	1,132,012		
Grants	150,000	-	150,000		
Support Services	2,665,038	(84,516)	2,580,522		
<b>Planning Total</b>	<b>22,889,084</b>	<b>(358,766)</b>	<b>22,530,318</b>	151.00	120.87
Department of Human Resources and Management	2,789,940	(8,735)	2,781,205	19.14	17.44
Department of Finance	2,465,034	(13,370)	2,451,664	20.00	19.22
Legal Department	1,648,250	-	1,648,250	14.00	14.00
Merit System Board	83,888	-	83,888	0.50	0.25
Office of Inspector General	463,981	(28,371)	435,610	3.00	3.20
Corporate IT	1,651,772	(24,663)	1,627,109	9.00	9.00
Support Services	690,219	(24,091)	666,128	0.00	0.00
<b>CAS Total</b>	<b>9,793,084</b>	<b>(99,230)</b>	<b>9,693,854</b>	65.64	63.11
Non-Departmental	3,634,774	-	3,634,774		
<b>Total Expenditures</b>	<b>37,461,001</b>	<b>(463,305)</b>	<b>36,997,696</b>	225.64	190.48
Transfer to Special Revenue Fund	500,000	-	500,000		
Transfer to Park Fund	-	-	-		
Contingency Reserve @ 3%	1,123,800	(13,900)	1,109,900		
<b>Total Expenditures and Uses</b>	<b>39,084,801</b>	<b>(477,205)</b>	<b>38,607,596</b>		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b><u>PARK FUND</u></b>					
<b>REVENUES</b>					
Tax Revenue (Tax Rate: Real = 6.12 cents, Personal = 15.30 cents)	118,589,600	(2,604,502)	115,985,098		
Assessable Base in Billions (Real/Personal): 180.620 / 4.252					
Taxes - Interest and Penalties	200,000	-	200,000		
Intergovernmental	4,397,355	-	4,397,355		
Charges for Service	2,599,963	-	2,599,963		
Rentals/Concessions	563,700	-	563,700		
Interest Income	5,000	-	5,000		
Miscellaneous Revenues	55,500	-	55,500		
<b>Current Revenue</b>	<b>126,411,118</b>	<b>(2,604,502)</b>	<b>123,806,616</b>		
Transfer from CIP	10,000	-	10,000		
Transfer from Capital Equipment Fund	-	-	-		
Transfer from Administration Fund	-	-	-		
Use of Fund Balance	3,200,949	951,613	4,152,562		
<b>Total Sources</b>	<b>129,622,067</b>	<b>(1,652,889)</b>	<b>127,969,178</b>		
<b>EXPENDITURES</b>					
Operating Divisions					
Director of Parks	1,540,485	-	1,540,485		
Public Affairs & Community Partnerships	3,120,462	-	3,120,462		
Management Services	3,154,392	-	3,154,392		
Information Technology and Innovation	3,004,760	431,105	3,435,865		
Park Planning and Stewardship	7,003,958	-	7,003,958		
Park Development	4,163,071	-	4,163,071		
Park Police	16,980,209	-	16,980,209		
Horticulture, Forestry & Environmental Education	12,104,267	-	12,104,267		
Facilities Management	14,117,296	-	14,117,296		
Northern Parks	11,723,267	-	11,723,267		
Southern Parks	16,305,701	100,000	16,405,701		
Support Services	14,530,008	(1,524,205)	13,005,803		
Grants	400,000	-	400,000		
Non-Departmental	10,269,683	-	10,269,683		
<b>Total Expenditures</b>	<b>118,417,559</b>	<b>(993,100)</b>	<b>117,424,459</b>		
Transfer to Debt Service	7,202,008	(629,989)	6,572,019		
Transfer to CIP	450,000	-	450,000		
Contingency Reserve @ 3%	3,552,500	(29,800)	3,522,700		
<b>Total Expenditures and Uses</b>	<b>129,622,067</b>	<b>(1,652,889)</b>	<b>127,969,178</b>	804.00	783.20
<b><u>ADVANCE LAND ACQUISITION DEBT SERVICE FUND</u></b>					
<b>REVENUES</b>					
Tax Revenue (Tax Rate: Real = 0.10 cents, Personal = 0.25 cents)	2,193,100	4,663	2,197,763		
Assessable Base in Billions (Real/Personal): 203.595 / 4.859					
<b>Current Revenue</b>	<b>2,193,100</b>	<b>4,663</b>	<b>2,197,763</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>2,193,100</b>	<b>4,663</b>	<b>2,197,763</b>		
<b>EXPENDITURES</b>					
Debt Service	132,550	-	132,550		
<b>Total Expenditures</b>	<b>132,550</b>	<b>-</b>	<b>132,550</b>		
Transfer to ALA Revolving Fund	2,060,550	4,663	2,065,213		
<b>Total Expenditures and Uses</b>	<b>2,193,100</b>	<b>4,663</b>	<b>2,197,763</b>		
<b>TOTAL TAX-SUPPORTED FUNDS, LESS RESERVES &amp; ALA TRANSFER</b>	<b>164,163,118</b>	<b>(2,086,394)</b>	<b>162,076,724</b>	<b>1,029.64</b>	<b>973.68</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>ADVANCE LAND ACQUISITION REVOLVING FUND</b>					
<b>REVENUES</b>					
Interest Income	1,000	-	1,000		
<b>Current Revenue</b>	<b>1,000</b>	<b>-</b>	<b>1,000</b>		
Transfer from ALA Debt Service Fund	2,060,550	4,663	2,065,213		
Use of Fund Balance	1,673,730	-	1,673,730		
<b>Total Sources</b>	<b>3,735,280</b>	<b>4,663</b>	<b>3,739,943</b>		
<b>EXPENDITURES</b>					
Land	3,735,280	4,663	3,739,943		
<b>Total Expenditures</b>	<b>3,735,280</b>	<b>4,663</b>	<b>3,739,943</b>		
<b>PARK DEBT SERVICE FUND</b>					
<b>REVENUES</b>					
Intergovernment	200,000	-	200,000		
Premiums on Bonds Issued	90,000	-	90,000		
Transfer from Park Fund	7,202,008	(629,989)	6,572,019		
<b>Total Sources</b>	<b>7,492,008</b>	<b>(629,989)</b>	<b>6,862,019</b>		
<b>EXPENDITURES</b>					
Debt Service	7,492,008	(629,989)	6,862,019		
<b>Total Expenditures</b>	<b>7,492,008</b>	<b>(629,989)</b>	<b>6,862,019</b>		
<b>CAPITAL PROJECTS FUND</b>					
<b>REVENUES</b>					
Intergovernmental	31,931,000	13,292,000	45,223,000		
Interest	10,000	-	10,000		
Bond Proceeds	8,000,000	-	8,000,000		
Contributions	4,750,000	(2,500,000)	2,250,000		
Miscellaneous	-	-	-		
<b>Current Revenue</b>	<b>44,691,000</b>	<b>10,792,000</b>	<b>55,483,000</b>		
Transfer from Park Fund	450,000	-	450,000		
Transfer from Enterprise Fund	-	-	-		
<b>Total Sources</b>	<b>45,141,000</b>	<b>10,792,000</b>	<b>55,933,000</b>		
<b>EXPENDITURES</b>					
Park Acquisition & Development	45,131,000	10,792,000	55,923,000		
<b>Total Expenditures</b>	<b>45,131,000</b>	<b>10,792,000</b>	<b>55,923,000</b>		
Transfer to Park Fund	10,000	-	10,000		
<b>Total Expenditures and Uses</b>	<b>45,141,000</b>	<b>10,792,000</b>	<b>55,933,000</b>		
<b>ENTERPRISE FUND</b>					
<b>REVENUES</b>					
Charges for Service	12,528,686	-	12,528,686		
Interest Income	15,000	-	15,000		
<b>Current Revenue</b>	<b>12,543,686</b>	<b>-</b>	<b>12,543,686</b>		
Use of Fund Balance	(1,930,608)	-	(1,930,608)		
<b>Total Sources</b>	<b>10,613,078</b>	<b>-</b>	<b>10,613,078</b>		
<b>EXPENDITURES</b>					
Operations	10,613,078	-	10,613,078		
<b>Total Expenditures</b>	<b>10,613,078</b>	<b>-</b>	<b>10,613,078</b>		
Transfer to CIP	-	-	-		
<b>Total Expenditures and Uses</b>	<b>10,613,078</b>	<b>-</b>	<b>10,613,078</b>	35.00	117.10
Revenues Over/(Under) Expenditures	-	-	-		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>PROPERTY MANAGEMENT FUND</b>					
<b>REVENUES</b>					
Rental Revenue	1,736,800	-	1,736,800		
Interest Income	1,000	-	1,000		
<b>Current Revenue</b>	<b>1,737,800</b>	<b>-</b>	<b>1,737,800</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>1,737,800</b>	<b>-</b>	<b>1,737,800</b>		
<b>EXPENDITURES</b>					
Operating Expenditures	1,737,800	-	1,737,800	4.00	5.80
<b>Total Expenditures</b>	<b>1,737,800</b>	<b>-</b>	<b>1,737,800</b>		
<b>SPECIAL REVENUE FUND</b>					
<b>REVENUES</b>					
Intergovernmental	2,033,260	-	2,033,260		
Charges for Service	3,570,396	-	3,570,396		
Interest Income	3,400	-	3,400		
<b>Current Revenue</b>	<b>5,607,056</b>	<b>-</b>	<b>5,607,056</b>		
Transfer from Administration Fund	500,000	-	500,000		
Use of Fund Balance	1,222,984	-	1,222,984		
<b>Total Sources</b>	<b>7,330,040</b>	<b>-</b>	<b>7,330,040</b>		
<b>EXPENDITURES</b>					
Operations - Planning	4,152,551	-	4,152,551	0.00	22.00
Operations - Parks	3,177,489	-	3,177,489	0.00	15.80
<b>Total Expenditures</b>	<b>7,330,040</b>	<b>-</b>	<b>7,330,040</b>		
Revenues Over/(Under) Expenditures	-	-	-		
<b>TOTAL OPERATING BUDGET LESS RESERVES AND ALARF</b>	<b>232,324,493</b>	<b>8,075,617</b>	<b>240,400,110</b>	<b>1,068.64</b>	<b>1,134.38</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b><u>CAPITAL EQUIPMENT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	2,357,900	(1,093,100)	1,264,800		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>2,357,900</b>	<b>(1,093,100)</b>	<b>1,264,800</b>		
Transfer in	-	-	-		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>2,357,900</b>	<b>(1,093,100)</b>	<b>1,264,800</b>		
<b>EXPENDITURES</b>					
Operations	2,281,714	-	2,281,714		
Debt Service	1,531,400	-	1,531,400		
<b>Total Expenditures</b>	<b>3,813,114</b>	<b>-</b>	<b>3,813,114</b>		
Transfer to Park Fund	-	-	-		
<b>Total Expenditures and Uses</b>	<b>3,813,114</b>	<b>-</b>	<b>3,813,114</b>		
Revenues Over/(Under) Expenditures	(1,455,214)	(1,093,100)	(2,548,314)		
Capital Equipment - Financed for the Parks & Planning Depts	2,100,000	-	2,100,000		
Capital Equipment - Financed for the IT Initiatives	125,000	-	125,000		
<b><u>CIO INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	2,467,564	-	2,467,564		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>2,467,564</b>	<b>-</b>	<b>2,467,564</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>2,467,564</b>	<b>-</b>	<b>2,467,564</b>		
<b>EXPENDITURES</b>					
Operations	2,467,564	-	2,467,564		
<b>Total Expenditures</b>	<b>2,467,564</b>	<b>-</b>	<b>2,467,564</b>	3.50	3.50
Transfer to Park Fund	-	-	-		
<b>Total Expenditures and Uses</b>	<b>2,467,564</b>	<b>-</b>	<b>2,467,564</b>		
Revenues Over/(Under) Expenditures	-	-	-		
<b><u>CWIT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	646,301	(45,220)	601,081		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>646,301</b>	<b>(45,220)</b>	<b>601,081</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>646,301</b>	<b>(45,220)</b>	<b>601,081</b>		
<b>EXPENDITURES</b>					
Operations	646,301	-	646,301		
Debt Service	-	-	-		
<b>Total Expenditures</b>	<b>646,301</b>	<b>-</b>	<b>646,301</b>		
Transfer to Park Fund	-	-	-		
<b>Total Expenditures and Uses</b>	<b>646,301</b>	<b>-</b>	<b>646,301</b>		
Revenues Over/(Under) Expenditures	-	(45,220)	(45,220)		
Capital Equipment - Financed for IT Initiatives	1,642,800	-	1,642,800		
<b><u>RISK MANAGEMENT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	2,951,400	-	2,951,400		
Interest Income	8,000	-	8,000		
<b>Current Revenue</b>	<b>2,959,400</b>	<b>-</b>	<b>2,959,400</b>		
Use of Fund Balance	474,566	-	474,566		
<b>Total Sources</b>	<b>3,433,966</b>	<b>-</b>	<b>3,433,966</b>		
<b>EXPENDITURES</b>					
Operations	3,433,966	-	3,433,966	3.50	3.90
<b>Total Expenditures</b>	<b>3,433,966</b>	<b>-</b>	<b>3,433,966</b>		
Revenues Over/(Under) Expenditures	-	-	-		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	<u>Positions</u>	<u>Workyears</u>
<b><u>WHEATON HEADQUARTERS BUILDING INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Intergovernmental	1,688,833	-	1,688,833		
Charges for Service	1,248,270	-	1,248,270		
<b>Current Revenue</b>	<b>2,937,103</b>	<b>-</b>	<b>2,937,103</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>2,937,103</b>	<b>-</b>	<b>2,937,103</b>		
<b>EXPENDITURES</b>					
Operations	2,937,103	-	2,937,103		
<b>Total Expenditures</b>	<b>2,937,103</b>	<b>-</b>	<b>2,937,103</b>		
Revenues Over/(Under) Expenditures	-	-	-		
<b>Total Montgomery County (including reserves, transfers)</b>	<b>260,247,222</b>	<b>8,041,243</b>	<b>268,288,465</b>	<b>1,075.64</b>	<b>1,141.78</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>ADMINISTRATION FUND</b>					
<b>REVENUES</b>					
Tax Revenue (Tax rates: Real = <b>5.660</b> Cents, Personal = <b>14.150</b> Cents)	65,530,000	-	65,530,000		
Assessable Base in Billions (Real/Personal): 108.561 / 3.111					
Taxes - Interest and Penalties	150,000	-	150,000		
Intergovernmental	247,517	-	247,517		
Service Charges	700,000	-	700,000		
Interest Income	100,000	-	100,000		
Miscellaneous Revenue	-	-	-		
<b>Current Revenue</b>	<b>66,727,517</b>	<b>-</b>	<b>66,727,517</b>		
Use of Fund Balance	503,859	(123,423)	380,436		
<b>Total Sources</b>	<b>67,231,376</b>	<b>(123,423)</b>	<b>67,107,953</b>		
<b>EXPENDITURES</b>					
Commissioners' Office	<b>3,641,176</b>	-	<b>3,641,176</b>	16.50	14.50
Planning Department					
Director's Office	2,369,716	-	2,369,716		
Management Services	3,518,776	-	3,518,776		
Development Review	7,045,040	-	7,045,040		
Community Planning	7,009,610	1,000,000	8,009,610		
Information Management	8,515,264	-	8,515,264		
Countywide Planning	9,556,277	-	9,556,277		
Support Services	6,587,803	-	6,587,803		
Grants	-	-	-		
<b>Planning Total</b>	<b>44,602,486</b>	<b>1,000,000</b>	<b>45,602,486</b>	201.50	202.50
Department of Human Resources and Management	3,830,217	(11,919)	3,818,298	27.86	26.56
Department of Finance	3,038,142	(13,915)	3,024,227	27.00	25.79
Legal Department	1,513,548	-	1,513,548	13.00	13.00
Merit System Board	83,888	-	83,888	0.50	0.25
Office of Inspector General	666,055	(40,724)	625,331	4.00	4.30
Corporate IT	1,211,623	(18,091)	1,193,532	9.00	9.00
Support Services	874,807	(32,874)	841,933	0.00	0.00
<b>CAS Total</b>	<b>11,218,280</b>	<b>(117,523)</b>	<b>11,100,757</b>	81.36	78.90
NonDepartmental	4,539,334	-	4,539,334		
<b>Total Expenditures</b>	<b>64,001,276</b>	<b>882,477</b>	<b>64,883,753</b>	299.36	295.90
Transfer to Park Fund	-	-	-		
Transfer to Capital Projects Fund	30,000	-	30,000		
Contingency Reserve @ 5%	3,200,100	44,100	3,244,200		
<b>Total Expenditures and Uses</b>	<b>67,231,376</b>	<b>926,577</b>	<b>68,157,953</b>		



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

<u>PARK FUND</u>	<u>FY23 Proposed Budget</u>	<u>Council Adjustments</u>	<u>FY23 Adopted Budget</u>	<u>Positions</u>	<u>Workyears</u>
<b>REVENUES</b>					
Tax Revenue (Tax Rate: Real = <b>15.940</b> cents, Personal = <b>39.850</b> cents) Assessable Base in Billions (Real/Personal): 105.135 / 3.013	178,725,200	-	178,725,200		
Taxes - Interest and Penalties	450,000	-	450,000		
Intergovernmental	542,177	-	542,177		
Service Charges	70,900	-	70,900		
Interest Income	100,000	-	100,000		
Rentals/Concessions	2,006,335	-	2,006,335		
Miscellaneous Revenues	613,500	-	613,500		
<b>Current Revenue</b>	<b>182,508,112</b>	<b>-</b>	<b>182,508,112</b>		
Transfer from Admin Fund	-	-	-		
Transfer from CIP	100,000	-	100,000		
Use of Fund Balance	62,395,476	-	62,395,476		
<b>Total Sources</b>	<b>245,003,588</b>	<b>-</b>	<b>245,003,588</b>		
<b>EXPENDITURES</b>					
Operating Divisions					
Office of the Director	26,018,520	-	26,018,520		
Administration and Development	33,714,017	-	33,714,017		
Facility Operations	44,914,058	-	44,914,058		
Area Operations	24,439,107	-	24,439,107		
NonDepartmental	11,739,708	100,000	11,839,708		
<b>Total Expenditures</b>	<b>140,825,410</b>	<b>100,000</b>	<b>140,925,410</b>		
Transfer to Debt Service	14,286,878	-	14,286,878		
Transfer to CIP	23,350,000	8,000,000	31,350,000		
Transfer to Largo HQ Bldg Fund	59,500,000	-	59,500,000		
Contingency Reserve @ 5%	7,041,300	5,000	7,046,300		
<b>Total Expenditures and Uses</b>	<b>245,003,588</b>	<b>8,105,000</b>	<b>253,108,588</b>	846.00	1,067.95

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>RECREATION FUND</b>					
<b>REVENUES</b>					
Tax Revenue (Tax Rate: Real = 7.800 cents, Personal = 19.500 cents)	93,436,500	-	93,436,500		
Assessable Base in Billions (Real/Personal): 112.324 / 3.219					
Taxes - Interest and Penalties	200,000	-	200,000		
Intergovernmental	265,306	-	265,306		
Service Charges	9,324,210	-	9,324,210		
Rentals/Concessions	1,638,024	-	1,638,024		
Interest Income	100,000	-	100,000		
Miscellaneous Revenues	74,480	-	74,480		
<b>Current Revenue</b>	<b>105,038,520</b>	<b>-</b>	<b>105,038,520</b>		
Use of Fund Balance	29,688,023	-	29,688,023		
<b>Total Sources</b>	<b>134,726,543</b>	<b>-</b>	<b>134,726,543</b>		
<b>EXPENDITURES</b>					
Operating Divisions					
Administration and Development	12,084,604	-	12,084,604		
Facility Operations	28,513,367	-	28,513,367		
Area Operations	37,480,427	-	37,480,427		
Non-Departmental	9,192,735	37,017,500	46,210,235		
<b>Total Expenditures</b>	<b>87,271,133</b>	<b>37,017,500</b>	<b>124,288,633</b>		
Transfer to Enterprise Fund	7,230,310	-	7,230,310		
Transfer to Capital Projects Fund	10,000,000	-	10,000,000		
Transfer to Largo HQ Bldg Fund	25,500,000	-	25,500,000		
Contingency Reserve @ 5%	4,725,100	1,850,800	6,575,900		
<b>Total Expenditures and Uses</b>	<b>134,726,543</b>	<b>38,868,300</b>	<b>173,594,843</b>	343.00	1,275.59
<b>ADVANCE LAND ACQUISITION DEBT SERVICE FUND</b>					
<b>REVENUES</b>					
Tax Revenue (Tax Rate: Real = 0.00 cents, Personal = 0.00 cents)	-	-	-		
Assessable Base in Billions (Real/Personal): 112.324 / 3.219					
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>EXPENDITURES</b>					
Debt Service	-	-	-		
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>		
Transfer to ALA Revolving Fund	-	-	-		
<b>Total Expenditures and Uses</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>TOTAL TAX-SUPPORTED FUNDS, LESS RESERVES &amp; ALA TRANSFER</b>	<b>431,995,007</b>	<b>45,999,977</b>	<b>477,994,984</b>	<b>1,488.36</b>	<b>2,639.44</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b>ADVANCE LAND ACQUISITION REVOLVING FUND</b>					
<b>REVENUES</b>					
Interest Income	-	-	-		
	<b>Current Revenue</b>				
Transfer from ALA Debt Service Fund	-	-	-		
Use of Fund Balance	305,007	-	305,007		
<b>Total Sources</b>	<b>305,007</b>	<b>-</b>	<b>305,007</b>		
<b>EXPENDITURES</b>					
Land	305,007	-	305,007		
<b>Total Expenditures and Uses</b>	<b>305,007</b>	<b>-</b>	<b>305,007</b>		
<b>PARK DEBT SERVICE FUND</b>					
<b>REVENUES</b>					
Premiums on Bonds Issued	151,725	-	151,725		
Transfer from Park Fund	14,286,878	-	14,286,878		
<b>Total Sources</b>	<b>14,438,603</b>	<b>-</b>	<b>14,438,603</b>		
<b>EXPENDITURES</b>					
Debt Service	14,438,603	-	14,438,603		
<b>Total Expenditures</b>	<b>14,438,603</b>	<b>-</b>	<b>14,438,603</b>		
<b>CAPITAL PROJECTS FUND</b>					
<b>REVENUES</b>					
Intergovernmental	6,000,000	12,630,000	18,630,000		
Interest/Contribution	100,000	-	100,000		
Bond Proceeds	84,500,000	9,000,000	93,500,000		
Miscellaneous	-	-	-		
<b>Current Revenue</b>	<b>90,600,000</b>	<b>21,630,000</b>	<b>112,230,000</b>		
Transfer from Park Fund	23,350,000	8,000,000	31,350,000		
Transfer from Recreation Fund	10,000,000	-	10,000,000		
Transfer from Administration Fund	30,000	-	30,000		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>123,980,000</b>	<b>29,630,000</b>	<b>153,610,000</b>		
<b>EXPENDITURES</b>					
Park Acquisition & Development	123,880,000	29,630,000	153,510,000		
<b>Total Expenditures</b>	<b>123,880,000</b>	<b>29,630,000</b>	<b>153,510,000</b>		
Transfer to Park Fund	100,000	-	100,000		
<b>Total Expenditures and Uses</b>	<b>123,980,000</b>	<b>29,630,000</b>	<b>153,610,000</b>		
<b>ENTERPRISE FUND</b>					
<b>REVENUES</b>					
Charges for Service	6,279,600	-	6,279,600		
Interest Income	15,000	-	15,000		
<b>Current Revenue</b>	<b>6,294,600</b>	<b>-</b>	<b>6,294,600</b>		
Transfers from Recreation Fund	7,230,310	-	7,230,310		
<b>Total Sources</b>	<b>13,524,910</b>	<b>-</b>	<b>13,524,910</b>		
<b>EXPENDITURES</b>					
Operations	13,524,910	-	13,524,910		
<b>Total Expenditures and Uses</b>	<b>13,524,910</b>	<b>-</b>	<b>13,524,910</b>	47.00	138.40
Revenues Over/(Under) Expenditures	-	-	-		
<b>SPECIAL REVENUE FUND</b>					
<b>REVENUES</b>					
Intergovernmental	950,000	-	950,000		
Charges for Service	5,582,887	-	5,582,887		
Interest Income	15,500	-	15,500		
Miscellaneous	156,951	-	156,951		
<b>Current Revenue</b>	<b>6,705,338</b>	<b>-</b>	<b>6,705,338</b>		
Transfer from Administration Fund	-	-	-		
Use of Fund Balance	64,500	-	64,500		
<b>Total Sources</b>	<b>6,769,838</b>	<b>-</b>	<b>6,769,838</b>		
<b>EXPENDITURES</b>					
Operations - Planning	70,000	-	70,000	0.00	0.00
Operations - Parks & Recreation	6,699,838	-	6,699,838	0.00	136.40
<b>Total Expenditures</b>	<b>6,769,838</b>	<b>-</b>	<b>6,769,838</b>		
Transfer to CIP	-	-	-		
<b>Total Expenditures and Uses</b>	<b>6,769,838</b>	<b>-</b>	<b>6,769,838</b>		
Revenues Over/(Under) Expenditures	-	-	-		
<b>TOTAL OPERATING BUDGET LESS RESERVES AND ALARF</b>	<b>590,708,358</b>	<b>75,629,977</b>	<b>666,338,335</b>	<b>1,535.36</b>	<b>2,914.24</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b><u>CAPITAL EQUIPMENT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	142,500	-	142,500		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>142,500</b>	<b>-</b>	<b>142,500</b>		
Use of Fund Balance	1,205	-	1,205		
<b>Total Sources</b>	<b>143,705</b>	<b>-</b>	<b>143,705</b>		
<b>EXPENDITURES</b>					
Operations	143,705	-	143,705		
Debt Service	-	-	-		
<b>Total Expenditures</b>	<b>143,705</b>	<b>-</b>	<b>143,705</b>		
Revenues Over/(Under) Expenditures	-	-	-		
Capital Equipment - Financed for Park & Rec	-	-	-		
Capital Equipment - Financed for IT Initiatives	125,000	-	125,000		
<b><u>CIO INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	3,424,710	-	3,424,710		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>3,424,710</b>	<b>-</b>	<b>3,424,710</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>3,424,710</b>	<b>-</b>	<b>3,424,710</b>		
<b>EXPENDITURES</b>					
Operations	3,424,710	-	3,424,710		
<b>Total Expenditures</b>	<b>3,424,710</b>	<b>-</b>	<b>3,424,710</b>	3.50	3.50
Revenues Over/(Under) Expenditures	-	-	-		
<b><u>CWIT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	946,965	-	946,965		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>946,965</b>	<b>-</b>	<b>946,965</b>		
Use of Fund Balance	-	-	-		
<b>Total Sources</b>	<b>946,965</b>	<b>-</b>	<b>946,965</b>		
<b>EXPENDITURES</b>					
Operations	946,965	-	946,965		
Debt Service	-	-	-		
<b>Total Expenditures</b>	<b>946,965</b>	<b>-</b>	<b>946,965</b>		
Revenues Over/(Under) Expenditures	-	-	-		
Capital Equipment - Financed for IT Initiatives	2,357,200	-	2,357,200		
<b><u>RISK MANAGEMENT INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	3,971,500	-	3,971,500		
Claims Recovery	-	-	-		
Interest Income	20,000	-	20,000		
<b>Current Revenue</b>	<b>3,991,500</b>	<b>-</b>	<b>3,991,500</b>		
Use of Fund Balance	1,037,267	-	1,037,267		
<b>Total Sources</b>	<b>5,028,767</b>	<b>-</b>	<b>5,028,767</b>		
<b>EXPENDITURES</b>					
Operations	5,028,767	-	5,028,767	3.50	3.90
<b>Total Expenditures</b>	<b>5,028,767</b>	<b>-</b>	<b>5,028,767</b>		
Revenues Over/(Under) Expenditures	-	-	-		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b><u>LARGO HEADQUARTERS BUILDING INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges for Service	-	-	-		
Rental Revenue	-	-	-		
Interest Income	-	-	-		
<b>Current Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>		
Transfer from Park Fund	59,500,000		59,500,000		
Transfer from Recreation Fund	25,500,000		25,500,000		
Use of Fund Balance	-	10,000,000	10,000,000		
<b>Total Sources</b>	<b>85,000,000</b>	<b>10,000,000</b>	<b>95,000,000</b>		
<b>EXPENDITURES</b>					
Operations	10,000,000	-	10,000,000		
<b>Total Expenditures</b>	<b>10,000,000</b>	<b>-</b>	<b>10,000,000</b>		
Revenues Over/(Under) Expenditures	75,000,000	10,000,000	85,000,000		
<b>Total Prince George's County (including reserves, transfers)</b>	<b>625,524,012</b>	<b>77,529,877</b>	<b>703,053,889</b>	<b>1,542.36</b>	<b>2,921.64</b>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FY23 ADOPTED BUDGET

COMMISSION-WIDE FUNDS

	FY23 Proposed Budget	Council Adjustments	FY23 Adopted Budget	Positions	Workyears
<b><u>EXECUTIVE OFFICE INTERNAL SERVICE FUND</u></b>					
<b>REVENUES</b>					
Charges For Service	1,462,323	-	1,462,323		
Interest Income	4,000	-	4,000		
<b>Current Revenue</b>	<b>1,466,323</b>	<b>-</b>	<b>1,466,323</b>		
Use of Fund Balance	103,936	-	103,936		
<b>Total Sources</b>	<b>1,570,259</b>	<b>-</b>	<b>1,570,259</b>		
<b>EXPENDITURES</b>					
Operating Expenses	1,570,259	-	1,570,259	2.00	2.00
Revenues Over/(Under) Expenditures	-	-	-		
<b><u>GROUP HEALTH INSURANCE FUND</u></b>					
<b>REVENUES</b>					
Intergovernmental	2,500,000	-	2,500,000		
Charges For Service	67,696,632	-	67,696,632		
Interest Income	10,000	-	10,000		
<b>Total Sources</b>	<b>70,206,632</b>	<b>-</b>	<b>70,206,632</b>		
<b>EXPENDITURES</b>					
Operating Expenditures	71,659,632	-	71,659,632		
<b>Total Expenditure</b>	<b>71,659,632</b>	<b>-</b>	<b>71,659,632</b>	6.00	6.20
Transfer to MC Capital Equipment ISF	-	-	-		
<b>Total Expenditure and Uses</b>	<b>71,659,632</b>	<b>-</b>	<b>71,659,632</b>		
Revenues Over/(Under) Expenditures	(1,453,000)	-	(1,453,000)		
<b>Total Commission-wide Funds</b>	<b>73,229,891</b>	<b>-</b>	<b>73,229,891</b>	<b>8.00</b>	<b>8.20</b>
Montgomery County Funds	260,247,222	8,041,243	268,288,465	1,075.64	1,141.78
Prince George's County Funds	625,524,012	77,529,877	703,053,889	1,542.36	2,921.64
Commission-wide Funds	73,229,891	-	73,229,891	8.00	8.20
<b>TOTAL ALL FUNDS (includes reserves)</b>	<b>959,001,125</b>	<b>85,571,120</b>	<b>1,044,572,245</b>	<b>2,626.00</b>	<b>4,071.62</b>

# SILVER SPRING DOWNTOWN AND ADJACENT COMMUNITIES PLAN

## RESOLUTION OF ADOPTION



### Description

Over the last twenty years, Silver Spring has transformed into a uniquely diverse and vibrant destination for retail, restaurants, businesses, arts and entertainment. This evolution was set in motion by the 2000 *Silver Spring Central Business District Sector Plan* which envisioned a transit-oriented, green and pedestrian-friendly downtown with a strong commercial and residential development market. The *Silver Spring Downtown and Adjacent Communities Plan* builds on the previous plan to help Silver Spring continue to be a regional destination for the next twenty years.

## MASTER PLAN INFORMATION

Plan Name

Silver Spring Downtown and Adjacent  
Communities Plan

Date

June 15, 2022

Lead Planner

Atara Margolies

Planning Division

DownCounty

Staff Contact

[atara.margolies@montgomeryplanning.org](mailto:atara.margolies@montgomeryplanning.org)  
301-495-4558

M-NCPPC Information

MNCPPC Item No. XX  
06-15-2022





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Elza Hisel-McCoy, Chief, DownCounty Planning  
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## SUMMARY

Attached for your review and approval is the M-NCPPC Resolution Number 22-18 to adopt the *Silver Spring Downtown and Adjacent Communities Plan*. The Montgomery County Council, sitting as the District Council, approved the *Silver Spring Downtown and Adjacent Communities Plan* by Resolution Number 19-1297 on May 26, 2022. The Montgomery County Planning Board approved the adoption of the *Silver Spring Downtown and Adjacent Communities Plan* by Resolution Number 22-051 on June 2, 2022.

## ATTACHMENTS

1. Montgomery County Planning Board Resolution Number 22-051; M-NCPPC Resolution Number 22-18
2. Montgomery County Council Resolution Number 19-1297.
3. Map of revised plan boundary as approved by the Montgomery County Council on May 26, 2022.
4. Planning Board Draft of the *Silver Spring Downtown and Adjacent Communities Plan*:  
<https://montgomeryplanning.org/wp-content/uploads/2022/01/SSDAC-Planning-Board-Draft-FINAL-FOR-WEB-reduced2.pdf>



**MCPB NO. 22-051**  
**M-NCPPC NO. 22-18**

## RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on December 2, 2021 on the Public Hearing Draft of *Silver Spring Downtown and Adjacent Communities Plan*, being also an amendment to *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland Washington Regional District in Montgomery County and Prince George's Counties*, as amended; the 2000 *Silver Spring Central Business District Sector Plan*, as amended; the 2000 *North and West Silver Spring Master Plan*, as amended; the 2000 *East Silver Spring Master Plan*, as amended; the 2013 *Countywide Transit Corridors Functional Master Plan*, as amended; the 2018 *Master Plan of Highways and Transitways*, as amended; and the 2018 *Bicycle Master Plan*.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on January 6, 2022, approved the Planning Board Draft of the *Silver Spring Downtown and Adjacent Communities Plan*, recommended that it be approved by the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County (the "Montgomery County District Council"), and forwarded it to the Montgomery County Executive for recommendations and analysis; and

Approved as to  
Legal Sufficiency: /s/Emily Vaias  
M-NCPPC Legal Department

**MCPB NO. 22-051**  
**M-NCPPC NO. 22-18**

WHEREAS, the Montgomery County Executive reviewed and made recommendations on Planning Board Draft of the *Silver Spring Downtown and Adjacent Communities Plan* and forwarded those recommendations and analysis to the Montgomery County District Council on March 25, 2022 and April 29, 2022; and

WHEREAS, the Montgomery County District Council held a public hearing on February 17, 2022, wherein testimony was received concerning the Planning Board Draft of the *Silver Spring Downtown and Adjacent Communities Plan*; and

WHEREAS, the District Council, on May 26, 2022 approved the Planning Board Draft of the *Silver Spring Downtown and Adjacent Communities Plan* subject to the modifications and revisions set forth in District Council Resolution No. 19-1297.

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said *Silver Spring Downtown and Adjacent Communities Plan*, together with the *General Plan (on Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended; the 2000 *Silver Spring Central Business District Sector Plan*, as amended; the 2000 *North and West Silver Spring Master Plan*, as amended; the 2000 *East Silver Spring Master Plan*, as amended; the 2013 *Countywide Transit Corridors Functional Master Plan*, as amended; the 2018 *Master Plan of Highways and Transitways*, as amended; and the 2018 *Bicycle Master Plan*; and as approved by the District Council in the attached Resolution No. 19-1297; and



Resolution No.: 19-1297  
Introduced: May 26, 2022  
Adopted: May 26, 2022

1  
2  
3 **COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND**  
4 **SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION**  
5 **OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT**  
6 **WITHIN MONTGOMERY COUNTY, MARYLAND**  
7

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8  
9 Lead Sponsor: County Council  
10

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11  
12 **SUBJECT:** Approval of the Winter 2022 Silver Spring Downtown and Adjacent Communities  
13 Plan  
14

- 15 1. On January 6, 2022, the Montgomery County Planning Board transmitted to the County Executive  
16 and the County Council the Winter 2022 Planning Board Draft Silver Spring Downtown and  
17 Adjacent Communities Plan.  
18
- 19 2. The Winter 2022 Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan  
20 contains the text and supporting maps for a comprehensive amendment to the Approved and Adopted  
21 2000 Silver Spring Central Business District Sector Plan. In addition, the Plan amends the East Silver  
22 Spring Master Plan, and the North and West Silver Spring Master Plan, both approved and adopted  
23 in 2000. It also amends The General Plan (On Wedges and Corridors) for the Physical Development  
24 of the Maryland-Washington Regional District in Montgomery and Prince George’s Counties, as  
25 amended; the Master Plan of Highways and Transitways, and the Bicycle Master Plan, as amended.  
26
- 27 3. On February 17, 2022, the County Council held a virtual public hearing on the Winter 2022 Planning  
28 Board Draft Silver Spring Downtown and Adjacent Communities Plan. The Plan was referred to the  
29 Council’s Planning, Housing, and Economic Development Committee for review and  
30 recommendations.  
31
- 32 4. On March 6, 2022, the Office of Management and Budget transmitted to the County Council the  
33 County Executive’s Fiscal Impact Statement for the Winter 2022 Planning Board Draft Silver Spring  
34 Downtown and Adjacent Communities Plan.  
35
- 36 5. On March 7, 14, 21, and 28, and on April 4, 7, 20, and 27, 2022, the Planning, Housing, and  
37 Economic Development Committee held worksessions to review the issues raised in connection with  
38 the Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan.  
39
- 40 6. On April 19, April 26, and May 3, 2022, the County Council reviewed the Planning Board Draft  
41 Silver Spring Downtown and Adjacent Communities Plan and the recommendations of the Planning,  
42 Housing, and Economic Development Committee.  
43  
44

**Action**

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan, dated Winter 2022, is approved with revisions. County Council revisions to the Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the Winter 2022 Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan. Montgomery County Planning Department staff may make additional, non-substantive edits to correct for errors in grammar or spelling or to improve clarity prior to the Plan’s adoption by the Maryland-National Capital Park & Planning Commission. Planning Department staff will also update all figures and graphics, including references and titles, consistent with the Council changes to the text.

Page 9: Revise the second paragraph under “1.1. A VISION FOR SILVER SPRING 2040” as follows:

This Plan continues to support many of the goals emphasized by the previous plan while highlighting the importance of reducing driving in the downtown, mitigating the impacts of climate change, and celebrating the cultural diversity that is a hallmark of Silver Spring. The Plan recognizes that economic growth is promoted by zoning that allows development to respond to the market, and a strong public realm including streets, parks and open spaces that serve all users. The Plan also aims to reinforce downtown Silver Spring’s identity as a regional destination for arts and culture. The Arts and Entertainment District draws people of all ages and backgrounds to the downtown for theater, music, films, and art. This Sector Plan builds upon the previous plan by strengthening the existing successful components of Silver Spring, while setting forth a vision [and] for a thriving commercial core, along with recommendations for the emerging areas of the downtown that will help Silver Spring continue to be a regional destination for the next 20 years.

Page 11: Revise the second paragraph under Section 1.2. “Plan Context” as follows:

This Plan expands the boundary from the previous Sector Plan for downtown Silver Spring to include both the area formerly known as the Central Business District and the “Adjacent Communities”: blocks from several residential neighborhoods primarily to the north and east of the downtown located within a 10-minute/half-mile walkshed from either the Silver Spring Transit Center or the Purple Line station at the Silver Spring Library. The Plan Area covers approximately [505] 442 acres and is generally bound by Eastern Avenue to the south, 16th Street to the west, [Ballard and] Spring Street to the north, and portions of the Seven Oaks-Evanswood and East Silver Spring neighborhoods to the east.

Page 14: Replace all text after the word “buildings” at the top of the page, as follows:

buildings. [in the downtown. The Silver Spring Metro Station opened in 1978, but its location away from the historic center of downtown limited additional development in the surrounding blocks.

The closing of major and mid-sized white-owned retailers in the 1980s and 1990s created commercial vacancies that began to be filled by the rich, ethnically diverse, local-business community that

93 continues today. While there are many immigrant communities in the plan area, the Ethiopian  
94 community has had particular success in Silver Spring and regards this urban area as a center for  
95 Ethiopian life and culture in the region.

96  
97 Since 2000, revitalization efforts envisioned by the Sector Plan have seen the redevelopment of the  
98 downtown Silver Spring retail core, the promotion of an arts and entertainment district and the  
99 reopening of the historic Silver Theatre, and the opening of the Discovery corporate headquarters.  
100 With this, the former light industrial areas west of Georgia Avenue have been redeveloped with  
101 multi-family housing and the Paul S. Sarbanes Transit Center has been completed at the Silver Spring  
102 Metro station. Planning and initial construction for the Purple Line light-rail system connecting  
103 Bethesda to New Carrollton in Prince George's County has created new opportunities.] Office  
104 development of Silver Spring waned in the 1970s. Many pinned their hopes for the revitalization of  
105 Silver Spring on the opening of the Red Line of the Metro operated by the Washington Metropolitan  
106 Area Transit Authority (WMATA). Early plans for the line first sited the Silver Spring station on  
107 Georgia Avenue. Developers and the business community, however, successfully lobbied the County  
108 Council and WMATA to approve the station near its present-day location to service a proposed, but  
109 never realized mixed-use, high-rise redevelopment on part of the Falkland Chase Apartments site.  
110 The station served as the terminus of the line when it opened in 1978, but it failed to spur  
111 revitalization. In part, the station's isolation from the Georgia Avenue and Colesville Road  
112 intersection dampened any immediate effects on the existing commercial and business districts.

113  
114 The presence of the Metro station did eventually lead to the construction of high-rise office buildings.  
115 Regional developer Lloyd Moore built 1100 Wayne Avenue, the first consequential office tower in  
116 nearly a decade, in 1983. Developers then built a series of offices within the triangular area bound  
117 by Colesville Road, Georgia Avenue, and Second and Wayne Avenues. This included the Metro  
118 Plaza complex completed in 1987.

119  
120 The burgeoning office environment did not coincide with a revival of the local retail market. The  
121 closing of many of the mid-sized retailers followed by the Silver Spring Theatre (1984), Hecht's  
122 Department Store (1987), and J.C. Penney's (1989) left the area with a definite void. The commercial  
123 vacancies, however, were filled by the establishment of a rich, ethnically diverse, local business  
124 community that continues today.

125  
126 Montgomery County and local developers started to plan for the revitalization of Silver Spring in the  
127 mid-1980s. The first two proposals, the Silver Triangle and the American Dream, failed to be realized  
128 due to community opposition, extensive litigation, and inability to secure tenants or financing.  
129 Regional developer Lloyd Moore introduced the Silver Triangle proposal that included an enclosed  
130 mall with two department stores, a hotel, and four office buildings in 1988. The Silver Spring-  
131 Takoma Traffic Coalition, led by Pat Singer and historic preservationists, objected to the scale, traffic  
132 congestion, and demolition of historic resources including the Silver Spring Theatre and Shopping  
133 Center required by the proposal. After years of public hearings and approvals, Montgomery County  
134 and Lloyd Moore severed an agreement to build the mall in 1995. That same year, Triple Five  
135 proposed the American Dream, an urban entertainment mall with a wave pool, ice skating rink,  
136 indoor roller coaster, IMAX, hotel, restaurants, and retailers. Montgomery County entered a  
137 memorandum of understanding with the developers, but as with the Silver Triangle proposal, the  
138 plan faced community opposition and failed to secure necessary financing.

140 In 1997, Foulger-Pratt and the Peterson Company proposed the successful “Town Center” plan, later  
 141 renamed “Downtown Silver Spring.” The project included a retail core with street-level entrances,  
 142 public plaza, civic building, office building, and parking garage. The redevelopment plan included  
 143 the restoration of the Silver Spring Shopping Center and Theatre.

144  
 145 While there are many immigrant communities in the plan area, the Ethiopian community has had  
 146 particular success in Silver Spring and the downtown is a center for Ethiopian life and culture in the  
 147 region. In the late 1990s, Ethiopians moved from Washington, D.C., to Silver Spring and Alexandria,  
 148 Virginia. Ethiopian food became a defining element of downtown with at least a dozen current  
 149 businesses operating in Fenton Village. Other organizations such as the Ethiopian Community Center  
 150 of Maryland opened an office in Silver Spring to assist immigrants and further foster a sense of  
 151 community. Since 2000, revitalization efforts envisioned by the Silver Spring Central Business  
 152 District Sector Plan have seen the redevelopment of the Downtown Silver Spring retail core, the  
 153 establishment of the Arts and Entertainment District including the reopening of the historic Silver  
 154 Theatre, and the opening of the Discovery corporate headquarters. With this, the former light  
 155 industrial areas west of Georgia Avenue have been redeveloped with multi-family housing and the  
 156 Paul Sarbanes Transit Center has been completed at the Silver Spring Metro station. The 2000 Sector  
 157 Plan also recommended several civic and community facilities that draw people to downtown Silver  
 158 Spring today including the Civic Building and Veteran’s Plaza and the Silver Spring Library. In the  
 159 coming years, both this Plan and the Purple Line light-rail system connecting Silver Spring to  
 160 Bethesda and New Carrollton will create new opportunities for growth and development in the  
 161 downtown.  
 162

163 Page 15: Delete section “1.4. THRIVE MONTGOMERY 2050” as follows:

164  
 165 [1.4. THRIVE MONTGOMERY 2050

166 As one of the county’s most urban areas, Silver Spring is uniquely positioned to embody *Thrive*  
 167 *Montgomery 2050*’s organizing principle of urbanism, which emphasizes “compact forms of  
 168 development, diverse uses and building types, and transportation networks that take advantage and  
 169 complement these two land use strategies at all densities and scales.” While Silver Spring already  
 170 offers compact development with a robust transportation network, which will be further enhanced  
 171 by the completion of the Purple Line, the plan’s recommendations also support *Thrive Montgomery*  
 172 *2050*’s aim for Complete Communities that offer a diverse mix of uses and form along with a strong  
 173 open space network. The plan advances *Thrive Montgomery 2050*’s goal to integrate parks and public  
 174 spaces along with economic development strategies and land use planning in order to “attract  
 175 employers and workers, build social connections, encourage healthy lifestyles, and create vibrant  
 176 places.”]  
 177

178 Page 17: Revise the first bullet under “Resiliency” as follows:

- 179
- 180 ▪ Support sustainable and lasting economic growth and resiliency in and around the commercial  
 181 core through flexible zoning, development incentives, and public realm improvements.
- 182

183 Page 18: Revise the first two bullets under “1.6. SUMMARY OF RECOMMENDATIONS” as follows:

- 184
- 185 ▪ Establish the [Connectivity and Infrastructure] Civic Improvements Fund (CIF) to allow all  
 186 Commercial/Residential properties to obtain additional density if needed to meet maximum  
 187 building heights. The fund would support a world-class arrival experience at the transit center, a



188 new bridge connection across the rail tracks, and strategic [utility] civic and streetscape  
 189 [infrastructure] improvements.

- 190
- 191 ▪ [Create a Silver Spring Building Height Incentive Zone (BHIZ) to allow properties in the  
 192 commercial core of] Increase heights throughout the downtown to [obtain additional height up  
 193 to 150 percent of the mapped maximum height for flexibility] encourage redevelopment.

194

195 Page 22: Revise the first and second paragraph under “Adjacent Communities” as follows:

196

197 These blocks include portions from [four distinct] the established neighborhoods [: Woodside,] of  
 198 Woodside Park, Seven Oaks-Evanswood and East Silver Spring.

199

200 Consistent with [the recommendations of the Attainable Housing Strategies Initiative] the Plan goal  
 201 of housing diversity, the Adjacent Communities can include a greater variety of housing types, fully  
 202 integrated into the existing neighborhood fabric, to allow a wider range of residents to enjoy the  
 203 valued proximity to the downtown and nearby transit options.

204

205 Page 26: Insert the following bullet before the first bullet under “Recommendations”:

- 206
- 207 ▪ Ensure accessibility and mobility for pedestrians (of all abilities) and bicyclists should any bridge  
 208 require reconstruction or substantial repair in the future. Reconstruction and replacement present  
 209 a new opportunity to improve access, comfort, and safety.

210

211 Page 27: Revise the bullet under “Pedestrian bridge at Montgomery College/Jesup Blair Park” as  
 212 follows:

- 213
- 214 ▪ [The] Should the Montgomery College bridge [should be widened or otherwise improved] ever  
 215 be reconstructed, it should be designed and built to allow the use of bicycles for adequate access  
 216 to the Metropolitan Branch Trail and upcoming Fenton Street separated bike lanes.

217

218 Page 29: Insert the following bullet before the first bullet under “Recommendations”:

- 219
- 220 ▪ All new rail connections (over or under) should be designed with best practices for access,  
 221 comfort, safety, and mobility to address the needs of pedestrians who walk and roll, and  
 222 bicyclists.

223

224 Page 29: Revise the first bullet and change the second bullet to a sub-bullet under “Recommendations”  
 225 as follows:

- 226
- 227 ▪ Provide a new pedestrian and bicycle connection across the rail from East-West Highway to the  
 228 western terminus of Silver Spring Avenue in the Ripley District.
    - 229 ○ The Plan proposes this new connection be located between 1215 East-West Highway  
 230 (The Bennington) and 1201 East-West Highway (The Silverton), crossing the rail and  
 231 connecting on the east side of the rail at the intersection of Dixon Street and Silver  
 232 Spring Avenue in the Ripley District. The Plan envisions a landscaped bridge  
 233 connection with adequate shade and views to the north and south. The bridge would  
 234 land at an open space in the Ripley District that connects to Silver Spring Avenue.

235 This connection would provide easy and safe access from South Silver Spring to the  
 236 Metro Center area or Fenton Village. This bridge would also provide a connection to  
 237 the Metropolitan Branch Trail, which provides a bicycle connection to Union Station  
 238 in Washington DC to the south and will connect with the Capital Crescent Trail at the  
 239 Transit Center to the north of this connection.  
 240

241 Page 29: Add a new bullet at the end under “Recommendations”:  
 242

- 243 ▪ At the time of redevelopment, property adjacent to any proposed new connection shall coordinate  
 244 with the Montgomery County Department of Transportation (MCDOT) to define the right-of-  
 245 way or easement requirements to achieve the connection in the event of a publicly built  
 246 connection, such as ensuring unfettered public access and limiting physical, visual, and noise  
 247 encroachment. Should the connection be built outside of the Capital Improvement Program,  
 248 conditions of approval may stipulate hours of access, ease of navigation and convenience, ADA  
 249 accessibility, visibility and “obviousness: of the route”, wayfinding, etc. In the event the applicant  
 250 is not constructing the connection, the applicant must work with MCDOT to define what  
 251 preparations need to be made to the site such that the connection can be constructed in the future.  
 252 This may include but is not limited to defined stubs that can be later expanded into a future tunnel  
 253 or bridge.  
 254

255 Page 32: Revise the first bullet under “Urban Design:” as follows:  
 256

- 257 ▪ New tall buildings along Georgia Avenue and Colesville Road [and Wayne Avenue] should  
 258 [include a tower setback above the second floor to continue the pedestrian experience along the  
 259 sidewalk of a low- to mid-rise building form] have a clearly differentiated base that relates to the  
 260 pedestrian scale, with substantial variation in building massing, façade, and materials. Towers  
 261 should step above the base along streets, open spaces, and through-block connections in a way  
 262 that distinctly differentiates the tower from building base. Refer to the Design Guidelines that  
 263 accompany this Plan.  
 264

265 Page 32: Revise the second bullet under “Urban Design:” as follows:  
 266

- 267 ▪ Establish Ellsworth Drive between Fenton Street and the exit from the Towne Square Garage as  
 268 a [“flexible street”] commercial shared street that can be closed for a farmer’s market and/or  
 269 other festivals and outdoor events as an expansion of Veterans Plaza. Vehicle traffic would be  
 270 limited to loading and emergency vehicles, and street parking could be removed or limited.  
 271

272 Page 33: Revise the fourth bullet under “Opportunity Sites:” as follows:  
 273

- 274 ▪ 8551 [Colesville] Fenton Street: [Opportunity site at the corner of Fenton Street and Colesville  
 275 Road] Refer to Section 3.9.3 in the Historic Resources section for additional information about  
 276 this property.  
 277

278 Page 33: Revise the fifth bullet under “Opportunity Sites” as follows:  
 279

- 280 ▪ Parking Lot at [Ellsworth Plaza] Silver Spring Shopping Center: Refer to Section 3.9.[1]2 in the  
 281 Historic Resources section on appropriate approach for improving this parking lot.  
 282

283 Page 33: Delete the third bullet under “Zoning” as follows:  
 284

- 285     ▪ [Parcels in Building Height Incentive Zone are able to achieve heights above the maximum  
 286 mapped zoning per the proposed recommendations in Section 4.1.]

287  
 288 Page 35: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
 289 Proposed Zoning.”

290  
 291 Page 36: Revise Table 1. Proposed Ellsworth District Zoning as follows:  
 292

Table 1. [Proposed] Ellsworth District Zoning			
Map Number	Existing Zoning	[Proposed]Plan Recommended Zoning	Justification
1A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-[240]300	Increase flexibility for future mixed-use development.
1B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-[240]300	Increase flexibility for future mixed-use development.
1C	CR-3.0 C-2.0 R-2.75 H-145 T	CR-3.0 C-3.0 R-3.0 H-[175]260	Increase flexibility for future mixed-use development.
1D	CR-3.0 C-2.0 R-2.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-[145]260	Proposed zoning brings parcel into conformance.
2A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
2B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.5 C-6.5 R-6.5 H-[175]260	Proposed zoning brings parcel into conformance.
2C	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
3A	EOF 3.0 H-100	CR-3.0 C-3.0 R-3.0 H-[100]150	Update to CR zone from pre-2014 EOF zone and increased height for flexibility.
3B	EOF 3.0 H-100	CR-3.0 C-3.0 R-3.0 H-100	Update to CR zone from pre-2014 EOF zone.
4A	CR-5.0 C-4.0 R-4.75 H-75 T	CR-5.0 C-5.0 R-5.0 H-[110]165	Increase flexibility for future mixed-use development.
4B	CR-3.0 C-2.0 R-2.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
4C	CR-5.0 C-4.0 R-4.75 H-75 T	CR-5.0 C-5.0 R-5.0 H-[90]135	Increase flexibility for future mixed-use development.
5	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Proposed zoning brings parcel into conformance.
6A	CR-1.5 C-1.0 R-1.5 H-90 T	CR-1.5 C-1.5 R-1.5 H-110	Increase flexibility for future redevelopment.
6B	CR-3.0 C-2.0 R-2.75 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.
6C	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.

293  
 294 Page 37: Revise the fourth bullet under “Goals” as follows:  
 295

- 296     • Enhance Fenton Street as the main street for the district by preserving and improving  
 297 opportunities for active retail, and arts and entertainment venues.

298  
 299 Page 39: Revise the two bullets under “Parks and Public Spaces” as follows  
 300

- 301 ○ Expand the existing Fenton Street Urban Park into a cohesive neighborhood gateway park  
 302 that is directly connected to the Green Loop, should property in this area become available.  
 303 Additional facilities should encourage active recreation and social gathering.
- 304 ○ Provide a [ $\frac{1}{2}$ -acre] consolidated green [public space] community-focused space of  
 305 approximately  $\frac{1}{2}$ -acre but no less than  $\frac{1}{3}$  acre along Fenton Street [with] as part of any future  
 306 redevelopment of Public Parking Garage 4 and adjacent sites.

307  
 308 Page 39: Revise the first bullet under “Opportunity Sites” as follows:  
 309

- 310 ○ Public Garage 4: Encourage the redevelopment of Parking Garage 4 and surrounding  
 311 properties through a public-private partnership with the Parking Lot District. If the  
 312 redevelopment of this site includes the removal of the existing parking structure, [The] the  
 313 Plan recommends that this large block be divided via a new north-south connection [that  
 314 aligns with the north-south connection at the block to the north] that accommodates both  
 315 pedestrians and vehicles. This connection could provide loading and service connections for  
 316 the new development. In addition, the Plan recommends an east-west through-block  
 317 pedestrian connection [as part of any redevelopment of the garage parcel] along with  
 318 redevelopment. A consolidated [ $\frac{1}{2}$ -acre] green community-focused open space of  
 319 approximately  $\frac{1}{2}$  acre but no less than  $\frac{1}{3}$  acre should be located at this site, fronting on  
 320 Fenton Street. This open space could be an opportunity to celebrate local artists and the  
 321 diversity of Fenton Village. This site is also large enough that it may provide a unique  
 322 opportunity to consider urban agriculture facilities, either at the ground or as part of a green  
 323 roof concept.

324  
 325 Page 41: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
 326 Proposed Zoning.”  
 327

328 Page 42: Revise Table 2. Proposed Fenton Village Zoning as follows:  
 329

Table 2. [Proposed] Fenton Village Zoning			
Map Number	Existing Zoning	[Proposed] Plan Recommended Zoning	Justification
7	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175] <u>260</u>	Increase flexibility for future mixed-use development.
8A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-7.0 C-7.0 R-7.0 H-175	Proposed zoning brings parcel into conformance.
8B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
8C	CR-5.0 C-4.0 R-4.75 H-145 T	CR-7.0 C-7.0 R-7.0 H-175	Proposed zoning brings parcel into conformance.
8D	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H 130	Increase flexibility for future mixed-use development.
8E	CR-3.0 C-2.0 R-2.75 H-[110] <u>75</u> T	CR-3.0 C-3.0 R-3.0 H-[130] <u>90</u>	Increase flexibility for future mixed-use development.

9A	CR-3.0 C-2.0 R-2.75 H-75 T	CR-3.0 C-3.0 R-3.0 H-90	Increase flexibility for future mixed-use development.
9B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
9C	<u>CR-3.0 C-2.0 R-2.75 H-60 T</u>	<u>CR-3.0 C-3.0 R-3.0 H-90</u>	<u>Consolidate split zoned properties under one zone.</u>
9D	<u>R-60</u>	<u>CR-3.0 C-3.0 R-3.0 H-70</u>	<u>Rezone to CR for future mixed-use development.</u>
10A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
10B	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
11A	CR-1.5 C-1.0 R-1.5 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase allowable density proximate to high-capacity transit.
11B	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
12A	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
12B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase zoning flexibility. Silver Spring Tower remains non-conforming.
13A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
13B	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
14	CR-3.0 C-2.0 R-2.75 H-110 T	CR-[3.0]5.0 C-[3.0]5.0 R-[3.0]5.0 H-130	Increase flexibility for future mixed-use development.
15A	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
15B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.
16A	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
16B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.
17	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
18	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
19A	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
19B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.
20A	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
20B	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.
21	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
22	CR-3.0 C-2.0 R-2.75 H-60 T	CR-3.0 C-3.0 R-3.0 H-70	Increase flexibility for future mixed-use development.
23	CR-3.0 C-2.0 R-2.75 H-110 T	CR-3.0 C-3.0 R-3.0 H-130	Increase flexibility for future mixed-use development.
24	IL-1.0 H-50	IL-1.0 H-50	Confirm existing zoning.

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Page 44: Insert a new recommendation as the first bullet under “Urban design” as follows:

- New tall buildings along Colesville Road should have a clearly differentiated base that relates to the pedestrian scale, with substantial variation in the building massing, facade and materials. Towers should step back above the base along streets, open spaces and through-block connections in a way that distinctly differentiates the tower from the building base. Refer to the Design Guidelines that accompany this Plan.

Page 44: Revise the bullet under “Parks and Public Spaces” as follows:

- Expand and reinforce the open space connection between the arrival experience at the transit center, the recently redeveloped spaces along Wayne Avenue – including Gene Lynch Park – to Ellsworth Drive, and beyond to the Civic Building.

Page 44/45: Revise the first and second bullets under “Opportunity Sites” as follows:

- Transit Center Development Site: Design a signature building or buildings at the intersection of Colesville Road and Wayne Avenue and consider integrating the development with the Transit Center. The new development should activate the corner at Colesville Road and Wayne Avenue with a ground-floor use appropriate to the center of an urban area. This building should be architecturally significant and a landmark for Silver Spring. As this site is constrained, consider providing no parking or developing this site along with part of the Bonifant/Dixon garage site. The Plan recommends that the maximum allowed building height on this site be [permitted to exceed 300 feet,] 360 feet, with Planning Board approval. [consistent with the provisions of the Building Height Incentive Zone (BHIZ).]
- County Parking Garages 5/55 (Bonifant/Dixon Garage): In alignment with the Parking Lot District’s goals for this site, redevelop this garage that is located in both the Metro Center district and the Ripley District. The Plan recommends that the upper-level connections over Bonifant Street and Dixon Avenue be removed, which will create two large redevelopment sites and a small site that may be appropriate for an open space (see Ripley District recommendations). The redevelopment of the parcel located in the Metro Center district (north side of Bonifant Street) could maintain a large parking garage that could provide both public and private parking or could provide additional support for bus operations at the Transit Center as needed. This site is a prominent, visible site from Colesville Road and the Transit Center and would be appropriate for a low base of several stories with an articulated tower set back above the base. The ground floor experience on this site should respond appropriately to the Purple Line tracks that will occupy all of Bonifant Street in this location. The Plan recommends that the maximum allowed building height on this site be [permitted to exceed 300 feet,] 360 feet, with Planning Board approval. [consistent with the provisions of the Building Height Incentive Zone (BHIZ).]

Page 45: Revise the fourth bullet under “Opportunity Sites” as follows:

- Colesville Road and East-West Highway Northwest corner: This site is located immediately adjacent to the northern Metro Station entrance but is significantly constrained by the WMATA substation central to the site. The Plan recommends continuing to pursue relocation of the substation to promote a signature development at this location. If the substation is not able to be

377 relocated, it may be incorporated into the redevelopment of the site. The Plan recommends  
 378 incorporating or connecting this site to the arrival experience at the transit station.  
 379

380 Page 45: Delete the second bullet under “Zoning” as follows:

- 381 ▪ [Parcels in Building Height Incentive Zone are able to achieve heights above the maximum  
 382 mapped zoning per the proposed recommendations in Section 4.1.]  
 383

384 Page 47: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
 385 Proposed Zoning.”  
 386

387 Page 48: Revise Table 3. Proposed Metro Center Zoning as follows:  
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Table 3. [Proposed] Metro Center Zoning			
Map Number	Existing Zoning	[Proposed] Plan Recommended Zoning	Justification
25	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.
26	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.
27A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H- [175]260	Increase flexibility for future mixed-use development.
27B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.
28	CR-5.0 C-4.0 R-4.75 H-145 T	CR-[5.0]8.0 C-[5.0]8.0 R- [5.0]8.0 H-[200]300	Increase flexibility for future mixed-use development.
29	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
30	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
31A	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.
31B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H- [175]260	Increase flexibility for future mixed-use development.
32	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.
33	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]360	Increase flexibility for future mixed-use development, <u>particularly around the Transit Center.</u>
34	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
35	CR-5.0 C-4.0 R-4.75 H-145 T	CR-8.0 C-8.0 R-8.0 H- [240]360	Increase flexibility for future mixed-use development, <u>particularly around the Transit Center.</u> [Increase allowable height due to significant site constraints.]
36	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H- [240]300	Increase flexibility for future mixed-use development.

390 Page 50: Revise the first bullet under “Urban Design” as follows:  
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- 393       ▪ [At redevelopment sites along Georgia Avenue, design buildings with a low-rise two-story base  
394 that relates to the scale of the commercial development across the street. Setback upper floors by  
395 a minimum of 15 feet so that there is a clear articulation between base and tower.] New tall  
396 buildings along Georgia Avenue should have a clearly differentiated base that relates to the  
397 pedestrian scale, with substantial variation in the building massing, facade and materials. Towers  
398 should step back above the base along streets, open spaces and through-block connections in a  
399 way that distinctly differentiates the tower from the building base. Refer to the Design Guidelines  
400 that accompany this Plan.  
401

402 Page 50/51: Revise the first and second bullets under “Parks and Public Spaces” as follows:  
403

- 404       ▪ Create a Civic Green at the center of the Ripley District per the recommendations of the 2010  
405 Green Space Plan Guidelines for Silver Spring and the 2018 Energized Public Spaces Functional  
406 Master Plan, that will be an important focal point and social gathering space for this  
407 neighborhood. It will connect to the proposed pedestrian bridge over the Metrorail/CSX tracks  
408 between the South Silver Spring District and the Ripley District.  
409
- 410       ▪ Create an urban recreational park at the parcel currently occupied by the stair tower of Parking  
411 Garage 5/55 on the south side of Bonifant Street to the east of Dixon Avenue, adjacent to an  
412 existing alley. This park can have small scale active recreation activities to serve the residents of  
413 the Ripley District.  
414

415 Page 51: Revise the first and second bullets under “Opportunity Sites” as follows:  
416

- 417       ▪ Parking Garages 5/55 (Bonifant/Dixon Garage): In alignment with the Parking Lot District’s  
418 goals for this site, redevelop this garage that is located in both the Metro Center district and the  
419 Ripley District (refer to Metro Center District recommendations above). Provide a linear green  
420 space with a continuous pedestrian connection from the Purple Line station at the Transit Center  
421 to Georgia Avenue and the center of the downtown. This green space will also serve as a buffer  
422 from the rail tracks that will occupy all of Bonifant Street between the station and Dixon Avenue.  
423 Currently the garage bridges both over Bonifant Street and an alley to the east of Bonifant Street.  
424 The Plan recommends that the redevelopment of this garage eliminate these bridges. The  
425 development site in the Ripley District should respond to both the need for a safe, green, inviting  
426 pedestrian connection along Bonifant Street to Georgia Avenue for commuters and visitors, and  
427 the opportunity for a tall, architecturally distinctive tower in such a prominent location proximate  
428 to the transit center. The Plan recommends that the maximum allowed building height on this  
429 site be [permitted to exceed 300] 360 feet, with Planning Board approval. [consistent with the  
430 provisions of the Building Height Incentive Zone (BHIZ).]  
431
- 432       ▪ Block of Ripley Street, Dixon Avenue, and Georgia Avenue: This block consists of several [is a  
433 large] potential development [site] sites along Georgia Avenue. [The] If there is an opportunity  
434 for these parcels to redevelop together, the Plan recommends redevelopment of this site to include  
435 a central open space, potentially connected across Ripley Street to the 8230 Georgia Avenue site.  
436

437 Page 51: Revise the fourth bullet under “Opportunity Sites” as follows:  
438

- 439       ▪ 8230 Georgia Avenue (Sherwin-Williams site): This site is significantly constrained by the  
440 Master-Planned right-of-way for Ripley Street between Dixon Avenue and Georgia Avenue, the



441 dedication of which would significantly reduce the developable area. Streetscape improvements  
 442 and other public use facilities should not further significantly reduce the developable area.  
 443 [Previous efforts to incorporate this site into adjacent developments were unsuccessful. Staff  
 444 recommends coordinating redevelopment of this site with the property across Ripley Street.]  
 445

446 Page 52: Delete the second and third bullets under “Zoning” as follows:  
 447

- 448 ▪ [Parcels in Building Height Incentive Zone are able to achieve heights above the maximum  
 449 mapped zoning per the proposed recommendations in Section 4.1.]
- 450
- 451 ▪ [Revise zoning for Site 39B to reflect height previously approved by the Planning Board through  
 452 the Ripley-South Silver Spring (RSS) Overlay zone. This Plan recommends deletion of the RSS  
 453 overlay zone.]  
 454

455 Page 53: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
 456 Proposed Zoning.”  
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458 Page 54: Revise Table 4. Proposed Ripley District Zoning as follows:  
 459

Table 4. [Proposed] Ripley District Zoning			
Map Number	Existing Zoning	[Proposed] Plan Recommended Zoning	Justification
37A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]360	Increase flexibility for future mixed-use development, <u>particularly near the Transit Center.</u>
37B	<u>CR-5.0 C-4.0 R-5.0 H-200 T</u>	<u>CR-5.0 C-5.0 R-5.0 H-300</u>	<u>Increase flexibility for future mixed-use development.</u>
37C	<u>CR-5.0 C-4.0 R-5.0 H-200 T</u>	<u>CR-5.0 C-5.0 R-5.0 H-300</u>	<u>Increase flexibility for future mixed-use development.</u>
38A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
38B	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
39A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
39B	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [270]300	Increase flexibility[; bring height into conformance] <u>for future mixed-use development.</u>
39C	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H- [240]300	Increase flexibility for future mixed-use development.
39D	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.

460 Page 55: Revise the third bullet under “Goals” as follows:  
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- 463 ▪ [Preserve existing market-rate affordable housing.] Strive for no net loss of affordable housing  
 464 in the event of redevelopment of naturally occurring affordable housing.

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Page 55: Revise the first bullet under “Urban Design” as follows:

- [At redevelopment sites along Georgia Avenue, design buildings with a low-rise two-story base that relates to the scale of the existing retail development along Georgia Avenue south of East West Highway. Setback upper floors by a minimum of 15 feet so that there is a clear articulation between base and tower.] New tall buildings along Georgia Avenue should have a clearly differentiated base that relates to the pedestrian scale, with substantial variation in the building massing, facade and materials. Towers should step back above the base along streets, open spaces and through-block connections in a way that distinctly differentiates the tower from the building base. Refer to the Design Guidelines that accompany this Plan.

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Page 56: Revise the two bullets under “Parks and Public Spaces” as follows:

- Provide a new urban recreational park in South Silver Spring per the recommendations of the 2010 Green Space Plan Guidelines for Silver Spring and 2018 *Energized Public Spaces Functional Master Plan*. The Plan recommends this park be located between Kennett Street and East-West Highway and will serve as both a park and a through-block connection between those streets. The vision for this park is an active recreation space that can serve as a complement to the historic, contemplative setting of Acorn Park [just] up the street that will also be renovated. This park will also provide a green space [that can] to support the retail and food services establishments along East-West Highway.
- Renovate Jesup Blair Park to create a unique open place that includes social, active, and contemplative experiences throughout its 14 acres. The new Jesup Blair Park will be a gateway and a regional destination that promotes an active lifestyle and offers the unique historical and cultural setting of a special park designated on the Master Plan for Historic Preservation. Renovate the historic Jesup Blair House for appropriate community uses that complement the park programming. [Increasing transit connections to this park should be studied further. For a full vision of the program of this proposed renovation, see] Refer to Parks and Public Spaces Recommendations in Section 4.2.

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Page 56: Insert the following bullets after the second bullet under “Parks and Public Spaces” as follows:

- Support the existing community garden use at 7980 Georgia Avenue until the parcel is redeveloped.
- Support the approved project plan for a mixed-use infill redevelopment, found in the Blairs Master Plan, that includes several new public open spaces in the northern part of South Silver Spring west of East-West Highway. This includes a large civic space and smaller complementary spaces with active recreation opportunities.

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Page 57: Revise the first and second bullets under “Opportunity Sites” as follows:

- 7980 Georgia Avenue: The Plan recommends [considering the] redevelopment of this site as a mixed-use development [on the portion of the parcel that fronts on] along Georgia Avenue., while] Consider [preserving the existing] incorporating a community garden [at the western end of the parcel] use as part of the open space on this parcel. Improve connections in this area of

513 South Silver Spring by creating a through-block connection. [at this site from King Street to  
514 Georgia Avenue that aligns with the mid-block connection adjacent to the Galaxy Apartments.  
515 The Plan recommends retaining the community garden as part of any redevelopment.]  
516

- 517 ■ 8040 13th Street/Days Inn: This is a key opportunity site in South Silver Spring and a strong site  
518 for mixed-use development with active ground floor uses along 13<sup>th</sup> street, including retail. This  
519 site should include a public open space and a pedestrian [through-block] connection [providing  
520 pedestrian access through the site and connecting] through the site to the proposed [Urban  
521 Recreational] South Silver Spring Park along Kennett Street. Heights should step down towards  
522 Eastern Avenue as identified [in the existing zoning] in the Design Guidelines. This Plan [further]  
523 recommends coordination with the Parking Lot District regarding the potential use of the existing  
524 surface lot and parking garage as a parking resource for any redevelopment.  
525

526 Page 57: Add a seventh bullet after the last bullet under “Opportunity Sites” as follows:  
527

- 528 ■ Blairs Master Plan sites: Support the approved project plan for a mixed-use infill redevelopment  
529 that includes multiple parcels in South Silver Spring west of East-West Highway, including the  
530 redevelopment of the existing Blair Park Shopping Center.  
531

532 Page 57: Add a section titled “Garden Apartments”, before “Zoning”, as follows:  
533

- 534 • Garden Apartments

- 535 ○ South Silver Spring is home to several garden style apartment complexes built  
536 predominantly in the 1930s and 1940s that provide a significant source of naturally  
537 occurring affordable housing for the Silver Spring community. Like many aging  
538 multi-family properties discussed in previous master plans, these garden facilities  
539 may require significant renovation, rehabilitation, or redevelopment in the coming  
540 decades. In the event of redevelopment, these properties should strive for no net loss  
541 of affordable housing. No net loss is where naturally occurring affordable housing  
542 units are replaced with an equivalent number of new income-restricted affordable  
543 housing units through redevelopment.
- 544 ○ 7719-7725 Eastern Avenue (Blair Park Apartments): This Plan recommends rezoning  
545 to allow flexibility and redevelopment that would support future affordable housing  
546 development.
- 547 ○ 7701-7705 Eastern Avenue; 805-809 Juniper Street; 7700-7705 Blair Road (Blair  
548 Park Gardens): Support a future application for a CRT Floating Zone with residential  
549 density of up to 4.0 FAR, that strives for no net loss of affordable housing.
- 550 ○ 7603-7615 Eastern Avenue (Eastern Avenue Apartments): Support a future  
551 application for a CRT Floating Zone with residential density of up to 4.0 FAR, that  
552 strives for no net loss of affordable housing.
- 553 ○ 8000-8012 Eastern Drive; 8001-8009 Eastern Drive; 8033- 8039 Eastern Avenue;  
554 8000-8004 Blair Mill Road; 1300-1302 Blair Mill Road (Rock Creek Springs):  
555 Support a future application for a CRT Floating Zone with residential density of up  
556 to 4.0 FAR, that strives for no net loss of affordable housing.
- 557 ○ 8001-8031 Eastern Avenue (Spring Garden Apartments): Support a future application  
558 for a CRT Floating Zone with residential density of up to 4.0 FAR, that strives for no  
559 net loss of affordable housing.  
560

561 Page 57: Delete the third bullet under “Zoning” as follows:  
 562

- 563     ▪ [Parcels in Building Height Incentive Zone are able to achieve heights above the maximum  
 564 mapped zoning per the proposed recommendations in Section 4.1.]  
 565

566 Page 59: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
 567 Proposed Zoning.”  
 568

569 Page 60: Revise Table 5. Proposed South Silver Spring Zoning as follows:  
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Table 5. [Proposed] South Silver Spring Zoning			
Map Number	Existing Zoning	[Proposed] <u>Plan Recommended Zoning</u>	Justification
40	CR-5.0 C-0.5 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
41A	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-[200]300	Increase flexibility for future mixed-use development.
41B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
41C	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
42A	R-10	R-10	Confirm current zoning for existing affordable housing.
42B	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
42C	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
43A	CR-3.0 C-2.0 R-2.75 H-125 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
43B	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
44	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
45	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
46	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
47A	CR-3.0 C-2.0 R-2.75 H-125 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development; one property remains non-compliant.
47B	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
48A	CR-3.0 C-2.0 R-2.75 H-[90]125 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
48B	CR-3.0 C-2.0 R-2.75 H-125 T	CR-3.0 C-3.0 R-3.0 H-125	Increase flexibility for future mixed-use development.
48C	<u>CR-3.0 C-2.0 R-2.75 H-90 T</u>	<u>CR-3.0 C-3.0 R-3.0 H-125</u>	<u>Increase flexibility for future mixed-use development.</u>
48D	<u>CR-3.0 C-2.0 R-2.75 H-125 T</u>	<u>CR-3.0 C-3.0 R-3.0 H-125</u>	<u>Increase flexibility for future mixed-use development.</u>
49A	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.

49B	IM-2.5 H-50	CR-3.0 C-3.0 R-3.0 H 110	Rezone to CR from IM to allow future mixed-use development.
50	R-60	R-60	Confirm existing zoning; existing park.
51A	CRT-2.25 C-1.5 R-0.75 H-75	CRT-2.25 C-2.25 R-2.25 H-75	Increase flexibility for future mixed-use development.
51B	R-10	CRT-3.0 C-0 R-3.0 H 75	Rezoned to CR to provide flexibility for future development.
51C	CRT-2.25 C-1.5 R-0.75 H-75	CRT-2.25 C-2.25 R-2.25 H-75	Increase flexibility for future mixed-use development.
51D	R-10	R-10	Confirm current zoning for existing affordable housing.
52	R-10	R-10	Confirm current zoning for existing affordable housing.
53	R-10	R-10	Confirm current zoning for existing affordable housing.
54A	IL-1.0 H-50	IL-1.0 H-50	Confirm existing zoning.
54B	IM-2.5 H-50	CR 2.5 C-2.5 R-2.5 H-55	Rezone to CR to provide flexibility for future development.
55A	IL-1.0 H-50	CR-2.5 C-2.5 R-2.5 H 55	Rezone to CR to provide flexibility for future development.
55B	IM-2.5 H-50	CR-2.5 C-2.5 R-2.5 H 55	Rezone to CR to provide flexibility for future development.
55C	R-60	R-60	Confirm existing zoning.

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Page 62: Insert a new recommendation as the first bullet under ‘Urban Design’ as follows:

- New tall buildings along Georgia Avenue should have a clearly differentiated base that relates to the pedestrian scale, with substantial variation in the building massing, façade, and materials. Towers should step back above the base along streets, open spaces and through-block connections in a way that distinctly differentiates the tower from the building base. Refer to the Design Guidelines that accompany this Plan.

Page 63: Delete the third bullet under “Zoning” as follows:

- [Parcels in Building Height Incentive Zone are able to achieve heights above the maximum mapped zoning per the proposed recommendations in Section 4.1.]

Page 65: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16 Proposed Zoning.”

Page 66: Revise Table 6. Proposed Downtown North Zoning as follows:

Table 6. [Proposed] Downtown North Zoning			
Map Number	Existing Zoning	[Proposed] Plan Recommended Zoning	Justification
56	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
57A	CR-3.0 C-1.25 R-3.0 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.

57B	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
57C	CR-3.0 C-2.0 R-2.75 H-90 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
58A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
58B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.75 C-6.75 R-6.75 H-175	Adjust zoning to bring parcel into conformance.
59	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
60	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
61	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
62	CR-5.0 C-1.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-[240]300	Increase flexibility for future mixed-use development.
63A	CR-5.0 C-1.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-[240]300	Increase flexibility for future mixed-use development.
63B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
64	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-[240]300	Increase flexibility for future mixed-use development.
65A	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
65B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development; resolve split zoning.
65C	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-[175]260	Adjust zoning to bring parcel into conformance.
65D	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
65E	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-[110]165	Increase flexibility for future mixed-use development.
66A	EOF-3.0 H-100	CR-3.0 C-3.0 R-3.0 H-100	Update to CR zone from pre-2014 EOF zone.
66B	R-60	CR-3.0 C-3.0 R-3.0 H-100	Consolidate split zone properties under one zone.
66C	EOF-3.0 H-100	CR-3.0 C-3.0 R-3.0 H-100	Update to CR zone from pre-2014 EOF zone.
67	CR-3.0 C-0.75 R-3.0 H-145 T	CR-3.0 C-3.0 R-3.0 H-[175]260	Increase flexibility for future mixed-use development.
68A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-[175]260	Increase flexibility for future mixed-use development.
68B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-[175]260	Adjust zoning to bring parcel into conformance.
68C	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-[240]300	Increase flexibility for future mixed-use development.

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Page 67: Revise the first bullet point under “Goals” as follows:

- Preserve the historically significant Falklands South parcel just south of East-West Highway as a sylvan retreat of [market-rate] naturally occurring affordable housing in the middle of a dense urban environment.

Page 67: Delete the second and third bullets under “Urban Design” as follows:

- [Connect the renovated stream valley in the southeast quadrant to a consolidated public use space on the north parcel that is green and clearly public in nature.]
- [Implement the recommendation from the 2010 Greenspace Guidelines for a renovated stream valley in the southern portion of the Falklands parcel between East-West Highway and Colesville Road.]

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605 Page 67: Add a “Parks and Public Spaces” section after the “Urban Design” section under  
606 “Recommendations” as follows:

607

608

- Parks and Public Spaces

609

- Implement the recommendation from the 2010 Greenspace Guidelines for a renovated stream valley in the southern portion of the Falklands parcel between East-West Highway and Colesville Road.

611

612

- Connect the renovated stream valley in the southeast quadrant to a consolidated public use space on the north parcel that is green and clearly public in nature.

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615 Page 67: Add an “Opportunity Sites” section after the new “Parks and Public Spaces” section under  
616 “Recommendations” as follows:

617

618

- Opportunity Sites

619

- Northern Parcel of Falklands Apartments: This parcel is bounded by 16th Street to the west, East-West Highway to the south and the Metrorail/CSX tracks to the east. This property has an approved site plan for a mixed-use project and the Plan supports the redevelopment of this parcel.

620

621

622

623

624 Page 69: Delete “Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16  
625 Proposed Zoning.”

626

627

Page 70: Revise the text under “Vision” as follows:

628

629

Consistent with [the recommendations of the Attainable Housing Strategies Initiative,] the Plan goal of housing diversity, the Adjacent Communities can include a greater variety of housing types, fully integrated into the existing neighborhood fabric, to allow a wider range of residents to enjoy the valued proximity to the downtown and nearby transit options.

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634

Page 70: Revise the second and third bullets under “Goals” as follows:

635

636

- Encourage a greater diversity of housing types [as recommended by the proposed Attainable Housing Strategies Initiative].

637

638

639

- Preserve existing [market-rate] naturally occurring affordable housing in this District.

640

641

Page 70: Delete the first bullet under “Urban Design” as follows:

642

643

- [Refer to Attainable Housing Strategies Initiative on building form and relationship to street for new permitted housing types.]

644

645

646

Page 70: Delete the first sub-bullet to the fourth bullet under “Urban Design” as follows:

647

648

Implement as many Green Loop elements as possible along the following streets that will be Green Loop Connectors into the downtown:

649

650

- [2nd Avenue]
- Ellsworth Drive

651

- 652                   ▪ Bonifant Street

653  
654 Page 71: Revise the first bullet under “Zoning” as follows:  
655

- 656                   ▪ Confirm all existing zoning with the exception of the mapped areas shown and described in the
- 657                   table below.

658  
659 Page 71: Delete the second bullet under “Zoning” as follows:  
660

- 661                   ▪ [Convert parcels zoned EOF to CR as shown in the map and the table.]

662  
663 Page 71: Add a zoning recommendation as the last bullet under “Zoning” as follows:  
664

- 665                   ○ 8808 Colesville Road: This property is currently zoned R-60 but is being used as a
- 666                   commercial property. The Plan recommends this property as a candidate for a CRN floating
- 667                   zone of CRNF-0.75 C-0.75 R-0.75, H-40.

668  
669 Page 74: Revise Table 8. Proposed Adjacent Communities Zoning as follows:  
670

Table 8. [Proposed] Adjacent Communities Zoning			
Map Number	Existing Zoning	Plan Recommended Zoning	Justification
[71]	[R-60]	[R-60]	[Confirm existing zoning.]
[72]	[R-60]	[R-60]	[Confirm existing zoning.]
73	R-60	R-60	Confirm existing zoning.
[74]	[R-60]	[R-60]	[Confirm existing zoning.]
75A	R-60	R-60	Confirm existing zoning.
75B	RT-12.5	THD	Update to THD from pre-2014 zone.
76A	R-60	R-60	Confirm existing zoning.
76B	RT-12.5	THD	Update to THD from pre-2014 zone.
[77]	[R-60]	[R-60]	[Confirm existing zoning.]
78	R-60	R-60	Confirm existing zoning.
79	R-60	CRT-1.5 C-0 R-1.5 H-65	Rezone to allow increased flexibility for multifamily development.
[80]	[R-60]	[R-60]	[Confirm existing zoning.]
[81]	[R-60]	[R-60]	[Confirm existing zoning.]
[82]	[R-60]	[R-60]	[Confirm existing zoning.]
[83]	[R-60]	[R-60]	[Confirm existing zoning.]
[84]	[R-60]	[R-60]	[Confirm existing zoning.]
[85]	[R-60]	[R-60]	[Confirm existing zoning.]
[86]	[R-60]	[R-60]	[Confirm existing zoning.]
[87]	[R-60]	[R-60]	[Confirm existing zoning.]
88A	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
88B	R-60	CR-3.0 C-3.0 R-3.0 H-70	Rezone to CR for flexibility for future mixed-use development.



[89]	[R-60]	[R-60]	[Confirm existing zoning.]
90A	R-30	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
90B	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
90C	CRN-0.5 C-0.5 R-0.25 H-35	CRN-0.75 C-0.5 R-0.75 H-40	Rezone to match adjacent overall FAR while maintaining commercial density that allows the existing use.
[91]	[R-60]	[R-60]	[Confirm existing zoning.]
92A	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
92B	R-20	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
[93]	[R-60]	[R-60]	[Confirm existing zoning.]
94A	R-20	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
94B	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
95	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
96	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
97	CRNF-1.25 C-0.25 R-1.0 H-65	CRN-1.25 C-0.25 R-1.0 H-65	Confirm existing zoning.
98	R-60	CRN-0.75 C-0 R-0.75 H-40	Rezone to CRN to allow increased residential density.
99	R-60	R-60	Confirm existing zoning.

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Page 77: Revise the seventh bullet under “Goals” as follows:

- Promote the development of diverse housing types in the Adjacent Communities district as recommended by this Plan [(and the ongoing Attainable Housing Strategies Initiative)].

Page 77: Delete the last bullet under “Goals” as follows:

- [Support upgrades to the current utilities and infrastructure that support the Plan, including water and sewer.]

Page 78: Revise the first bullet under “Recommendations” as follows:

- [Connectivity and Infrastructure] Civic Improvement Fund
  - Any CR property in the Plan Area may obtain additional density necessary to reach the mapped maximum building height[, or additional height approved for a property in the BHIZ,] by making a contribution to the [Connectivity and Infrastructure] Civic Improvement Fund (CIF). CIF contributions will be made only for density above the total mapped maximum density for the site not achieved through [, density approved per] density-averaging[, and/] or [bonus density] for providing MPDUs above the required minimum, up to the approved maximum height. Refer to Section 4.1 Implementation.

Page 78: Delete and replace the second bullet under “Recommendations” as follows:

- 695 • [Building Height Incentive Zone
- 696 ○ Establish a Silver Spring Downtown Building Height Incentive Zone (BHIZ), as shown in
- 697 Map 32, to allow CR-zoned properties pursuing Optional Method Development to increase
- 698 building heights by up to 150 percent of the mapped height to a maximum of 300 feet.
- 699 Approved height will be subject to the Design Review process through the Design Advisory
- 700 Panel. Refer to Section 4.1 Implementation for further detail.
- 701 ○ The Planning Board may approve certain properties identified in the Metro Center District
- 702 and the Ripley District to realize an increased building height up to 360 feet, consistent with
- 703 the recommendations of the Sector Plan and Design Guidelines, subject to the Design Review
- 704 process through the Design Advisory Panel.]
- 705 • Increase heights on CR properties in the downtown to encourage redevelopment. The blocks
- 706 surrounding the Transit Center should permit heights up to 360 feet, with Planning Board
- 707 approval. Refer to the Design Guidelines that accompany this Plan.

708  
709 Page 84: Revise the fifth paragraph under “Economic Growth” as follows:

710  
711 This Sector Plan envisions a future in which downtown Silver Spring is among the region’s  
712 premier office markets, has continued to grow its profile as a unique retail destination, and has a  
713 diverse base of high-quality jobs in numerous industries, making it resilient to evolving economic  
714 conditions and an attractive place to work and do business. The Sector Plan recommendations to  
715 improve and enhance the public realm, including the creation of the Green Loop, along with  
716 increased heights and flexible zoning are designed to achieve this vision.  
717

718 Page 85: Revise the first bullet under “Recommendations” as follows:

719  
720 Encourage the conversion of [obsolete] vacant office space to other uses (short-term or long-

721 term), including residential (condominiums or rentals), hotels/hospitality centers, healthcare

722 facilities, laboratory/research facilities, education facilities, and non-profit service centers.

723

724 Page 85: Insert the following between the second and third bullets under “Recommendations”:

- 725
- 726 ■ Encourage ground-floor spaces in new development that are divided into smaller bays
- 727 appropriately sized for small businesses where feasible and when consistent with other Plan
- 728 recommendations.
- 729

730 Page 86: Delete the second and third paragraphs and insert a new paragraph under “3.3 HOUSING” as

731 follows:

732

733 [This Plan represents the first opportunity to implement the vision for housing laid out in Thrive

734 Montgomery 2050, the 2021 update to the county’s General Plan that lays out a long-range policy

735 framework that will guide future land use and growth. Thrive Montgomery 2050’s housing

736 recommendations, found in the “Housing for All” chapter, have wide ranging policies to help

737 make housing more attainable, including increasing housing production and preserving existing

738 affordable and attainable housing. The vision laid out in Thrive Montgomery 2050 is consistent

739 with the Housing Element of 2011 and builds upon a foundation of progressive housing policy

740 laid out in several previous master plans, including the Bethesda Downtown Plan, the Veirs Mill

741 Corridor Master Plan, and the Forest Glen Montgomery Hills Sector Plan.

742

743 In implementing the recommendations of Thrive Montgomery 2050 in the Silver Spring  
 744 Downtown and Adjacent Communities Plan, this Plan becomes the first Sector Plan to  
 745 acknowledge and begin to address the deep disparities in wealth and homeownership that were  
 746 shaped by a legacy of discriminatory lending practices, restrictive covenants, and single-family  
 747 zoning and its secondary impacts on neighborhoods that is still being felt today.]  
 748

749 The vision for housing laid out in the Silver Spring Downtown and Adjacent Communities Plan  
 750 is consistent with the Housing Element of 2011 and builds upon a foundation of progressive  
 751 housing policy laid out in several previous master plans, including the Bethesda Downtown Plan,  
 752 the Veirs Mill Corridor Master Plan, and the Forest Glen/Montgomery Hills Sector Plan that  
 753 strive to increase housing production, promote housing diversity, and preserve existing naturally  
 754 occurring affordable housing. This Plan acknowledges the deep disparities in wealth and  
 755 homeownership that were shaped by a legacy of discriminatory lending practices, restrictive  
 756 covenants, and single-family zoning. The impacts of these policies are still being felt today and  
 757 the Plan strives to address some of these inequities in the recommendations below.  
 758

759 Page 87: Delete the first paragraph and revise the second, third, and fourth paragraphs as follows:  
 760

761 [This Plan supports strategic alignment with the recommendations in the Attainable Housing  
 762 Strategies to begin to address decades of inequities to create more equitable, mixed-income  
 763 neighborhoods and ensure that exclusively single-family zoning is not a barrier to development  
 764 in an area like Silver Spring, with its many amenities and transit and employment accessibility.  
 765 This alignment with Attainable Housing Strategies also helps to provide a transition from the  
 766 downtown commercial uses to the surrounding residential neighborhoods and introduces the  
 767 potential for new housing typologies in the adjacent communities in the plan area. These parcels  
 768 would be appropriate for housing types like duplexes and triplexes.]  
 769

770 This Plan [also] recommends prioritizing providing a range of unit types for a diversity of  
 771 households, including families, seniors, and persons with disabilities, to allow more diverse  
 772 households to take advantage of Silver Spring’s amenities. The existing rental units in the  
 773 downtown are predominately smaller bedroom units.  
 774

775 Within the downtown area are more than thirty-five multi-unit residential buildings containing  
 776 more than 12,000 units. Approximately 43 percent of all units in multi-unit residential buildings  
 777 are currently [market-rate] naturally occurring affordable housing, meaning they are affordable  
 778 to households earning incomes below 80 percent of the Washington, D.C. metropolitan region’s  
 779 area median income (AMI). At 80 percent AMI in 2020, these units would be affordable to  
 780 households of three earning around \$90,720 a year for a household of three.  
 781

782 This Plan aims to balance the preservation of existing [market-rate] naturally occurring  
 783 affordable housing with the production of new housing, which will result in the production of  
 784 new MPDUs. [This preservation and production strategy] The Plan seeks to [retain the existing  
 785 zoning on many existing market-rate properties, and to rezone select properties to maximize  
 786 density near transit] achieve this through rezoning of select properties or by supporting future  
 787 applications for a Floating Zone that prioritizes the replacement of existing naturally occurring  
 788 affordable housing with new income-restricted affordable housing.  
 789

790 Page 88: Revise the first paragraph under “3.3.1 Goals” as follows:

791  
792  
793  
794  
795  
796  
797

The housing goals for the plan are guided by the following policies and practices found in previous [and ongoing] plans including [Thrive Montgomery 2050,] the Housing Element of 2011, and [previous] recent masterplans. The intent of this Plan is to ensure that this Plan is consistent and in sync with current best practice in planning and housing policy. The goals, as aligned with the Housing Element of 2011, include:

798 Page 88: Delete the first and second bullets under “3.3.1 Goals” as follows:

799

- 800     ▪ [Expand opportunities to increase residential density, especially along major corridors and in
- 801       locations where additional housing can assist in the development of Complete Communities.]
- 802
- 803     ▪ [Facilitate the development of a variety of housing types in every part of the county but especially
- 804       in areas near transit, employment, and educational opportunities.]
- 805

806 Page 88: Insert the following bullet as the first bullet under “3.3.1 Goals”:

807

- 808     ▪ Build the majority of new housing in transit-oriented locations and near jobs and employment
- 809       centers.
- 810

811 Page 88: Revise the third bullet under “3.3.1 Goals”: as follows:

812

- 813     ▪ Encourage and support neighborhood diversity with a range of unit sizes, types, and occupancy
- 814       (including rental and ownership options) to serve individuals and families of all ages, incomes,
- 815       and backgrounds. The range of housing types to be encouraged and supported may include
- 816       [Support creative housing options including single-room occupancy units (SROs)] Personal
- 817       Living Quarters (PLQs) and/or micro-units; “missing middle” housing types such as tiny houses,
- 818       cottages, duplexes, multiplexes, and small apartment buildings; shared housing, co-housing, and
- 819       accessory dwelling units (ADUs), social housing, and cooperative housing [to help meet housing
- 820       needs and diversify housing options].
- 821

822 Page 88: Delete the fourth, fifth, and sixth bullets under “3.3.1 Goals” as follows:

823

- 824     ▪ [Increase the number of income-restricted affordable housing units, especially for low-income
- 825       households.]
- 826     ▪ [Prioritize use of public land for co-location of housing and other uses, particularly where
- 827       government agencies design new facilities or dispose of real property.]
- 828     ▪ [Calibrate the applicability of the Moderately Priced Dwelling Unit (MPDU) program and other
- 829       affordable housing programs to provide price-regulated units appropriate for income levels
- 830       ranging from deeply affordable to workforce.]
- 831

832 Page 88: Add the following four bullets at the end the section “3.3.1. Goals” as follows:

833

- 834     ▪ Create mixed-use neighborhoods with local small retail businesses and basic services within
- 835       walking distance of housing.
- 836     ▪ Encourage housing cooperatives, faith-based organizations, neighborhood housing groups, and
- 837       employers to use their existing property or to purchase land and buildings for the production and
- 838       preservation of housing affordable to households with low and moderate incomes.

- 839       ▪ Make housing affordable to low-, moderate-, and middle-income households a priority.  
 840       ▪ Provide underused and strategically located surplus public properties for housing, including units  
 841       affordable to low- and moderate-income households, at a higher percentage than required in the  
 842       MPDU program and using best design practices. Property that is designated as parkland is not be  
 843       considered surplus.  
 844

845 Page 88: Revise the second and third bullets under “3.3.2. Recommendations” as follows:  
 846

- 847       ▪ Preserve existing, [market-rate] naturally occurring affordable housing where possible, striving  
 848       for no net loss of affordable housing in the event of redevelopment.  
 849       ▪ Publicly owned properties should be encouraged to provide [up to] a minimum of 30 percent  
 850       MPDUs, with 15 percent affordable to households earning at the standard MPDU level of 65-70  
 851       percent or less of Area Median Income (AMI) and 15 percent affordable to households earning  
 852       less than 50 percent of AMI.  
 853

854 Page 89: Delete the eighth and ninth bullets under “Recommendations” as follows:  
 855

- 856       ▪ [The Council should take action on Attainable Housing Strategies and adopt a countywide  
 857       Zoning Text Amendment to allow duplexes, triplexes, and quadplexes by-right with conformance  
 858       with a pattern book in the Adjacent Communities.]  
 859       ▪ [If there is no action on Attainable Housing Strategies, the relevant recommendations to allow  
 860       duplexes, triplexes, and quadplexes by-right with conformance with a pattern book in the R-60  
 861       zone should be adopted in the Adjacent Communities through a Zoning Text Amendment.]  
 862

863 Page 90: Revise the second bullet under “Recommendations” as follows:  
 864

- 865       ▪ Create a Design Advisory Panel (DAP) that allows community participation and is representative  
 866       of the Plan area. Design Review will be required for all Optional Method Development Projects  
 867       in the Plan Area. [Additional height obtained through the Building Height Incentive Zone will  
 868       be subject to the Design Review process through the Design Advisory Panel.]  
 869

870 Page 90: Insert the following new bullet prior to the last bullet under “Recommendations”:  
 871

- 872       ▪ Implement noise mitigation strategies for new development to comply with the County’s noise  
 873       ordinance.  
 874

875 Page 91: Move “Map 19. Recommended Maximum Heights Map” to the Plan-wide “Land Use and  
 876       Zoning” section.  
 877

878 Page 92: Revise the fourth bullet under “Goals” as follows:  
 879

- 880       • Activate [under-utilized] vacant spaces (both publicly and privately owned) through temporary  
 881       placemaking strategies. These tactical moves can help spur long-term public realm  
 882       transformation and improve public life.  
 883

884 Page 94: Revise the first three paragraphs under “3.5 PARKS, TRAILS AND PUBLIC SPACES” as  
 885       follows:  
 886

887 The [plan] Plan envisions a community where [it is easy and irresistible for] all residents, visitors,  
 888 and workers [to] will enjoy a network of welcoming, multi-use parks, trails, and public spaces. Parks  
 889 and public spaces, [especially those] in urban areas [like Silver Spring] are a [platform] center for  
 890 community experiences and interaction, [. Urban parks support] and improve the quality of life [of  
 891 residents] for community members of all ages, races, cultures, income levels, and physical abilities.

892

893 [As participants noted during the public engagement process, Silver Spring needs more parks and  
 894 public spaces, especially spaces for active recreation.]

895

896 The goals and recommendations for this plan were developed in concert with policy guidance from  
 897 previous [and ongoing] plans including the 2010 Silver Spring CBD Green Space Guidelines, the  
 898 2017 PROS Plan, and the 2018 Energized Public Spaces Functional Master Plan, [Thrive  
 899 Montgomery 2050, and 2022 Parks, Recreation and Open Space (PROS) Plan (on-going),] in  
 900 addition to input from the community [input received during the planning process] who voiced the  
 901 importance of parks and public spaces [in] to their quality of life.

902

903 The goals and recommendations below support the plan’s overall themes of diversity, connectivity,  
 904 resiliency, and community health.

905

906 Page 96: Revise the text under “Equity” as follows:

907

908 Equity:

- 909 • [Everybody’s backyard – promote] Promote a fair and equitable distribution of attractive,  
 910 safe, and fun parks and public spaces as [common] shared civic spaces with facilities and  
 911 programming open to people of all ages, race, culture, income, and abilities.
- 912 • [More Active Recreation -] Add [additional] park facilities and programs that promote  
 913 physical activity and social interaction. [, including in small spaces, with introduction of  
 914 basketball hoops, ping-pong tables, interactive art, areas for hopscotch games, tai chi, and  
 915 other activities that keep people moving and meeting each other. The results of the EPS Plan  
 916 analysis (see Appendix D) show that the plan area particularly lacks active recreation  
 917 experiences. The need is especially great in the center of downtown where the shortage of  
 918 active experiences is higher.]
- 919 • [“Right park in the right places” - Parks will be designed to accommodate major functions,  
 920 but all should provide social, active and nature-based experiences to the extent possible.  
 921 Ensure a fair distribution of the] Equitably distribute park experiences across the various  
 922 districts of the [is sector p] Plan. Parks should be located near transit, accessible [by] via  
 923 walking and biking, and surrounded by active building frontages. See Section 4.5.4 for  
 924 proposed park locations.
- 925 • [Multifunctional Spaces - Facilitate the creation of new and the renovation of] Design parks  
 926 to be multifunctional. Create new and/or renovate existing parks and public spaces [that] to  
 927 accommodate multiple needs, including recreation, education, community-building, and  
 928 environment stewardship within the urban context. Consider co-location, adaptive reuse, joint  
 929 programming, and shared use of land, buildings and facilities whenever possible to optimize  
 930 limited available land.
  - 931 ○ [For example, community gardens in Silver Spring promote social engagement and  
 932 physical activity in high-density areas to a diverse population in addition to providing  
 933 access to fresh and healthy foods. Fenton Street Urban Park will be consolidated with the  
 934 existing community garden which will be expanded and integrated with additional land

- 935 dedication and acquisition. Proposed and existing community gardens are identified in  
 936 Section 4.5.4.
- 937 ○ Consider co-location, adaptive reuse, joint programming, and shared use of land,  
 938 buildings, and facilities whenever possible to optimize limited available land. This Plan  
 939 recommends the renovation of the largest park inside the sector plan – Jesup Blair Park –  
 940 to bring new and renovate existing amenities, add an intense programming, and welcome  
 941 future and existing park users to gather as a community in this regional destination.]
  - 942 ● [Celebrate Silver Spring’s Culture and History -] Promote facilities that celebrate cultural and  
 943 historic aspects of the community, and that encourage social connection and a sense of pride  
 944 of ownership of shared spaces. [serve the distinct social connection needs of seniors,  
 945 teenagers, young adults and people with disabilities and contribute to the sense of pride and  
 946 ownership of parks. The proposed Cultural Art Loop in Jesup Blair park will be a venue to  
 947 celebrate the more inclusive Silver Spring history proposed in this Plan. See Section 4.9.6  
 948 Cultural and Heritage Resources.]

950 Page 97: Revise the last two bullets under “Equity” as follows:  
 951

- 952 ● [Access to nature and future stewards –] Expand the urban tree canopy coverage and pervious  
 953 surfaces in both publicly and privately owned parks and public spaces[, both publicly and  
 954 privately owned]. Promote watershed connectivity through education and best stormwater  
 955 management practices. [See more info on this recommendation at section] Refer to Section  
 956 3.7 - Resilient Downtown.
- 957 ● Promote the creation of [“Friends of”] local organizations to support [in] major parks and  
 958 public spaces. Engage [the community] stakeholders early in the planning, programming and  
 959 design of parks and public spaces to collaborate on creative solutions and to ensure [the  
 960 resulting place is meaningful and reflective of] that ultimate park designs reflect community  
 961 needs and identity. [Engage stakeholders such as property owners, developers, non-profit  
 962 groups, community members, artists, and public agencies to collaborate in delivering creative  
 963 solutions and development strategies.] Work with the community and schools to develop  
 964 early advocacy programs and activities to encourage nature appreciation, education, and  
 965 stewardship.

967 Page 97: Revise the text under “Green Loop Connectivity” as follows:  
 968

#### 969 Green Loop Connectivity

- 970 ● Implement the proposed Green Loop to connect existing and proposed parks and public  
 971 spaces with other land uses inside the Plan and the surrounding region. [promoting]
- 972 ● Promote walking and biking to these places [with] along comfortable, sustainable, safe and  
 973 shaded roads, sidewalks and trails. The Plan recommends improving signage and wayfinding  
 974 of parks, public spaces and trails within Silver Spring.
- 975 ● [All parks and public spaces - Ensure access to all parks and public spaces – including POPS  
 976 – that are designed to support casual, impromptu use, and connection with nature and other  
 977 land uses.
- 978 ● Wayfinding – Improve signage and wayfinding of parks, public spaces, and trails; consider  
 979 partnering with future commercial/businesses organizations to create a public space map and  
 980 signage for the Green Loop and the open space network in Silver Spring.

- 981 • Integrate amenities with walking loops – Promote physical activity, people watching, social  
 982 connections and integration of amenities and parks and public spaces with internal walking  
 983 loops inside public spaces and through connections to the Green Loop, respectively.]  
 984

985 Page 97: Revise the text under “Creative Implementation” as follows:

986 Creative Implementation

- 987 • [Temporary/Interim Pilot Spaces -] Consider short-term/temporary solutions and “pop-up”  
 988 programming that reflect community identity within temporary/interim parks. Consider  
 989 empty lots, surface parking areas or other opportunity sites adjacent to the Green Loop as  
 990 potential pilot sites.  
 991  
 992

993 Page 98: Revise the first paragraph under “3.5.3 Equity in Parks and Public Spaces Implementation” as  
 994 follows:

995  
 996 Silver Spring was identified as an implementation priority area through the mapping of Experience  
 997 Improvement Areas (EIAs) of the Energized Public Spaces (EPS) Plan with the overlay of the Equity  
 998 Focus Areas (EFAs) from Planning’s Equity Focus Areas Analysis. [Thrive Montgomery 2050.]  
 999 Recommendations described in this Plan will help prioritize where and how to spend limited public  
 1000 funds where the highest need is identified.  
 1001

1002 Page 98: Revise the text under “Goal” as follows:

1003  
 1004 [Address park resources distribution in the County’s urbanizing areas. Give a voice to] Prioritize  
 1005 underserved communities in the distribution of park resources and contribute to the efforts initiated  
 1006 by the County Council on racial equity and social justice.  
 1007

1008 Page 98: Delete the first bullet under “Recommendations” as follows:

1009  
 1010 [Equity: Everybody’s backyard – promote a fair distribution of attractive, safe and fun parks and  
 1011 public spaces as common civic spaces with facilities and programming open to all ages, race, culture,  
 1012 income, and abilities.]  
 1013

1014 Page 99: Revise the text under “3.5.4 Proposed Park Locations and Park Recommendations” as follows:

1015  
 1016 The 2017 and 2022 PROS Plans and the 2018 EPS Plan state that each area master plan should  
 1017 recommend an interconnected system of parks that achieve multiple objectives[. The parks and  
 1018 facilities] whose size, primary and supporting functions should be directly proportional to the  
 1019 projected density and land use patterns of the community.  
 1020

1021 [Map 21 illustrates the proposed parks and public space’s location within an interconnected network  
 1022 through the Green Loop system. The designation of active recreation destinations, Civic Green,  
 1023 Plaza, Neighborhood Greens, etc., is to highlight the major function emphasis but not to limit other  
 1024 experiences. All parks should provide social, active, and nature-based experiences to the extent  
 1025 possible across the various districts of this Plan.] The ongoing 2022 PROS Plan will be revising the  
 1026 Park Classification system categories associated with the Proposed Park Locations shown in Figure  
 1027 21. The categories of the proposed park recommendations are based on the 2017 PROS Plan Parks  
 1028 Classification categories: Civic Green, Plaza, Urban Recreational Park, etc.



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[The following proposed park locations approach should be applied to Silver Spring:] All urban parks should be strategically located to allow access by walking and biking to and from public transit and other complementary land uses to support the goals of encouraging physical activity, facilitating social connection, accessing nature, and promoting economic prosperity.

**For the Sector Plan Area:**

- Opportunities for active, contemplative, and social gathering experiences within parks
- Central civic spaces emphasizing social gatherings
- Interconnected system of sidewalks and trails to connect parks and open spaces through the proposed Green Loop

**For each Urban District:** Recreational amenities that can be accessed by walking or biking.

Map 21 identifies proposed locations for parks and public spaces in the Plan area. The map illustrates how the proposed green space network is connected to the Green Loop. The designation of active recreation destinations, Civic Green, Plaza, Neighborhood Greens, etc., highlights the major function of each open space but does not limit other experiences. All parks should provide social, active, and nature-based experiences to the extent possible.

In addition, the park recommendations also incorporate community input, previous studies, legacy infrastructure, localized needs, location of Experience Improvement Areas (EPS Plan methodology), Equity Focus Areas [(Thrive 2050)] and other factors to deliver the “right parks in the right places.”

[The ongoing 2022 PROS Plan will be revising the Park Classification system categories associated with the Proposed Park Locations approach described above. The categories of the proposed park recommendations are based on the 2017 PROS Plan Parks Classification categories: Civic Green, Plaza, Urban Recreational Park, etc. All urban parks should be located strategically to allow access by walking and biking to and from public transit and other complementary land uses to support the goals of encouraging physical activity, facilitating social connection, accessing nature, and promoting economic prosperity.]

The current naming of the proposed parks and public spaces is subject to change and will be defined during the implementation phase of the project.

Page 101: Revise text under “A – Civic Green” as follows:

Civic Greens are [Parks and Public] spaces that emphasize social gathering. They are flexible[, programmable] gathering spaces for informal or large special events. [Depending on size, they] Civic Greens may support open air markets, concerts, festivals, and/or special events. A large central lawn is often the focus, [sometimes with a complementary plaza space] often accompanied by a plaza with adjacent spaces providing complementary uses such as gardens, water features and/or shade structures. Supporting functions might include opportunities for physical activity and nature enjoyment.

A1 - Create: Ripley District Civic Green  
Location: Ripley District  
Likely ownership: POPS

1077 Vision: This civic green space will be an important focal point and social gathering space for the  
 1078 Ripley District [and the rest of the Plan]. Its central[ized] location within the Plan[’s] area and along  
 1079 the [proposed] Central Green Loop will serve the highest density commercial and residential areas.  
 1080 [It will connect Georgia Avenue and East-West Highway with improved pedestrian routes and bike  
 1081 trails.] [With] Along with the proposed [Silver Spring Bridge Connector] bridge over the rails, it will  
 1082 [work] serve as a gateway between East-West Highway in [the] South Silver Spring and Georgia  
 1083 Avenue in the Ripley District. [districts connecting opposite sides of the proposed Central Green  
 1084 Loop: East-West Highway to Fenton Street through Silver Spring Avenue. The main programming  
 1085 of this] This space may include a central lawn and will be [flexible] flexibly designed to  
 1086 accommodate a variety of experiences such as community events, unstructured recreation, [in a  
 1087 central lawn, activities that encourage] physical activity, contemplation, and interaction with nature.  
 1088 [and places for nature interaction and contemplation.] [Provide] This space should include a balance  
 1089 of sunny and shaded areas. [Explore] [i]Interactive installations with educational components and/or  
 1090 visitor amenities could be explored.  
 1091 Recommended Size: 0.5 acre minimum; 1.5 acres ideal  
 1092

1093 Page 102: Revise the text under “A2- Create: Gene Lynch Civic Green (currently under construction)”  
 1094 as follows:  
 1095

1096 Vision: This civic green [space] will be an important focal point and social gathering space for the  
 1097 Metro Center District. Its location across from the Transit Center [metro and purple line stations]  
 1098 will function as a gateway to the [central core of] commercial core of downtown Silver Spring [along  
 1099 Colesville Road]. The main programming of this space will be flexible to accommodate community  
 1100 events and unstructured recreation with a central lawn area enclosed by lush plants and trees. [An  
 1101 informal amphitheater space with a large programmable digital display and playful bench swings  
 1102 will serve as a focal point within the park.] A variety of seating options will be provided in both  
 1103 sunny and shaded areas, along with an amphitheater space and bench swings.  
 1104 Size: 0.25 acres  
 1105

1106 Page 103: Revise the text under “B - Plaza” as follows:  
 1107

1108 [These spaces] Plazas often [align with and] complement [the] Civic Greens, [urban parks  
 1109 subcategory. T] as these spaces also emphasize social gathering. [The main differences are (1)  
 1110 Plazas typically have a central hardscape area rather than a central lawn, and are often located  
 1111 [surrounded by supporting facilities that should encourage physical activity and enjoying nature  
 1112 instead of a central lawn, and (2) the location generally] near transit stops and/or commercial and  
 1113 high[er] density residential areas. [They] Plazas should face streets and building frontages to  
 1114 maximize pedestrian use and exposure and have access to sunlight. [Plazas] They may support  
 1115 activities including open air markets, concerts, festivals, and special events.  
 1116

1117 Page 103: Revise text under “C- Countywide Urban Recreational Park” as follows:  
 1118

1119 [Oriented to] A Countywide Urban Recreational Park responds to the recreational needs of  
 1120 surrounding neighborhoods and districts, and [this type of park] provides spaces for [many] a variety  
 1121 of activities. Athletic fields, playing courts, picnic areas, dog parks, sitting areas and flexible grassy  
 1122 open spaces, [may all be common in this park subcategory] all may be found in this type of park.  
 1123 Programming might include farmer’s markets, outdoor exercise classes, and/or community yard  
 1124 sales, etc. There should be [space for] a safe area for vehicular drop-offs and integrated accessible

1125 parking for those who cannot walk to the park. Physical activity is the main emphasis of this park,  
 1126 but social and contemplative opportunities should also be considered.

1127

1128 Page 105: Revise the text under “Concept Plan” as follows:

1129

1130 In response to previous redevelopment recommendations from the 2018 *Energized Public Spaces*  
 1131 *Functional Master Plan*, along with community input, the Parks Department is developing a concept  
 1132 plan for this park concurrent with the sector plan process. [in order to coordinate its analysis and  
 1133 design to capitalize on the synergies that the planning process can bring to the future redesign and  
 1134 implementation of improvements to this site.] The concept plan will establish a framework for the  
 1135 redevelopment of the park into an active, regional destination with amenities that appeal to a broad  
 1136 range of interests and will be further refined and developed through the Facility Planning process.

1137

1138 [Improve physical and visual access to the park by:] Recommendations:

1139

1140 The following recommendations improve physical and visual access to the park:

1141

- 1142 • Implement connections to the Green Loop [Connections –] at the southern tip of the proposed  
 1143 [outer loop] Outer Loop as shown on Map 4. [within the green loop system and in the border  
 1144 of] At the border with Washington DC, this park will be an important gateway welcoming  
 1145 people to Maryland. [anchor to bring people from MD and DC together and can be a great  
 1146 model for partnership in edge locations. The outer loop connects to the central loop through  
 1147 Fenton Street and Georgia Avenue.]
- 1148 • Expand connectivity/visibility and presence of the park along Georgia [Ave - Pursue future  
 1149 partnership with] Avenue by pursuing a partnership with the DC Office of Planning to discuss  
 1150 opportunities to develop the corner sites along Blair Road and Georgia Avenue with active  
 1151 building frontages along the park and open viewsheds to the park along Georgia Avenue.
- 1152 • [Wayfinding: Signage and Public Art along Fenton Street – Pursue collaboration] Improve  
 1153 wayfinding and signage in and around the park by collaborating with Montgomery College  
 1154 to improve visibility of the [only] entrance to the park along Fenton Street at the pedestrian  
 1155 bridge. Install [signages] signs along the Metropolitan Branch Trail and below the pedestrian  
 1156 bridge with distances to the park to direct users to this entrance. Consider partnering with the  
 1157 owner of the adjacent storage facility [property owner] to install a public art mural to provide  
 1158 more visibility to the entrance ramp area and [instigate] encourage people to cross the bridge  
 1159 to the park [explore what is across the rails. Consider a partnership with MCDOT and  
 1160 Montgomery College to expand the use of the pedestrian bridge to connect bike users to and  
 1161 from the Metropolitan Branch Trail along Fenton Street]. Consider partnering with  
 1162 organizations to create additional art installations across the rail track to attract attention to  
 1163 the location of the park from Fenton Street.
- 1164 • [Pedestrian Network Improvements:] Consider implementing traffic calming features along  
 1165 Blair Road to make it more safe, accessible, and comfortable. Work with SHA/MCDOT to  
 1166 add new and renovate existing pedestrian crossings: (1) at both ends of the park along Georgia  
 1167 Avenue to improve the pedestrian access and experience across this busy road and connect  
 1168 to the small businesses along that stretch of Georgia Avenue; (2) Blair Road at the edge of  
 1169 the park boundary to allow pedestrians safe crossing to the park entrances along Blair Road  
 1170 [– see proposed location on the illustrative concept and in Section 3.6 – Transportation.] If  
 1171 development patterns along and surrounding Blair Road change in the long term, and traffic  
 1172 calming measurements are already in place, consider working with MCDOT and SHA to  
 study the feasibility of a closure of Blair Road along the perimeter of Jesup Blair Park on

1173 weekends and/or weekdays. It would allow expansion of the proposed active zone at the  
 1174 southern portion of the park and would allow direct connection to Juniper Blair  
 1175 Neighborhood Park across the street expanding the zone for recreation and social interactions.  
 1176

1177 Page 106: Revise the fifth and sixth bullets under “Concept Plan” as follows:  
 1178

- 1179 • [Art Crossings:] Work with SHA/MCDOT to consider art treatment of the two pedestrian  
 1180 crossings along Georgia Avenue as well as improvements on links to the [POPS] privately owned  
 1181 public spaces along Jesup Blair Drive to mark the park entrances and transition to other  
 1182 pedestrian destinations.
- 1183 • [Perimeter Fence:] Consider removal and/or reduction of the perimeter fence around the park to  
 1184 make the park feel more welcoming. [fenced area to add a welcoming feeling to the perimeter of  
 1185 the park].  
 1186

1187 Page 106: Delete the seventh bullet under “Concept Plan” as follows:  
 1188

- 1189 • [Connection to a potential future transit stop – if development patterns change in the long term  
 1190 and the Plan gets updated zoning that would allow higher density near this location increasing  
 1191 potential ridership and justifying a return of investment of that scale, consider locating a public  
 1192 transit stop near the park.]  
 1193

1194 Page 106: Revise the text below the seventh bullet under “Concept Plan” as follows:  
 1195

1196 [Promote] The following recommendations promote social connection, diversity, community health,  
 1197 identity and sense of ownership of the park:  
 1198

- 1199 • [Strong Programming – promote] Promote [a] robust programming for the park with activities  
 1200 and events that can appeal to a diverse audience and [invite] will encourage people [back] to  
 1201 return to explore the park on their own.  
 1202
- 1203 • [Multifunctional Spaces – encourage] Encourage multi-use spaces such as lawn, play areas and  
 1204 courts instead of specialized uses. The existing central soccer field would continue to work as a  
 1205 central lawn space [(that still hold a good size for informal soccer games)] and multi-age play  
 1206 area. The transformation of this local park into a countywide destination park will allow its  
 1207 facilities and spaces to serve a much larger and diverse audience during large events. The park  
 1208 infrastructure should also consider the daily or weekly use of local residents. Consider including  
 1209 space for community-scale events such as performances and farmer’s markets. Allow space for  
 1210 kiosks and community bulletin boards, cafes, or street vendors.  
 1211

1212 Page 107: Revise the third bullet under “Promote social connection, diversity, community health,  
 1213 identity, and sense of ownership” as follows:  
 1214

- 1215 • Create a variety of experience zones inside this large park emphasizing active, social and  
 1216 contemplative areas, making the park a destination place with many things to do for different age  
 1217 groups, interests, and abilities.
  - 1218 ○ Balance the amount of active, contemplative, and social experiences offered. [by the  
 1219 existing and new park facilities].

- 1220           ○ Inside the contemplative zone consider going beyond the traditional passive uses by  
 1221           introducing active programs such as yoga, tai-chi, and other activities that [can benefit  
 1222           of] would be enhanced by the natural setting[s] of this zone including [its beautiful] a  
 1223           restored [historic building] Jesup Blair House.  
 1224           ○ The social zone can accommodate a variety of uses such as café, lawn area,  
 1225           stage/amphitheater, dog park, etc. The active zone may accommodate multi-age play  
 1226           areas, multi-use courts, zip line, skate park, and other activities [that will keep the  
 1227           community physically active].  
 1228

1229 Page 107: Delete the fourth bullet under “Promote social connection, diversity, community health,  
 1230 identity, and sense of ownership” as follows:  
 1231

- 1232           • [Diverse scale of events – consider space for programming and events at different scales to attract  
 1233           diverse users.]  
 1234

1235 Page 107: Revise the fifth and sixth bullets under “Promote social connection, diversity, community  
 1236 health, identity, and sense of ownership” as follows:  
 1237

- 1238           • [Introduce opportunities for public art in the park – promote] Promote partnerships that celebrate  
 1239           cultural aspects of the community through public art. Explore temporary installations (especially  
 1240           along Georgia Ave) and permanent pieces of art in the park. A great example to consider is the  
 1241           synergy between a café in the park and a sculpture area.  
 1242

1243           [Historic setting – improve connectivity of the historic house and surrounding setting to the  
 1244           rest of park through the implementation of the cultural art loop, and other improvements to  
 1245           this portion of the park to activate the frontage along Georgia Avenue, Blair Road and Jesup  
 1246           Blair Drive to invite people to get inside the park and enjoy its many experiences. Especially  
 1247           in the contemplative zone, promote human and nature synergies – consider interactive  
 1248           design solutions to enhance the relationship between people and elements of the natural  
 1249           environment. Identify future partner who will help activate the contemplative zone potential  
 1250           to attract users to the park and gain community support to steward its unique historic  
 1251           setting and enjoy the many activities inside the park.]  
 1252

- 1253           • [Cultural Art Loop – create] Create a signature internal [active, recreational, and cultural art trail  
 1254           loop] active/recreational Cultural Art Loop Trail with mileage [marks] markers, historic signage,  
 1255           art, benches, a mix of shaded and sunny areas and fitness equipment [along its path inside Jesup  
 1256           Blair park] to integrate the existing and future proposed recreational facilities and encourage  
 1257           physical exercise.  
 1258

1259 Page 107: Insert the following two bullets after the sixth bullet under “Promote social connection,  
 1260 diversity, community health, identity, and sense of ownership” as follows:  
 1261

- 1262           • Renovate the historic Jesup Blair House for appropriate community uses that complement the  
 1263           park programming. Identify a future partner who will help activate the contemplative zone to  
 1264           attract users to the park, gain community support to steward the unique historic setting, and enjoy  
 1265           the many activities in the park.  
 1266

- 1267 • Improve connectivity of the historic house and surrounding setting to the rest of park through the  
 1268 implementation of the cultural art loop, and other improvements that will activate the frontages  
 1269 along Georgia Avenue, Blair Road and Jesup Blair Drive to invite people into the park.  
 1270

1271 Page 107: Revise the seventh, eighth, and ninth bullets under “Promote social connection, diversity,  
 1272 community health, identity, and sense of ownership” as follows:  
 1273

- 1274 • [Diversify natural features – consider] Consider interactive design solutions to enhance the  
 1275 relationship between people and elements of the natural environment. [the use of] Use a diverse  
 1276 palette of plant and tree species, including native plants, that provide different colors, form, and  
 1277 textures throughout all the seasons. Apply a diverse range of plants to minimize potential  
 1278 expansive destruction from pests or harsh climate conditions.  
 1279
- 1280 • [Friends of Jesup Blair Park – engage] Engage the community to [activate this park] support this  
 1281 park through local organizations, such as the Friends of Jesup Blair Park. Create a framework for  
 1282 an inclusive and collaborative approach to promote recreational opportunities to all.  
 1283
- 1284 • [Park operating hours –] Consider extending the operating hours of this park beyond sunset and  
 1285 introduce lighting to safely extend the use of the park [Lighting at this park will be a very  
 1286 important item to keep the extended use of the park safe].  
 1287

1288 Page 109: Revise text under “D - Community Use Urban Recreational Park” as follows:  
 1289

1290 [These parks] Community Use Urban Recreational Parks serve the immediate neighborhood. This  
 1291 type of park is primarily programmed for physical activity, with supporting programming for social  
 1292 and contemplative opportunities. [Physical activity is the main emphasis of this park, but social and  
 1293 contemplative opportunities should also be considered.] Typical facilities include smaller sport  
 1294 courts, skating spots, [and may include] lawns, playgrounds, or similar neighborhood recreation  
 1295 facilities. Sizes vary considerably depending on the land available and community size served.  
 1296

1297 D1 – Create: South Silver Spring Park  
 1298

1299 Ownership: M-NCPPC (acquired in 2021)

1300 [Vision: Key active recreation destination in the South Silver Spring District. Different from Jesup  
 1301 Blair park, this urban recreational] This park will serve as a through-block connection between East-  
 1302 West Highway and Kennett Street at the current location of the National Tire and Battery site. This  
 1303 park will be a key local active recreation destination in South Silver Spring that will serve the  
 1304 surrounding blocks. [Its] The direct connection to the [central green loop] Central Green Loop will  
 1305 link this location [promote complementary active facilities] to other recreational parks [being]  
 1306 proposed in this Plan. Montgomery Parks [is under contract on] acquired one of the two [property]  
 1307 parcels for this park in 2021. [and expects to own the property by the end of 2021]. Its proximity to  
 1308 Acorn Urban Park [can] will promote a synergy of park user experiences[: from] between the historic  
 1309 and contemplative setting of Acorn Park to the more active and social-driven space on the new  
 1310 proposed urban recreational park. Consider working with SHA and MCDOT to [implement a  
 1311 potential outer loop] create a connection between these two parks [using] via the existing sidewalks  
 1312 [between these two parks to allow park users to enjoy this location with different options where to  
 1313 meet as a community to enjoy each other and also] that would benefit the park users and the local  
 1314 businesses [surrounding] proximate to these two parks. [Public façades along Kenneth Street and

1315 East-West Highway – due to location of commercial businesses along East-West Highway and a  
 1316 public parking lot right across the potential new parkland, the park will likely be used as a through-  
 1317 block connection. Plan for tables and seating areas on this park visible from an internal and external  
 1318 loop systems to capture the pedestrian flow generated by other surrounding land uses.] Consider  
 1319 including a seating area with tables that could support the businesses along East West Highway.  
 1320 Recreational amenities that could be considered for this park may include multi-use courts, small  
 1321 open lawn, picnic area, multi-age play area, dog run, exercise stations, etc. Considering potential  
 1322 [partnering] partnerships with adjacent [property owner to create a community art mural on adjacent  
 1323 Caldor/Discovery Channel building blind façade facing the proposed site] properties to align park  
 1324 facilities with neighborhood needs, including opportunities for public art, such as murals, on existing  
 1325 building walls facing the site.

1326 Size: ~1.62 acre

1327

1328 D2 – Create: Downtown North Park

1329

1330 Location: Downtown North District

1331 Likely Ownership: POPS

1332 [Vision: Key] This park will be a key active outdoor recreation destination in the Downtown North  
 1333 [Silver Spring] District, [. Create a park during] and will be created along with the redevelopment of  
 1334 the Cameron Garage site as proposed in the Plan. [with focus on active recreation. Its direct  
 1335 connection to] It is located along the Central Green Loop and will connect to [promote]  
 1336 complementary active facilities [to other recreational parks being proposed in this Plan and  
 1337 complement] elsewhere in the Plan as well as to the indoor active recreational experiences offered  
 1338 by the South County Regional Recreation and Aquatic Center [at the opposite corner] across the  
 1339 street (currently under construction).

1340 Recommended Size: minimum 0.5 acre

1341

1342 Page 111: Revise text under “D3 - Create: Metro Center Park” as follows:

1343

1344 [Vision: Key] This park will be a key active recreation destination in the Metro Center District. Its  
 1345 [direct connection to] location along the Central Green Loop will [promote] connect it to  
 1346 complementary [active] facilities [to] at other recreational parks [being] proposed in this Plan. This  
 1347 park will be created along with the redevelopment of the Bonifant-Dixon garage site and may be  
 1348 located on a lower rooftop. [Create park space on proposed roof or create park during redevelopment  
 1349 of site. Amenities, including] The park’s facilities may include multi-use courts and play areas[, are  
 1350 encouraged].

1351 Recommended Size: minimum 0.5 acre

1352

1353 Page 111: Revise text under “D4 - Create: Bonifant Park” as follows:

1354

1355 Location: [Metro Center] Ripley District

1356 Likely Ownership: POPS

1357 [Vision: Create park space on entrance of residential development. Focus] This park will be adjacent  
 1358 to new development in the Ripley District. It will focus on alternative forms of active recreation  
 1359 [in small] at a smaller scale such as: game tables and basketball hoops[, and others surrounding with  
 1360 landscape features to add nature]. [Local] It will serve as a local destination for active experiences  
 1361 in the center of the downtown. [This park can be a great model of introducing active play in smaller  
 1362 spaces.]

1363 Recommended Size: minimum 1/10 acre

1364

1365 Page 111: Revise text under “D5 - Create: Fitness Park (currently approved under The Blairs Master  
1366 Plan)” as follows:

1367

1368 [Vision: Active] This park will be an active place [inside] as part of the full build-out of the Blairs  
1369 Master Plan [Development full build-out]. Located off of Portal Drive and alongside an existing  
1370 surface parking lot, this park will have outdoor fitness equipment for adults and children as well as  
1371 a sitting area for rest.

1372 Proposed Size: ~ 0.22 acre

1373

1374 Page 112: Revise text under “D6 – Renovate/Repurpose: Ellsworth Park” as follows:

1375

1376 [Vision: Key] This park is an important active recreation destination in the Adjacent Communities  
1377 District. [Renovate] Further renovation of reclaimed space from brick house [to] will expand  
1378 awareness of the presence of the park along Colesville Road. [Activate existing public park as part  
1379 of comprehensive.] Consider programming that is year-round [park activation program]. Currently,  
1380 the presence of a dog park in this location makes it a regional destination. As more dog parks/runs  
1381 are developed, this park will more likely serve as a local destination. Improve pedestrian crossing  
1382 across Colesville Road at the north edge of the park.

1383 Size: 3.6 acres

1384

1385 Page 112: Revise text under “E- Neighborhood Green” as follows:

1386

1387 A Neighborhood Green is [This park is very] a flexible space that [and] supports social connections,  
1388 physical activities and access to nature. [The] This type of park provides spaces for informal gatherings,  
1389 lunchtime relaxation, or small special event gatherings. A lawn, play area, shaded seating, pathways, and  
1390 wooded areas are typical features.

1391

1392 Page 112: Revise text under “E1 – Renovate/Expand: Fenton Street Park” as follows:

1393

1394 [Vision: Gateway] This park will be a gateway to the Fenton Village District. [The expansion of this  
1395 park to consolidate parkland] As adjacent properties become available, consolidate and expand this  
1396 park into a cohesive neighborhood park that will promote and [preserve] support the diverse character  
1397 of this district [with its diverse local shops and smaller scale retailers and attract new park users to  
1398 this location]. Encourage programming that supports active recreation and social gathering. [Direct]  
1399 The direct connection to the [central green loop] Central Green Loop will enhance the synergy of  
1400 this park with other locations. [Keep] Consider keeping and/or expanding the community garden  
1401 function already on site. [and expand its size in alignment with the recommendations found in Section  
1402 3.7.8. Add active and social gathering experiences that will complement each other and serve this  
1403 community better].

1404 Size: ~ 1.75 acres

1405

1406 Page 112: Revise text under “E2 – Create Fenton Village Park” as follows:

1407

1408 [Vision: Hanging-out space for the community along Fenton Street. This park in conjunction with  
1409 the Fenton Street Park will activate and serve the district commercial corridors and residents.] This  
1410 park is envisioned as a community gathering space for Fenton Village. The community will have a



1411 place to [gather] come together and celebrate their diverse [identity and character] identities and  
 1412 cultures of the neighborhood, as well as a place to sit and enjoy food from the many local eateries in  
 1413 Fenton Village. This site [is also] may be large enough [that it may provide a unique opportunity] to  
 1414 consider urban agriculture facilities, either at the ground or as part of a green roof concept in  
 1415 alignment with the recommendations found in Section 3.7.8.  
 1416 Recommended Size: between 0.3 and 0.5 acre minimum

1417  
 1418 Page 113: Revise the text under “E3 – Create: Ellsworth District Park” as follows:  
 1419

1420 [Vision: Green space to] This park will complement and connect to Veteran’s plaza on the site of the  
 1421 expand [Veterans Plaza activities at] existing Whole Foods parking lot. It will be created as part of  
 1422 the redevelopment of the eastern side of the parking lot [Create open space or park during future  
 1423 redevelopment of existing surface parking lot] to meet or exceed open space requirements. [Provide]  
 1424 It will provide green space and/or recreational amenities to complement Veterans Plaza, [. Provide]  
 1425 and will provide a mix of shaded and sunny areas with a row of tree canopies facing the main entries  
 1426 and facades of proposed development.  
 1427 Recommended Size: minimum 0.5 acre  
 1428

1429 Page 113: Revise the first sentence of the text under “E4 – Create: Rachel Carson, Blair Stomping, The  
 1430 Mews, and Lucy’s Landing Park inside the Blairs Development (currently approved under The Blairs  
 1431 Master Plan)” as follows:  
 1432

1433 [Vision: Connected] These parks will be a connected system of green open spaces focused on  
 1434 contemplative and social experiences inside the full future buildout of the proposed Blairs Master  
 1435 Plan. [development full build-out.]  
 1436

1437 Page 113: Revise “E4 - Create: Falkland Park & Connect: Falkland Stream Restoration to north parcel”  
 1438 and related text as follows:  
 1439

1440 [E4] E5 – Create: Falkland Park & Connect: Falkland Stream Restoration to north parcel

1441  
 1442 Location: Falklands District  
 1443 Ownership: POPS

1444 [Vision: Create] This Plan envisions a visual and physical connection between the stream valley  
 1445 renovation in the southeast quadrant of the Falklands to a consolidated public use spaces on the north  
 1446 parcel that is green and clearly public in nature. Consider adding wayfinding signage to address the  
 1447 entries to these publicly accessible spaces. This would be realized along with the redevelopment of  
 1448 the Falkland north parcel.

1449 Size: minimum 0.5 acre of consolidated open space  
 1450

1451 Page 113: Insert “E6 – Create/Develop: King Street Park” after “E4 - Create: Falkland Park & Connect:  
 1452 Falkland Stream Restoration to north parcel” as follows:  
 1453

1454 E6 – Create/Develop: King Street Park

1455  
 1456 Location: South Silver Spring

1457 Ownership: POPS, currently leased to M-NCPPC for the use of the community garden on site. This  
 1458 park will be a neighborhood social gathering place. Consider retaining the existing community

1459 garden at the western end of the site at 7980 Georgia Avenue until the parcel is redeveloped. Upon  
 1460 redevelopment consider including a community garden program as part of the open space. Connect  
 1461 this park to the proposed through-block connection on this site and to the Outer Green Loop.  
 1462 Size: 0.2 – 0.4 acre

1463  
 1464 Page 114: Revise the text under “F – Pocket Greens” as follows:

1465  
 1466 [This smaller park will] Pocket Greens allow [for] “pauses” with a landscaped setting along the  
 1467 streets between larger parks within the parks and public spaces network. [Research has suggested  
 1468 that smaller breaks during the work schedule increases productivity and health, especially mental  
 1469 health.] Pocket Greens are particularly important in high-density commercial areas to provide spaces  
 1470 where workers can take a restorative break during the day. Due to its small scale, the space should  
 1471 be highly visible from the street and include protection from wind, traffic, and noise. Pocket Greens  
 1472 serve residents, workers and visitors and are appropriate for seating, areas to eat or read, and small  
 1473 play or game areas.

1474  
 1475 [Pocket Greens are particularly important in areas where commercial activities are taking place. Due  
 1476 to its small scale, the space should be highly visible from the street and include protection from the  
 1477 wind, traffic and noise allowing workers to take a lunch or coffee break while enjoying a  
 1478 contemplative environment with pedestrians strolling by. They can provide seating, areas to eat or  
 1479 read, and small play areas or game areas. This park will serve nearby residents, workers, and visitors.]

1480  
 1481 Page 114: Revise text under “F1 – Renovate: Acorn Park” as follows:

1482  
 1483 [Vision: Contemplative] The existing Acorn Park is a contemplative historic pocket green. Its  
 1484 proximity to the proposed South Silver Spring Park [can] will promote a synergy of park [users]  
 1485 experiences: from the historic and contemplative setting of Acorn Park to the more active and social-  
 1486 driven space on the new proposed recreational park. [Activate public park] Acorn Park could sustain  
 1487 more park activation than the existing condition, possibly in partnership with a nearby privately  
 1488 owned public space (POPS).

1489  
 1490 In Summer 2020, as part of [the Shared] its Open Streets program, MCDOT closed Newell St  
 1491 between Kennett Street and East-West Highway to expand recreational opportunities to residents and  
 1492 businesses. The street closure allows users of Acorn Park to enjoy a larger play area increasing park  
 1493 usage and stewardship of its historic asset. [Newell Street can function as a temporary park until the  
 1494 proposed South Silver Spring Park project gets implemented.] In Section 3.6.5 of this Plan, this street  
 1495 segment is recommended to be a shared street in the future.

1496  
 1497 Page 114: Delete “F3 – Retain King Street Park” as follows:

1498  
 1499 [F3 – Retain: King Street Park  
 1500 Location: South Silver Spring  
 1501 Ownership: POPS, leased to M-NCPPC  
 1502 Vision: Retain existing community garden at the western end of the parcel on the 7980 Georgia  
 1503 Avenue site as part of any redevelopment opportunity. Connect community garden to proposed  
 1504 through-block connection.  
 1505 Size: ~0.38 acre]

1506

1507 Page 115: Revise text under “Temporary/Interim Park” as follows:

1508

1509 A *temporary park* is a type of park created for a certain period of time in a location that is not  
1510 currently planned as future public space. There is generally a beginning and an end time established.  
1511 An *interim park* is implemented in a short time frame on a site that is actively being designed for a  
1512 future permanent public space. Both temporary and interim parks can provide opportunities to partner  
1513 with local businesses and non-profits to engage with the community in creative ways to deliver places  
1514 for social gathering, active or contemplative experiences while building a sense of community and  
1515 belonging at the location. When feasible, new parks should consider implementation of temporary  
1516 or interim parks. For parks implementation strategies and park ownership recommendations, see  
1517 Section 4.3. [a type of park created to bridge the time gap between design, funding, and construction  
1518 of a permanent public space and can accommodate temporary uses until resources for permanent  
1519 uses become available. Owners and/or county staff can use these temporary facilities to collect  
1520 information on programming and functions that will serve a future permanent public space.  
1521 Temporary parks can also provide opportunities to partner with local businesses and non-profits to  
1522 engage with the community in creative ways to deliver places for social gathering, active or  
1523 contemplative recreation while building a sense of community and belonging.]  
1524

1525 Page 115: Delete “3.5.5. Parkland Ownership” as follows:

1526

1527 [3.5.5. Parkland Ownership

1528 As the major parkland stakeholder in the county, Montgomery Parks is committed to increasing the  
1529 number of parks and open spaces to secure public access, especially in urban areas such as Silver  
1530 Spring. However, the higher cost in acquiring land, in addition to the maintenance and operation of  
1531 these urban spaces with active programming, comes with a high price tag. Montgomery Parks will  
1532 be strategic in determining parks and open spaces ownership. Below are some parameters that will  
1533 be considered but not limited to define parkland ownership:

- 1534 • If acquisition is the only way to create a cohesive public space when the parcel is less likely  
1535 be part of a development proposal,
- 1536 • If the recommended facilities most likely require user permits, such as athletic courts, or
- 1537 • If the surrounding parcels are individually owned, therefore, it is unreasonable to expect  
1538 common management of the space, unless another entity is available to manage the space.]  
1539

1540 Page 119: Revise the fourth bullet under “Recommendations” as follows:

1541

- 1542 • [The] If the Montgomery College bridge should ever need to be reconstructed, its replacement  
1543 should be [widened or otherwise improved] constructed with additional width to allow the use of  
1544 bicycles for adequate access to the Metropolitan Branch Trail and upcoming Fenton Street  
1545 separated bike lanes.
- 1546
- 1547 • Bicyclists should [also] be permitted to use existing trails like the outer loop of Jesup Blair Park  
1548 for transportation and recreational cycling.  
1549

1550 Page 120: Revise Table 9. Bikeway Network Recommendations, as follows:

1551

Table 9. Bikeway Network Recommendations

Street	From	To	Facility Type	Bikeway Type
<b>Burtonsville to Silver Spring Breezeway</b>				
Ellsworth Drive	Cedar Street	[Fenton Street] Veteran's Plaza	Shared Road	Shared Street
Ellsworth Drive	Veteran's Plaza	Fenton Street	Separated Bikeway	Separated Bike Lanes
<b>Capital Crescent Trail Breezeway</b>				
Capital Crescent Trail	Spring Street	Silver Spring Transit Center	Trail	Off-Street Trail
<b>Glenmont to Silver Spring Breezeway</b>				
Fenton St Extended	Spring St	Cameron St	Trail	Off-Street Trail
Fenton St	Cameron St	Ellsworth Dr	Separated Bikeway	Separated Bike Lanes (Two-Way, West Side)
<b>Metropolitan Branch Trail Breezeway</b>				
Metropolitan Branch Trail	Silver Spring Transit Center	Silver Spring/Takoma Park (East) Policy Area	Trail	Off-Street Trail
<b>Additional Recommendations</b>				
13th St	District of Columbia	Georgia Ave (MD 97)	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
16th St (MD 390)	Spring St	District of Columbia	Separated Bikeway	Separated Bike Lanes (Two-Way, East Side)
2nd/Wayne Ave	Spring St	Colesville Road (MD 384)	Separated Bikeway	Separated Bike Lanes (Two-Way, East Side)
	Colesville Road (MD 384)	Cedar Street	Separated Bikeway	Separated Bike Lanes (Two-Way, North Side)
Burlington Ave (MD 410)	Georgia Ave (MD 97)	Fenton Street	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
Cameron Street	Spring Street	2nd Ave	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
Colesville Rd (MD 384)	16th St (MD 390)	Draper Lane	Separated Bikeway	Separated Bike Lanes (Two-Way, North Side) and Sidepath (South Side)
Colesville Rd (MD 384)	Draper Lane	East West Hwy (MD 410)	Separated Bikeway	Separated Bike Lanes (Two-Way, Both Sides)
Colesville Rd (MD 384)	East West Hwy (MD 410)	Sarbanes Transit Center Entrance	Separated Bikeway	Separated Bike Lanes (Two-Way, Both Sides)
Colesville Rd (MD 384)	Sarbanes Transit Center Entrance	Georgia Ave (MD 97)	Separated Bikeway	Separated Bike Lanes (Two-Way, Both Sides)
Dixon Ave	Wayne Ave	Georgia Ave (MD 97)	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
East-West Hwy (MD 410)	16th St (MD 390)	Colesville Road (MD 384)	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
	Colesville Road (MD 384)	Georgia Ave (US 29)	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
Fenton Street	Ellsworth Drive	King Street	Separated Bikeway	Separated Bike Lanes (Two-Way, West Side)
Metropolitan Branch Trail/ King St (Interim)	Railroad Tracks	Fenton Street	Separated Bikeway	Sidepath (South Side)
Metropolitan Branch Trail/ Fenton St (Interim)	King St	New York Ave	Separated Bikeway	Sidepath (West Side)

Newell Street	District of Columbia	East West Hwy (MD 410)	Striped Bikeway	Conventional Bike Lanes
Philadelphia Ave/Gist Ave	Selim Rd	Silver Spring/Takoma Park (East) Policy Area	Shared Road	
Selim Rd	Philadelphia Ave	Metropolitan Branch Trail	Separated Bikeway	Sidepath (West Side)
Silver Spring Ave	Fenton Street	Silver Spring/Takoma Park (East) Policy Area	Shared Road	Priority Shared Lane Markings
<b>Silver Spring Avenue</b>	<b>Georgia Avenue</b>	<b>Fenton Street</b>	<b>Separated Bikeway or Striped Bikeway</b>	Separated Bike Lanes (One-Way, Both Sides)
Spring St/Cedar St	16th St (MD 390)	Wayne Ave (MD 594-A)	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
<b>Blair Mill Road</b>	<b>Eastern Avenue</b>	<b>East-West Highway (MD 410)</b>	<b>Separated Bikeway</b>	<b>Separated Bike Lanes (two-way South Side)</b>
<u>1<sup>st</sup> Street</u>	<u>Spring Street</u>	<u>Fenwick Lane</u>	<u>Separated Bikeway</u>	<u>Separated Bike Lanes (One-Way, Both Sides)</u>
1st Ave Extension (B-30)	[1 <sup>st</sup> Avenue] Fenwick Lane	Ramsey Avenue	Separated Bikeway	Separated Bike Lanes (One-Way, Both Sides)
New street name TBD (B-31)	Bonifant Street	Thayer Avenue	[Separated Bikeway] Shared Road	[Separated Bike Lanes (One-Way, Both Sides)]
New street name TBD (B-32)	Silver Spring	Sligo Avenue	[Separated Bikeway] Shared Road	[Separated Bike Lanes (One-Way, Both Sides)]

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Page 126: Insert the following after the seventh bullet under “Recommendations”:

- Create the following new pedestrian connections:
  - Fenton Street to Mayor Lane (along with the redevelopment of Parking Lot 4 site in Fenton Village), and
  - Bonifant Street to Wayne Avenue.

Page 129: Revise the first and seventh bullets under “Recommendations” as well as the text at the bottom of the page as follows:

- This Plan confirms BRT stations and routes for the Georgia Avenue South Bus Rapid Transit Route (Corridor 2) in the 2013 Countywide Transit Corridor Functional Master Plan. [Dedicated bus lanes should be provided along Georgia Avenue and space for dedicated bus lanes should come from repurposing existing general-purpose traffic lanes.]
- Evaluate the feasibility of increasing rapid transit service along Georgia Avenue to and from Jesup Blair Park [a new Metrorail station at Jesup Blair Park in even that future redevelopment of Jesup Blair Park spurs land use and development changes in the blocks surrounding the park].

[Note: The cross section proposes one potential alignment that should be further evaluated for implementation. The intent of the cross section is to demonstrate that there is support to reallocate travel lanes for exclusive transit use and that such alignment can fit within the master-planned right-of-way.]

Page 130: Revise text under “3.6.5 Roadways” as follows:

1579 The Plan area has a well-connected road network of high and low volume streets that provide access  
 1580 to and within this vibrant community. This Plan focuses on ensuring safety for all users, especially  
 1581 pedestrians, and further improving connectivity and circulation throughout the road network. At the  
 1582 time of this Plan’s approval, the 2021 Complete Streets Design Guide (CSDG), a countywide policy  
 1583 developed jointly by the Planning Department and the Montgomery County Department of  
 1584 Transportation (MCDOT) has been approved, but the CSDG recommendations to updating County  
 1585 Code Chapter 49 (“Road Code”) have not been codified. For this reason, the Plan includes roadway  
 1586 classifications per the 2018 Master Plan of Highways and Transitways and the County’s Rode Code  
 1587 as well as the CSDG in anticipation of updates to the County Road Code.

1588

1589 Page 130: Revise the second and third sub-bullets to the first bullet under “Recommendations” as  
 1590 follows:

1591

1592 ○ Create a new street connecting Bonifant Street to Thayer Avenue. This connection will  
 1593 improve connectivity within the corridor from Bonifant Avenue to Sligo Avenue. This street  
 1594 could be private or dedicated to public right-of-way. The design of the street should match  
 1595 that of Private Street A that was built as part of the Studio Plaza project, which connects  
 1596 Thayer Avenue and Silver Spring Avenue.

1597 ○ As part of the redevelopment of the Parking Lot 4 site and adjacent parcels (if the existing parking  
 1598 structure is removed), create a new street through the existing block from Sligo Avenue to Silver  
 1599 Spring Avenue [that aligns with the north-south mid-block connection to the north]. This street,  
 1600 designed to accommodate both pedestrians and vehicles, could be private or dedicated to public right-  
 1601 of-way.

1602

1603 Page 130: Insert the following text between the second and third bullets under “Recommendations” as  
 1604 follows:

1605

1606 Shared streets are designed to create an environment that encourages low vehicle speeds and  
 1607 prioritizes pedestrians. Shared Streets are often curbsless, providing pedestrians with freedom of  
 1608 movement and creating optimal spaces for special events. They can support a variety of land uses,  
 1609 including commercial, entertainment, dining, and residences. Shared Streets should include  
 1610 strategically defined edges and zones, and unique paving materials where feasible. Designs should  
 1611 allow for flexibility, so that streets can be easily closed to automobile traffic for events and  
 1612 reconfigured to support a wide range of social and cultural functions. Streetscape elements must  
 1613 facilitate navigation by pedestrians with vision disabilities, as shared streets allow free-form  
 1614 movement through all spaces for pedestrians and bicyclists. Tactile surfaces should indicate  
 1615 pedestrian-only zones and safe crossings.

1616

1617 Page 130: Delete the third bullet under “Recommendations” as follows:

1618

- 1619 • [Create the following new pedestrian connections:
- 1620 ○ Fenton Street to Mayor Lane (along with the redevelopment of Parking Lot 4 site in Fenton
- 1621 Village), and
- 1622 ○ Bonifant Street to Wayne Avenue.]

1623

1624 Page 134: Revise Table 10. Street Classifications and ROW Recommendations as follows:

1625

Table 10. Street Classifications and ROW Recommendations <sup>1,2,3</sup>								
Roadway	From	To	Functional Classification	Complete Streets Design Guidelines Street Type	Master Planned ROW (Minimum)	Existing Lanes	Planned Lanes	BRT Type
<b>Major Highway</b>								
Georgia Ave (M-8)	Spring Street	Colesville Road	Major Highway	Downtown Boulevard	126'	6D	[6D] <u>4D</u> + <u>2T</u>	Dedicated
Georgia Ave (M-8)	Colesville Road	Wayne Avenue	Major Highway	Downtown Boulevard	120'	6-6D	6-6D	None
Georgia Ave (M-8)	Wayne Avenue	[Blair Mill Road] Sligo Avenue	Major Highway	Downtown Boulevard	125'-140'	6-6D	[6-6D + 0T] <u>4-4D</u> + <u>2T</u>	Dedicated
<u>Georgia Ave (M-8)</u>	<u>Sligo Avenue</u>	<u>Blair Mill Road</u>	<u>Major Highway</u>	<u>Downtown Boulevard</u>	<u>125'-140'</u>	<u>6-6D</u>	<u>4-4D</u> + <u>2T</u>	<u>Dedicated</u>
Georgia Ave (M-8)	Blair Mill Road	Eastern Avenue	Major Highway	Downtown Boulevard	125'	6-6D	[6-6D + 0T] <u>4-4D</u> + <u>2T</u>	Dedicated
<b>16th Street (M-9)</b>	<b>Colesville Road</b>	<b>East-West Highway (MD 410)</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>120'</b>	<b>6D</b>	<b>[6D] <u>4D</u></b>	<b>None</b>
<b>16th Street (M-9)</b>	<b>East-West Highway</b>	<b>630' South of Lyttonsville Road</b>	<b>Major Highway</b>	<b>Town Center Boulevard</b>	<b>120'</b>	<b>6D</b>	<b><u>4D</u></b>	<b>None</b>
<b>Colesville Road (M-10)</b>	<b>SS Transit Station Entrance</b>	<b>Eastern Avenue/16th Street</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>125'</b>	<b>6</b>	<b>[6 + 0T] <u>4</u> + <u>2T</u></b>	<b>Dedicated</b>
<b>Colesville Road (M-10)</b>	<b>Georgia Avenue (MD 97)</b>	<b>SS Transit Station Entrance</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>125'</b>	<b>6</b>	<b>[6 + 0T] <u>4</u> + <u>2T</u></b>	<b>Dedicated</b>
Colesville Road (M-10)	Fenton Street	Georgia Avenue	Major Highway	Downtown Boulevard	100'	5-6	[5-6 + 0T] <u>3-4</u> + <u>2T</u>	Dedicated
Colesville Road (M-10)	[Sligo Creek Parkway] <u>North Noyes Drive</u>	Fenton Street	Major Highway	Downtown Boulevard	120'	5-6	[5-6 + 0T] <u>3-4</u> + <u>2T</u>	Dedicated
East-West Highway (M-20)	16th Street	300' East of 16th Street	Major Highway	Downtown Boulevard	118'	4	4	None
<b>East-West Highway (M-20)</b>	<b>300' East of 16th Street</b>	<b>Blair Mill Road</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>110'</b>	<b>4</b>	<b>3</b>	<b>None</b>
<b>East-West Highway (M-20)</b>	<b>Blair Mill Road</b>	<b>Blair Mill Way</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>90'</b>	<b>2-4</b>	<b>3</b>	<b>None</b>
<b>East-West Highway (M-20)</b>	<b>Blair Mill Way</b>	<b>Georgia Avenue</b>	<b>Major Highway</b>	<b>Downtown Boulevard</b>	<b>84'</b>	<b>2-4</b>	<b>3</b>	<b>None</b>
Burlington Ave (M-20)	Georgia Ave	Fenton St	Major Highway	Downtown Street	80'	3	3	None
<b>Arterial</b>								
Spring St (A-263)	16th St (MD 390)	630' west of Second Ave	Arterial	Downtown Street	100'	4D	2D	None
<b>Spring St (A-263)</b>	<b>630' west of Second Ave</b>	<b>First Ave</b>	<b>Arterial</b>	<b>Downtown Street</b>	<b>100'</b>	<b>2D</b>	<b>2D</b>	<b>None</b>

Spring St (A-263)	First Ave	Georgia Ave	Arterial	Downtown Street	100'	2D	2D	None
Spring St (A-263)	Georgia Ave	Fairview Rd	Arterial	Downtown Street	100'	2D	2D	None
<b>Spring St (A-263)</b>	<b>Fairview Rd</b>	<b>Cameron St</b>	<b>Arterial</b>	<b>Downtown Street</b>	<b>80'</b>	<b>2</b>	<b>2</b>	
<b>Spring St (A-263)</b>	<b>Cameron St</b>	<b>Colesville Rd</b>	<b>Arterial</b>	<b>Downtown Street</b>	<b>100'</b>	<b>2</b>	<b>2</b>	<b>None</b>
<b>Spring St (A-263)</b>	<b>Colesville Rd</b>	<b>Ellsworth Dr</b>	<b>Arterial</b>	<b>Downtown Street</b>	<b>80'</b>	<b>4-4D</b>	<b>2</b>	<b>None</b>
Spring St (A-263)	Ellsworth Dr	Wayne Ave (MD 594-A)	Arterial	Downtown Street	80'	2	2	None
Fenton St (A-264)	Cameron St	Takoma Avenue	Arterial	Downtown Street	80'	2	2	None
Wayne Ave (A-76)	Colesville Rd (MD 384)	Georgia Ave (MD 97)	Arterial	Downtown Street	120'	4D	4	Mixed Traffic
Wayne Ave (A-76)	Georgia Ave (US 29)	Cedar Street	Arterial	Downtown Street	80'	4-4D	4	None
[Wayne Ave (A-76)]	[Fenton St]	[Cedar St]	[Arterial with planned light rail]	[Downtown Street]	[70-100']	[4]	[2 + 2T]	[None]
Wayne Ave (A-76)	Cedar St	Sligo Creek Pkwy	Arterial with planned light rail	Neighborhood Connector	[70 – 100'] <u>80'</u>	4	2 + 2T	None
<b>Minor Arterial</b>								
Dale Dr (MA-16)	Wayne Ave	Piney Branch Rd	Minor Arterial	Neighborhood Connector	70'	2	2	None
Sligo Ave (MA-35)	Approx. 149' east of Fenton St	Piney Branch Rd	Minor Arterial	Neighborhood Connector	50'	2	2	None
<b>Business</b>								
1st Ave (B-1)	Spring St	Fenwick Ln	Business	Downtown Street	70'	2	2	None
<b><u>1st Ave (B-1)</u></b>	<b><u>Fenwick Ln</u></b>	<b><u>Cameron St</u></b>	<b><u>Business</u></b>	<b><u>Downtown Street</u></b>	<b><u>70'</u></b>	<b><u>0</u></b>	<b><u>2</u></b>	<b><u>None</u></b>
2nd Ave (B-2)	Spring St	Cameron St	Business	Downtown Street	80'	2	2	None
2nd Ave (B-2)	Cameron St	Colesville Rd (MD 384)	Business	Downtown Street	105'	4	4	None
13th St (B-3)	Georgia Ave	Eastern Ave (D.C. Line)	Business	Downtown Street	80'	2	2	None
Apple Ave (B-4)	CSX Railroad	Second Ave	Business	Downtown Street	60'	2	2	None
Blair Mill Rd (B-5)	Blair Mill Way	Georgia Ave	Business	Downtown Street	60'	2	2	None
Blair Rd (B-6)	Georgia Ave (MD 97)	CSX Railroad	Business	Downtown Street	60'	2	2	None
Bonifant St (B-7)	CSX Railroad	[Purple Line] Ramsey Avenue	Business with planned light rail	Downtown Street	70'	2	2	None
[Bonifant St (B-7)]	[Purple Line]	[Fenton St]	[Business with planned light rail]	[Downtown Street]	[40']	[2]	[2 + 2T]	[None]
Bonifant St (B-7)	[Purple Line]	Fenton St	Business with	Downtown Street	[40 – 70'] <u>70'</u>	2	2 + 2T	None



	Georgia Avenue		planned light rail					
Bonifant St (B-7)	Fenton St	Approx. 488' east of Fenton St	Business	Downtown Street	80'	2	2	None
[Colonial Ln (B-9)]	[Ripley St]	[Georgia Ave]	[Business]	[Downtown Street]	[80']	[N/A]	[4]	[None]
Dixon Ave Extended (B-10)	Ripley St	Silver Spring Ave	Business (Planned)	Downtown Street	80'	N/A	4	None
[Draper Ln (Proposed) (B-11)]	[Colesville Rd]	[Blair Mill Rd]	[Business (Planned)]	[Downtown Street]	[60']	[N/A]	[2]	[None]
Ellsworth Dr (B-12)	[Cedar St] <u>Fenton Street</u>	450' west of Fenton St	Business	Downtown Street	70'	2	2	None
<u>Ellsworth Dr (B-12)</u>	<u>Cedar Street</u>	<u>Veteran's Plaza</u>	<u>Business</u>	<u>Downtown Street</u>	<u>70'</u>	<u>2</u>	<u>2</u>	<u>None</u>
Fenwick Ln (B-13)	Georgia Ave	Second Ave	Business	Downtown Street	80'	2	2	None
Fidler Ln (B-14)	Second Ave	Georgia Ave	Business	Downtown Street	Varies	2	2	None
Gist Ave (B-15)	Philadelphia Ave	Fenton St	Business	Downtown Street	70'	2	2	None
Kennett St (B-16)	Newell St	13th St	Business	Downtown Street	60'	2	2	None
King St (B-17)	Eastern Ave (D.C. Line)	50' east of Georgia Ave and From B & O Railroad to Albany Av	Business	Downtown Street	60'	2	2	None
Newell St (B-18)	Eastern Ave (D.C. Line)	[East-West Highway] <u>Kennett Street</u>	Business	Downtown Street	70'	2	2	None
Planning Pl (B-19)	Georgia Ave	Silver Spring Parking Lot # 2	Business	Downtown Street	60'	2	2	None
Philadelphia Ave (B-20)	Selim Rd	Fenton St	Business	Downtown Street	70'	2	2	None
Ramsey Ave (B-21)	Cameron St	Colesville Rd (MD 384)	Business	Downtown Street	54'	2	2	None
Ramsey Ave (B-21)	Wayne Ave	Bonifant St	Business	Downtown Street	70'	2	2	None
Ripley St (B-22)	Georgia Ave	Bonifant Street	Business	Downtown Street	70'	2	2	None
[Ripley St (B-22)]	[End of existing Street]	[Bonifant Street]	[Business]	[Downtown Street]	[70']	[2]	[2]	[None]
Roeder Rd (B-23)	Fenton St	Cedar St	Business	Downtown Street	60'	2	2	None
Selim Rd (B-24)	Sligo Ave	Philadelphia Ave	Business	Downtown Street	70'	2	2	None
Blair Mill Rd (B-25)	Eastern Ave (D.C. Line)	East-West Hwy (MD 410)	Business	Downtown Street	70'	2	2	None
Silver Spring Ave (B-25)	Georgia Ave	Approx. 280' east of Fenton St	Business	Downtown Street	70'	2	2	None
Sligo Ave (B-26)	Fenton St	Approx. 149' east of Fenton St	Business	Downtown Street	80'	2	2	None

Sligo Ave (B-26)	Georgia Ave	Fenton St	Business	Downtown Street	70'	2	2	None
Thayer Ave (B-27)	Fenton St	Approx. 288' east of Fenton St	Business	Downtown Street	70'	2	2	None
Thayer Ave (B-27)	Georgia Ave	Fenton St	Business	Downtown Street	60'	2	2	None
Cameron St (B-28)	Georgia Ave	Spring St	Business	Downtown Street	75'	2	2	None
Cameron St (B-28)	Second Ave	Georgia Ave	Business	Downtown Street	74'	2	2	None
Dixon Ave (B-29)	Wayne Ave	Ripley St	Business	Downtown Street	80'	2	2	None
[1st Ave Extension (B-30)]	[1st Avenue]	[Ramsey Avenue]	[Business]	[Downtown Street]	[70']	[2]	[2]	[None]
New street name TBD [(B-31)] B-30	Bonifant Street	Thayer Avenue	Business	Downtown Street	[70'] <u>TBD</u>	[2] <u>0</u>	2	None
New street name TBD [(B-32)] B-31	Silver Spring Avenue	Sligo Avenue	Business	Downtown Street	[70'] <u>TBD</u>	[2] <u>0</u>	2	None
<b>Shared Streets</b>								
<u>Bonifant St (B-7)</u>	<u>Ramsey Avenue</u>	<u>Georgia Avenue</u>	<u>Business with planned light rail</u>	<u>Shared Street</u>	<u>40-70'</u>	<u>2</u>	<u>2</u>	<u>None</u>
<u>Ellsworth Dr (B-12)</u>	<u>Veteran's Plaza</u>	<u>Fenton Street</u>	<u>Business</u>	<u>Shared Street</u>	<u>70'</u>	<u>2</u>	<u>2</u>	<u>None</u>
<u>Newell St (B-18)</u>	<u>Kennett Street</u>	<u>East-West Hwy (MD 410)</u>	<u>Business</u>	<u>Shared Street</u>	<u>70'</u>	<u>2</u>	<u>2</u>	<u>None</u>

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Page 137: Add a third Table Note under “Table Notes” as follows:

3. Minimum rights-of-way do not include lanes for turning, parking, acceleration, deceleration, or other purposes auxiliary to through travel. Additional rights-of-way may also be needed to accommodate master planned bicycle and transit facilities, including Protected Intersections, the envelopes of transit stations, and pedestrian crossing refuges.

Pages 138-140: Delete section titled “Street Cross Sections”.

Page 143: Revise the second bullet at the top of the page under “Recommendations” for “3.6.7. Transportation Demand Management (TDM)” as follows:

- Expand the NADMS goal to apply to [both] all commuters, both employees commuting into TMD for jobs, and residents of the TMD commuting from their homes to jobs. Increase the NADMS goal to a Blended Average [and residents and increase to a combined average] of [60] 65 percent for both groups. This goal may be re-evaluated and amended in the future as part of the Growth and Infrastructure Policy.

Page 143: Insert a new section titled “3.6.9. Street Cross Sections” as follows:

1647 3.6.9. Street Cross Sections

1648 Cross sections were developed for street segments within the Sector Plan boundary that are  
 1649 recommended for dedicated transit lanes or designated bikeways that would necessitate road diets or  
 1650 other right-of-way reallocations. A cross section was also developed for new street B-30 (1<sup>st</sup> Avenue  
 1651 Extended).

1652  
 1653 These cross sections incorporate policy and design guidance from the Complete Streets Design Guide.  
 1654 The intent of providing these cross sections is to offer conceptual direction for future Capital  
 1655 Improvement Projects (CIP) and development regulatory applications, demonstrating that there is  
 1656 sufficient master-planned right-of-way to meet the objectives of the Complete Streets Design Guide<sup>1</sup>.  
 1657 Further study of traffic operations will be necessary, and therefore the ultimate cross section may differ  
 1658 from what is recommended in the Sector Plan. For example, dedicated Bus Rapid Transit (BRT) lanes  
 1659 are recommended on Colesville Road and Georgia Avenue. Two sets of cross sections for each corridor  
 1660 from north to south were developed that envision either curb running or median running alignments of  
 1661 the bus rapid transit lanes. Future studies of traffic operations will determine which alignment is  
 1662 preferred (or if a new hybrid would be more feasible) and will refine the geometric design of the right-  
 1663 of-way.

1664  
 1665 The street sections are organized in the following manner:

- 1666 • East-West Highway sections
  - 1667 ○ Interim Conditions
  - 1668 ○ Ultimate Conditions
- 1669 • Colesville Road Sections
  - 1670 ○ Median-Running BRT
  - 1671 ○ Curb-Running BRT
- 1672 • Georgia Avenue Sections
  - 1673 ○ Curb-Running BRT
  - 1674 ○ Median-Running BRT
- 1675 • Additional Street Sections

1676  
 1677 East-West Highway Sections

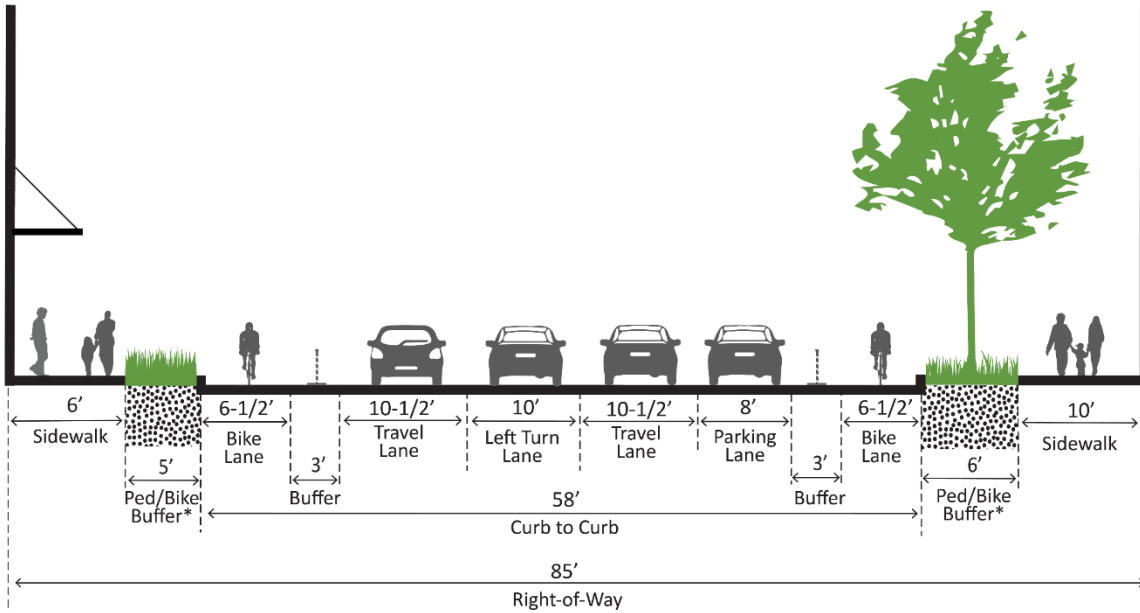
1678 Designated bicycle lanes are recommended on East-West Highway. The Sector Plan recommends  
 1679 fitting the bicycle facilities into the right-of-way with a road diet, which reallocates a travel lane to the  
 1680 bikeway and street buffer. This road diet may be achieved with a CIP project or redevelopment. If the  
 1681 CIP project is implemented first, an interim condition is envisioned that fits the separated bikeway  
 1682 within the existing curb widths (Interim). As redevelopment occurs, the curbs can be relocated inward,  
 1683 and the bike lane can be relocated to the streetscape (Ultimate).

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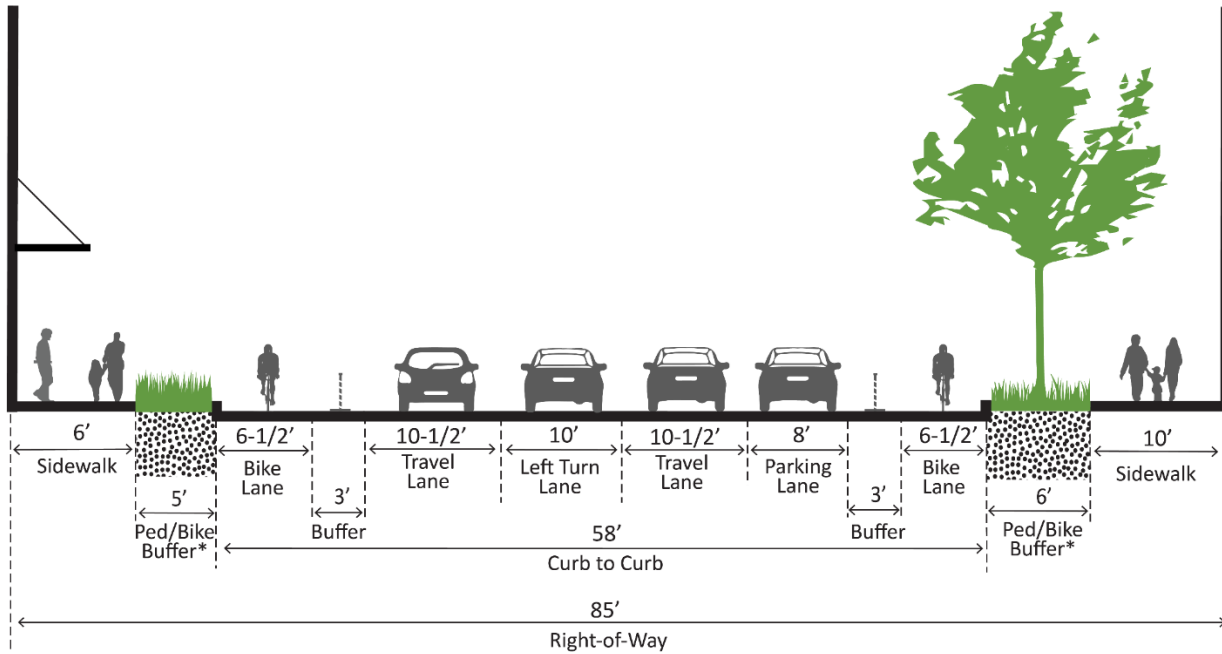
<sup>1</sup> The Sector Plan confirms all minimum master-planned rights-of-way widths in the 2018 *Master Plan of Highways and Transitways*. The Sector Plan is not making any recommendations to widen what is currently master planned.

1685 Interim Condition: Figures 1, 2, and 3.



\* Buffers with SWM to employ Best Management Practices

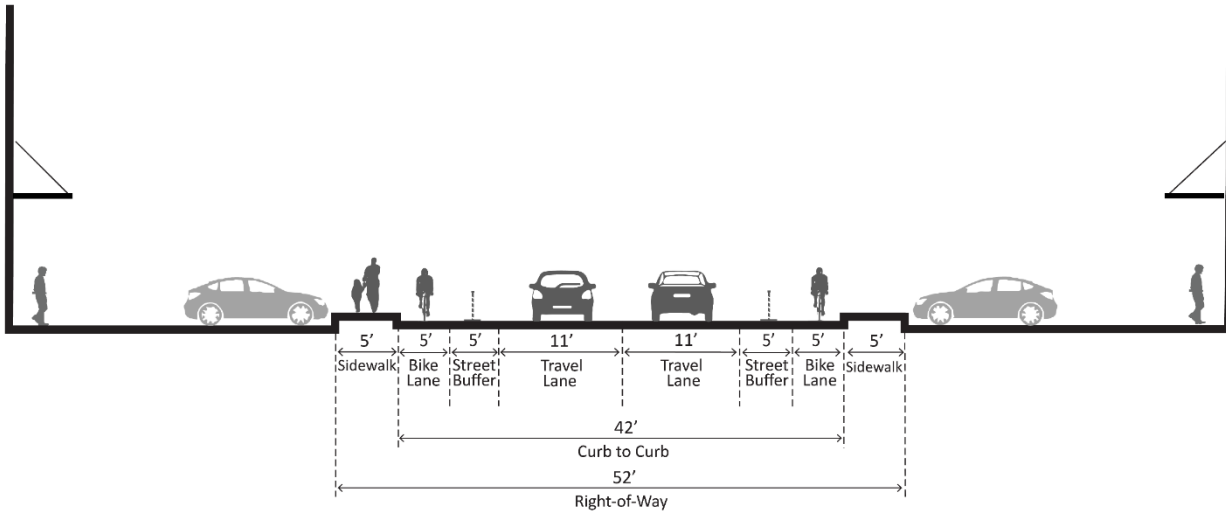
1686  
1687 Figure 1. East-West Highway (M-20): 16th Street to Blair Mill Way, Looking North



\* Buffers with SWM to employ Best Management Practices

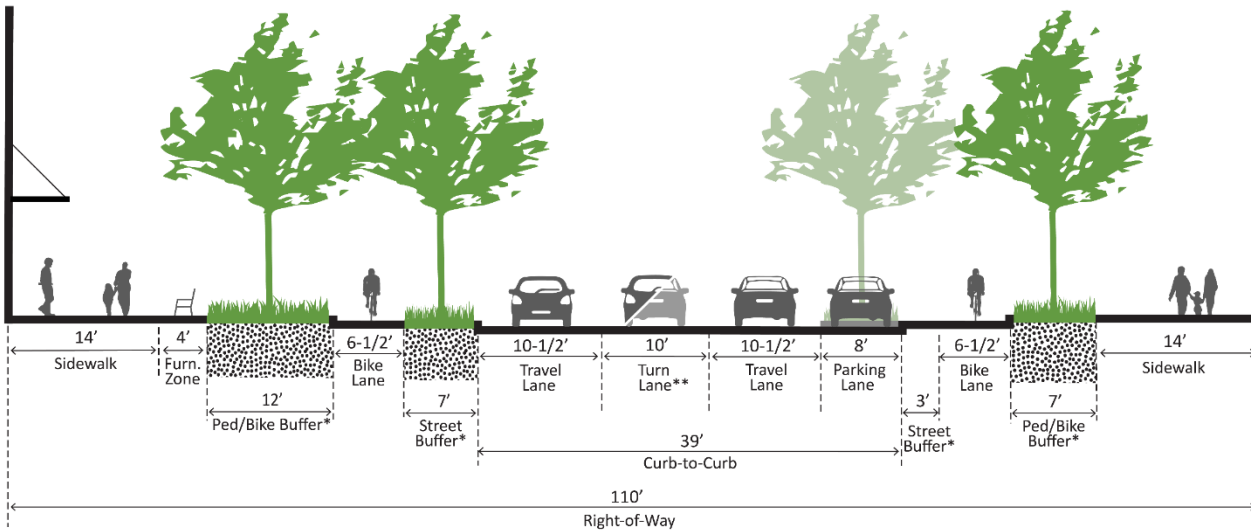
1688  
1689 Figure 2. East-West Highway (M-20): Blair Mill Road to Blair Mill Way, Looking North

1690  
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1692  
1693 Figure 3. East-West Highway (M-20): Blair Mill Way to Georgia Avenue, Looking North  
1694

1695 Ultimate Condition: Figures 4, 5, and 6

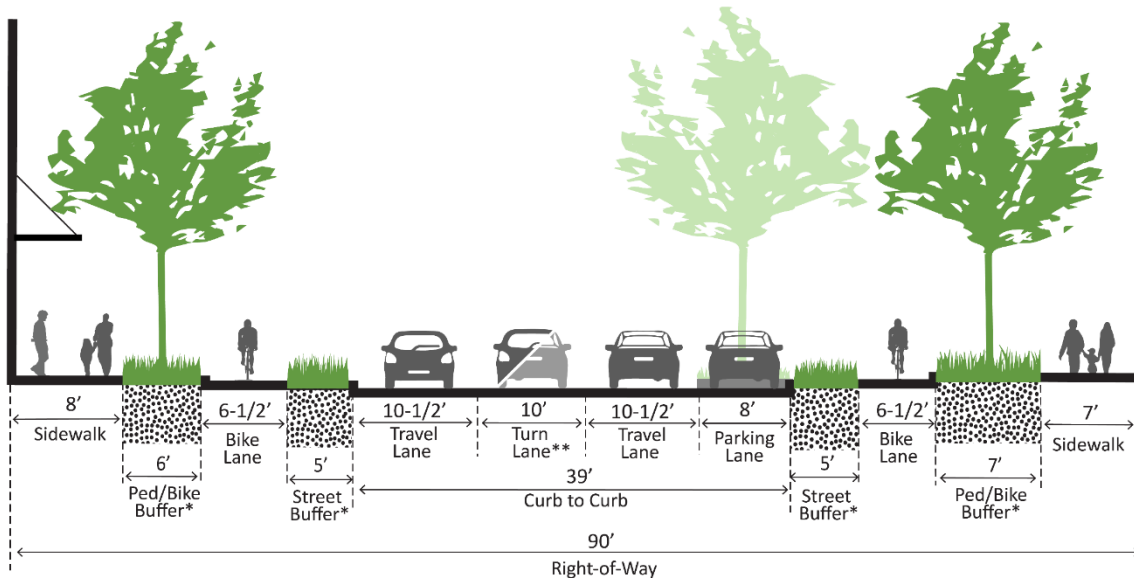


\* Buffer with SWM to employ Best Management Practices

\*\* Note: The center lane functions as a left turn lane at the intersection in the corresponding direction.

Note: This section holds the existing curb alignment on the side of East-West Highway adjacent to the Metrorail/CSX tracks.

1696  
1697 Figure 4. East-West Highway (M-20): 16th Street to Blair Mill Road, Looking North  
1698



\* Buffer with SWM to employ Best Management Practices

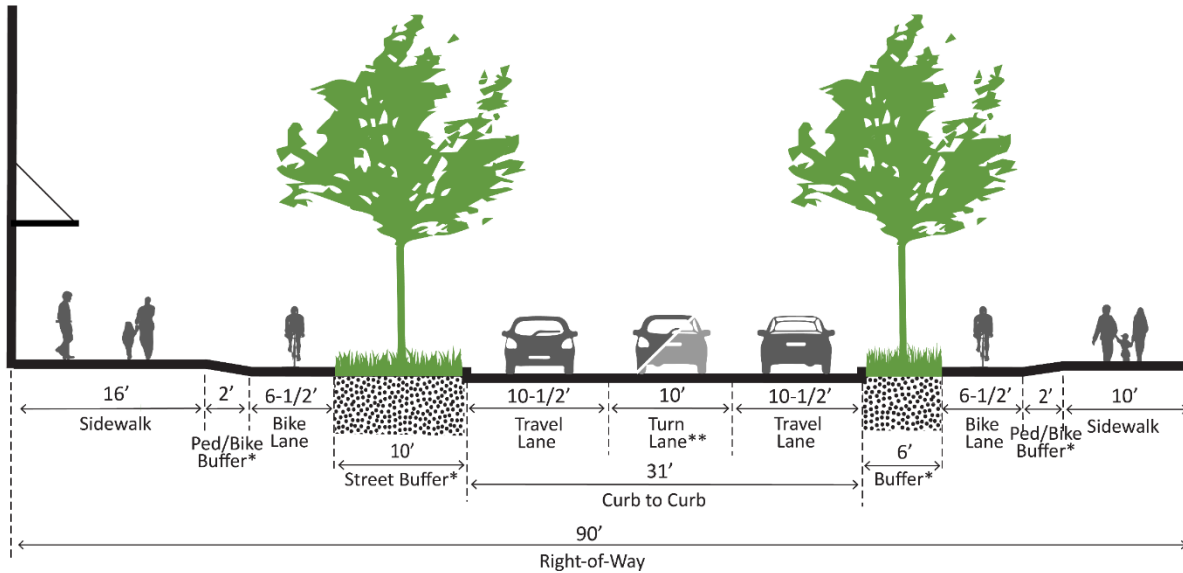
\*\* Note: The center lane functions as a left turn lane at the intersection in the corresponding direction.

Note: This section holds the existing curb alignment on the side of East-West Highway adjacent to the Metrorail/CSX tracks.

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Figure 5. East-West Highway (M-20): Blair Mill Road to Blair Mill Way, Looking North



\* Buffer with SWM to employ Best Management Practices

\*\* Note: The center lane functions as a left turn lane at the intersection in the corresponding direction.

Note: This section holds the existing curb alignment on the side of East-West Highway adjacent to the Metrorail/CSX tracks.

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Figure 6. East-West Highway (M-20): Blair Mill Way to Georgia Avenue, Looking North

1703

Colesville Road Sections

1705 A median-running BRT alignment is not provided for the two southernmost segments of Colesville  
 1706 Road (Sarbanes Transit Center to East-West Highway and East-West Highway to 16<sup>th</sup> Street/Eastern  
 1707 Avenue). This is because the segment between the Sarbanes Transit Center and East-West Highway

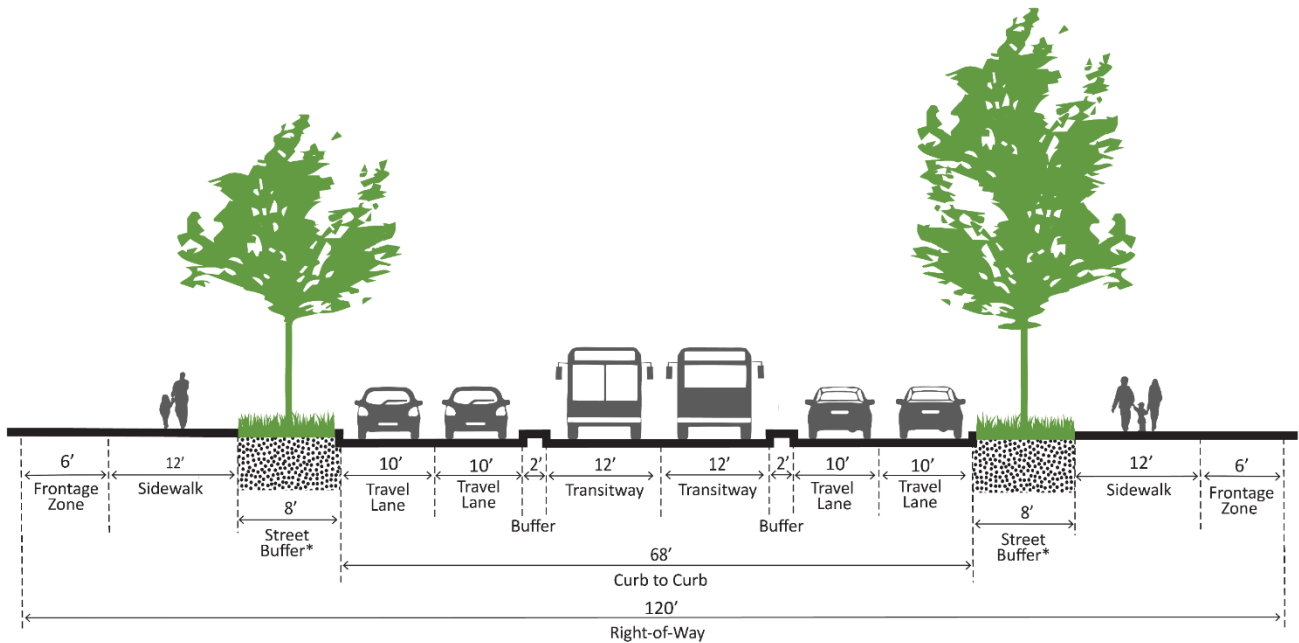
1708 traverses under the CSX/WMATA.MARC elevated lanes. The “median” is therefore inflexible in  
 1709 placement and minimum width. It was decided that since such a relatively short segment remains  
 1710 further south when traveling towards the Sector Plan border with the District of Columbia, it didn’t  
 1711 make sense to transition the buses back to median running, south of East-West Highway.

1712  
 1713 This is because the segment between the Sarbanes Transit Center and East-West Highway traverses  
 1714 under the CSX/WMATA/MARC elevated lanes. The median is therefore inflexible in placement and  
 1715 minimum width. It was decided that since it is a relatively short segment between the Transit Center  
 1716 and the Sector Plan border at the District of Columbia, it didn’t make sense to transition the buses back  
 1717 to median running south of East-West Highway.

1718  
 1719 The BRT lanes are envisioned to tie-in with the District of Columbia’s vision for dedicated BRT lanes  
 1720 on 16<sup>th</sup> Street, approaching Silver Spring.

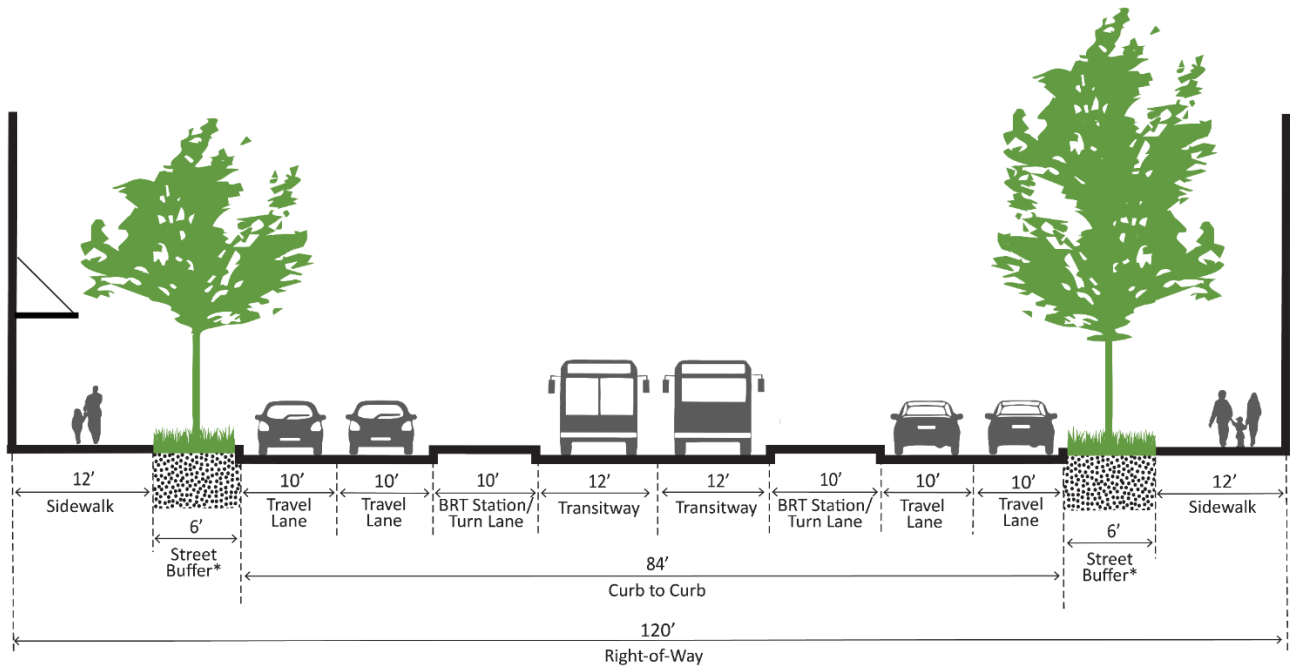
1721  
 1722 The travel lanes on Colesville Road are consistently 10-foot wide in the existing condition and for that  
 1723 reason, both alignments envision 10-foot travel lanes to minimize the curb-to-curb widths.

1724  
 1725 *Median-Running Bus Rapid Transit: Figures 7 - 10*  
 1726  
 1727



\* Buffers with SWM to employ Best Management Practices

1728  
 1729 Figure 7. Colesville Road (M-10): North Noyes Drive to Spring Street, Looking North  
 1730

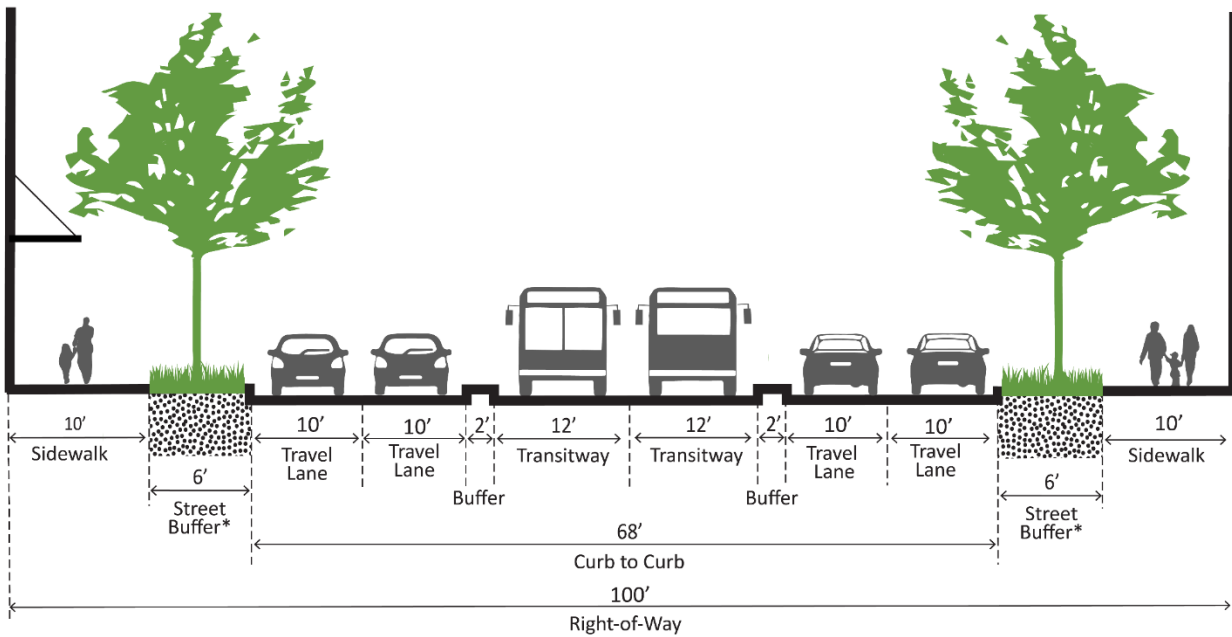


\* Buffers to employ SWM Best Management Practices

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1732 Figure 8. Colesville Road (M-10): Spring Street to Fenton Street, Looking North

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\* Buffers to employ SWM Best Management Practices

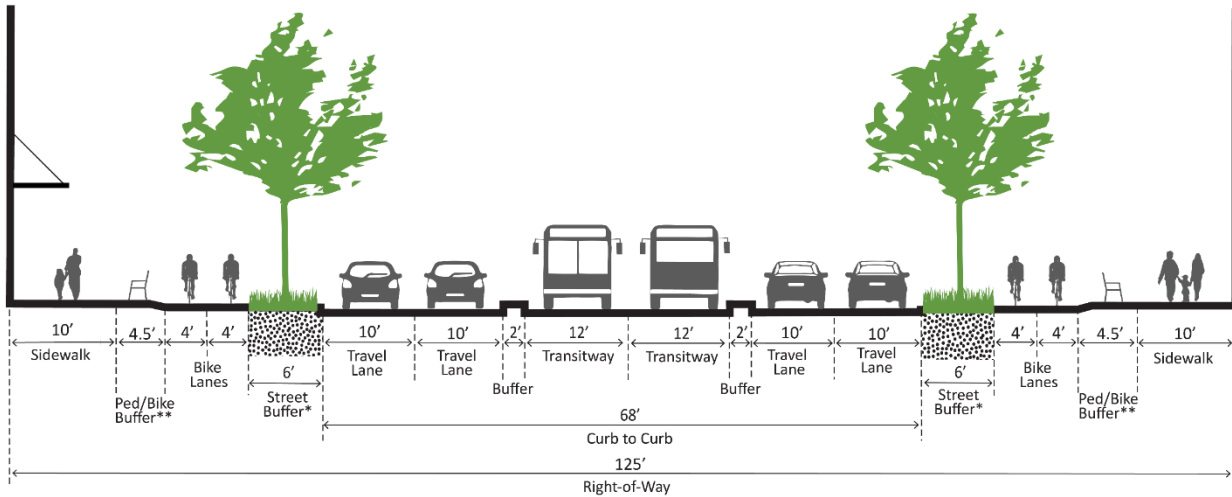
1734

1735 Figure 9. Colesville Road (M-10): Fenton Street to Georgia Avenue, Looking North

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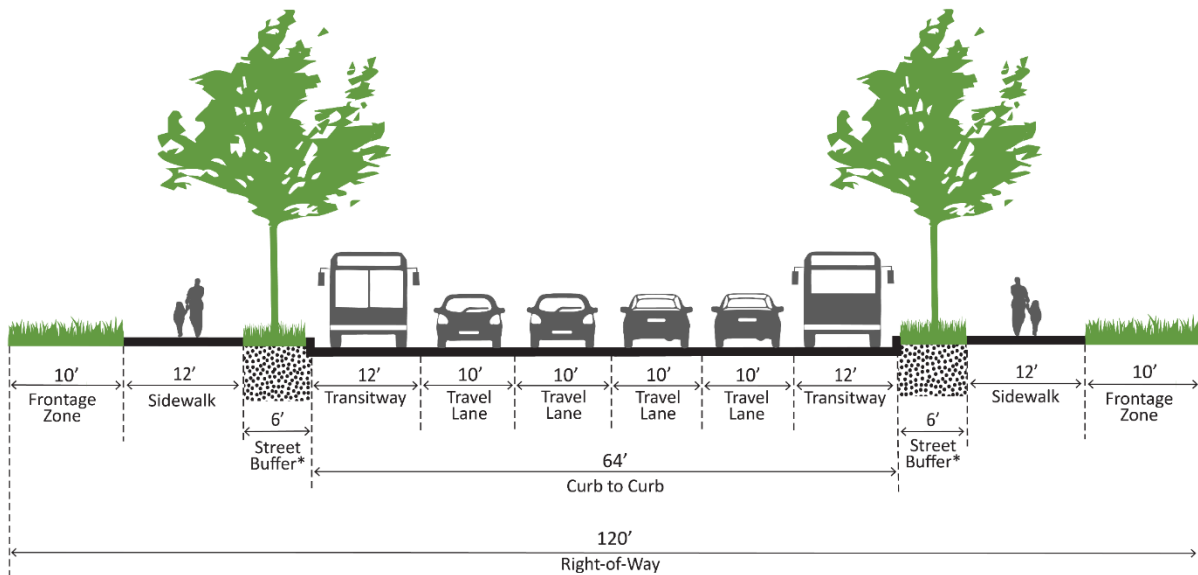
\* Buffers with SWM to employ Best Management Practices

\*\* Note: Ped/Bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane. 4.5' can also accommodate street furniture or similar.

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Figure 10. Colesville Road (M-10): Between Georgia Avenue and the Sarbanes Transit Center, Looking North

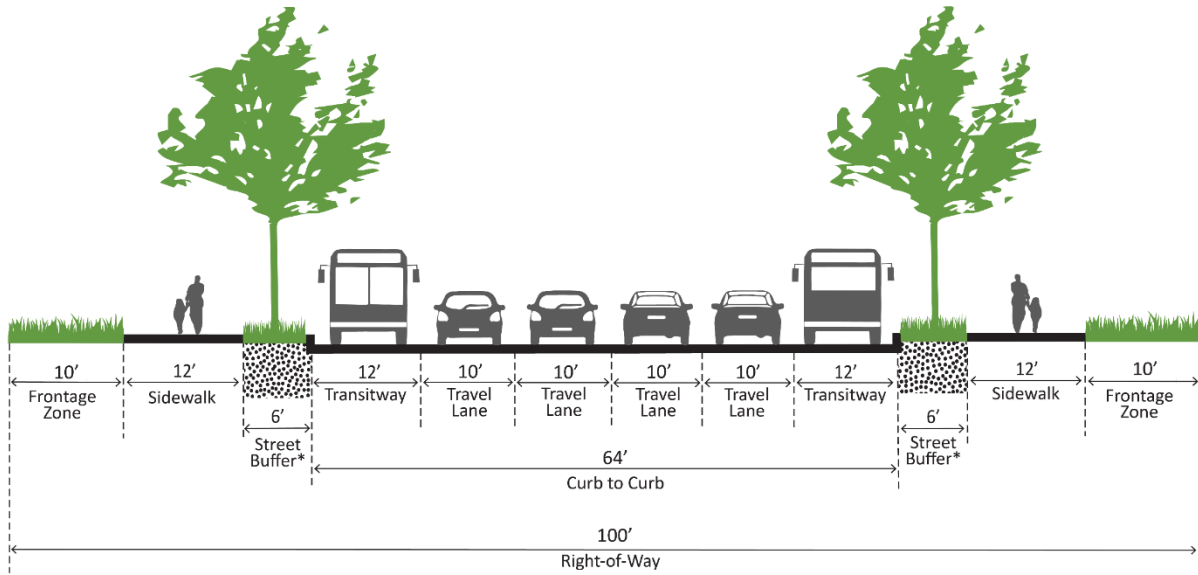
*Curb-Running Bus Rapid Transit: Figures 11 -16*



\* Buffers with SWM to employ Best Management Practices

1744  
1745

Figure 11. Colesville Road (M-20): Sligo Creek Parkway to Noyes Drive, Looking North



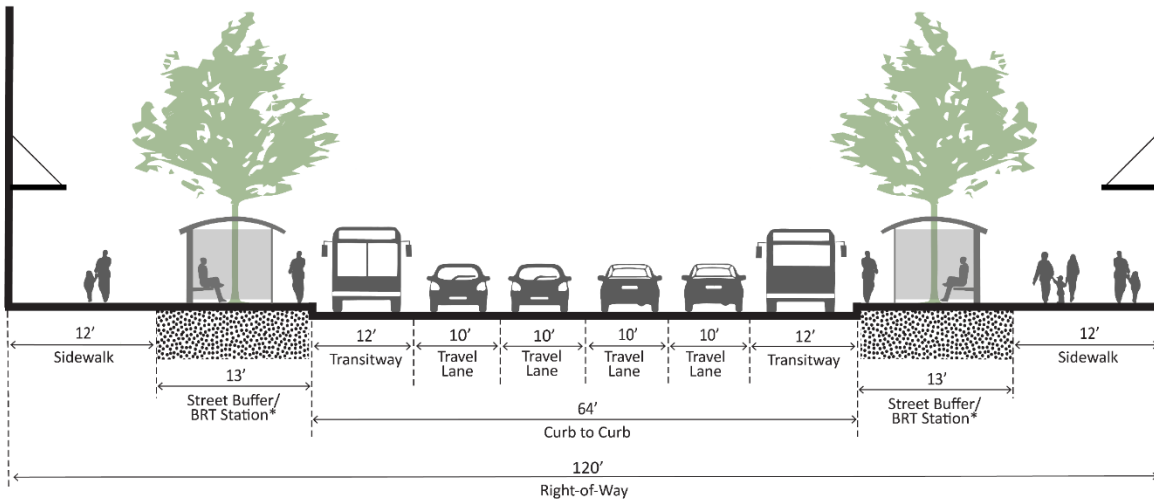
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\* Buffers with SWM to employ Best Management Practices

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Figure 12. Colesville Road (M-20): Noyes Drive to Spring Street, Looking North

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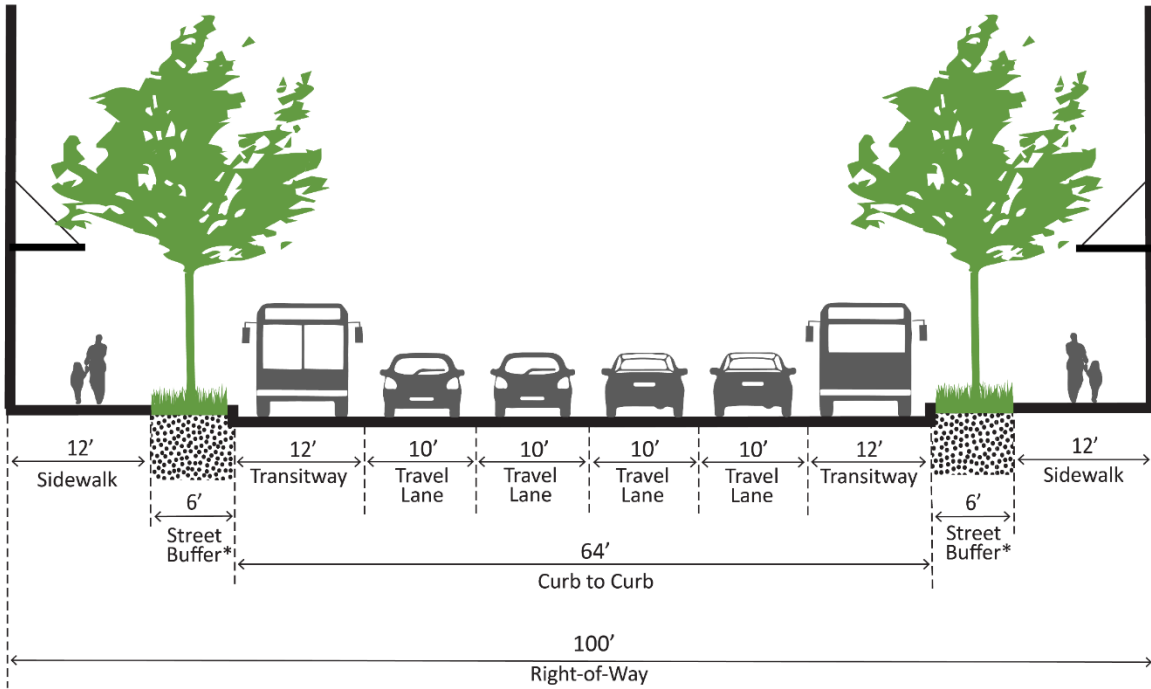
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\* Buffers with SWM to employ Best Management Practices

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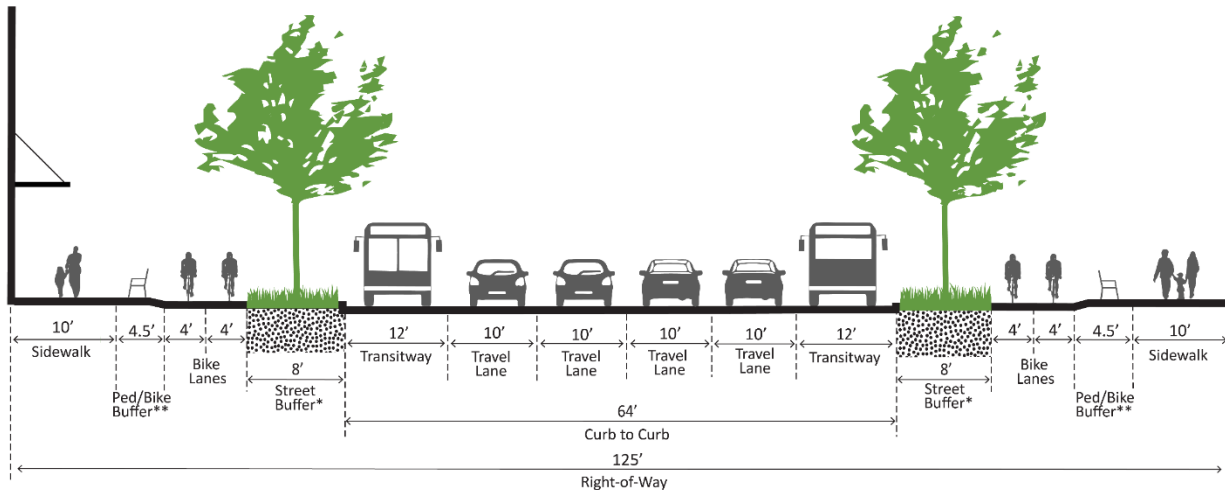
Figure 13: Colesville Road (M-10): Spring Street to Fenton Street, Looking North

1751



1752 \* Buffers with SWM to employ Best Management Practices

1753 Figure 14: Colesville Road (M-20): Spring Street to Georgia Avenue, Looking North



\* Street Buffer and SWM to employ Best Management Practices

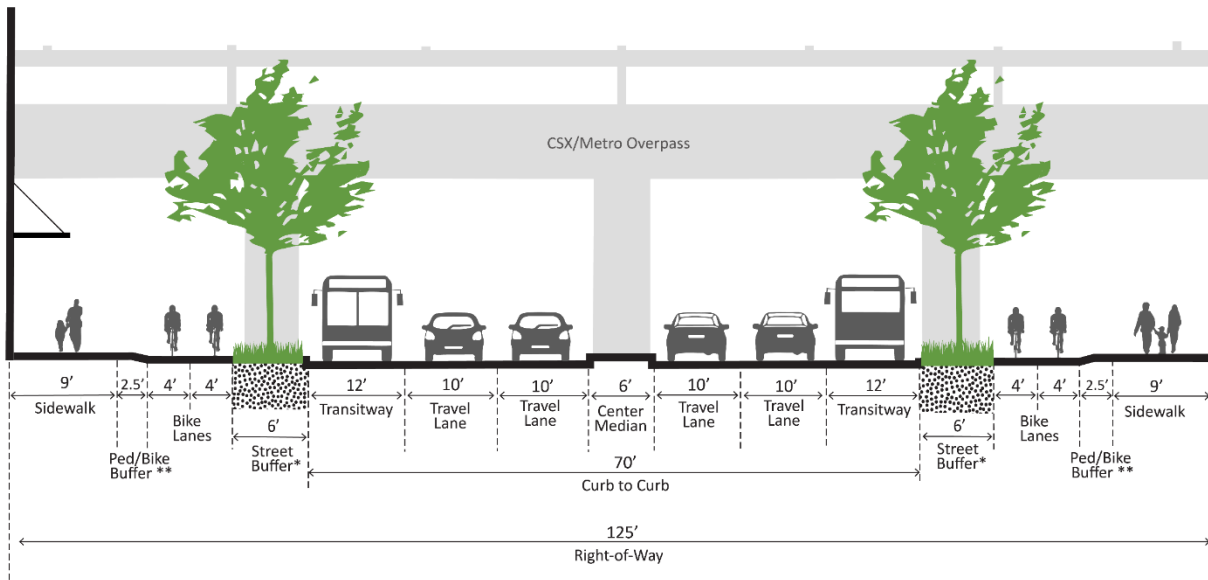
\*\* Note: Ped/bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane

1754

1755 Figure 15. Colesville Road (M-10): Georgia Avenue to the Sarbanes Transit Center, Looking North

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\* Buffers to employ SWM Best Management Practices

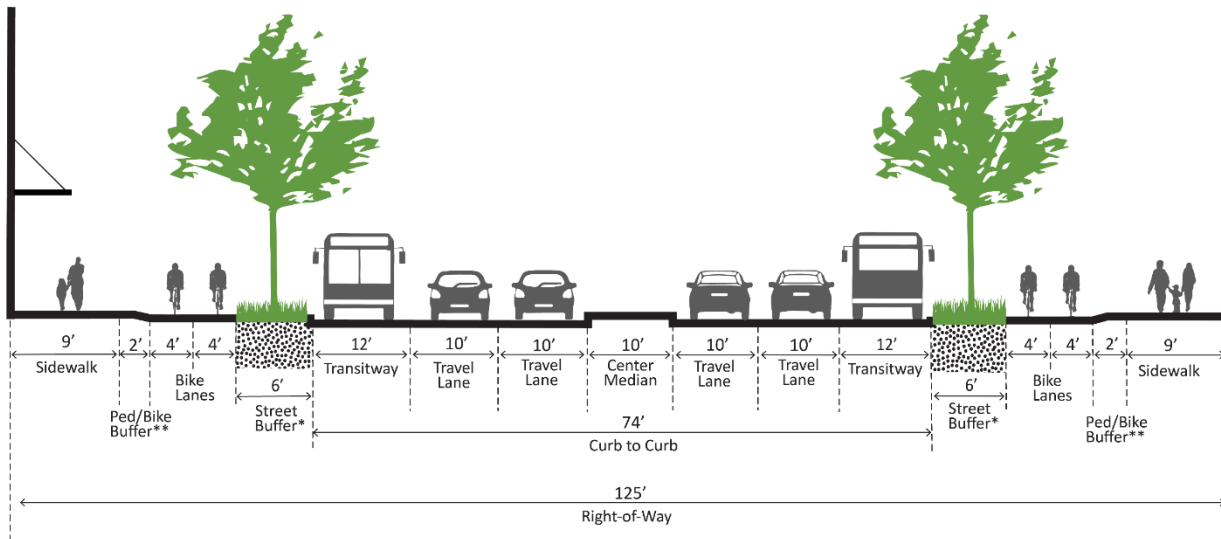
\*\* Note: Ped/bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane

Note: Public Improvement Easements can be used to further expand the active zone to achieve wider buffers between cyclists and pedestrians

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1759 Figure 16: Colesville Road (M-20), Sarbanes Transit Center to East-West Highway, Looking North

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\* Buffers with SWM to employ Best Management Practices

\*\* Note: Ped/bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane

1761

1762 Figure 17. Colesville Road (M-20): East-West Highway to 16th Street, Looking North

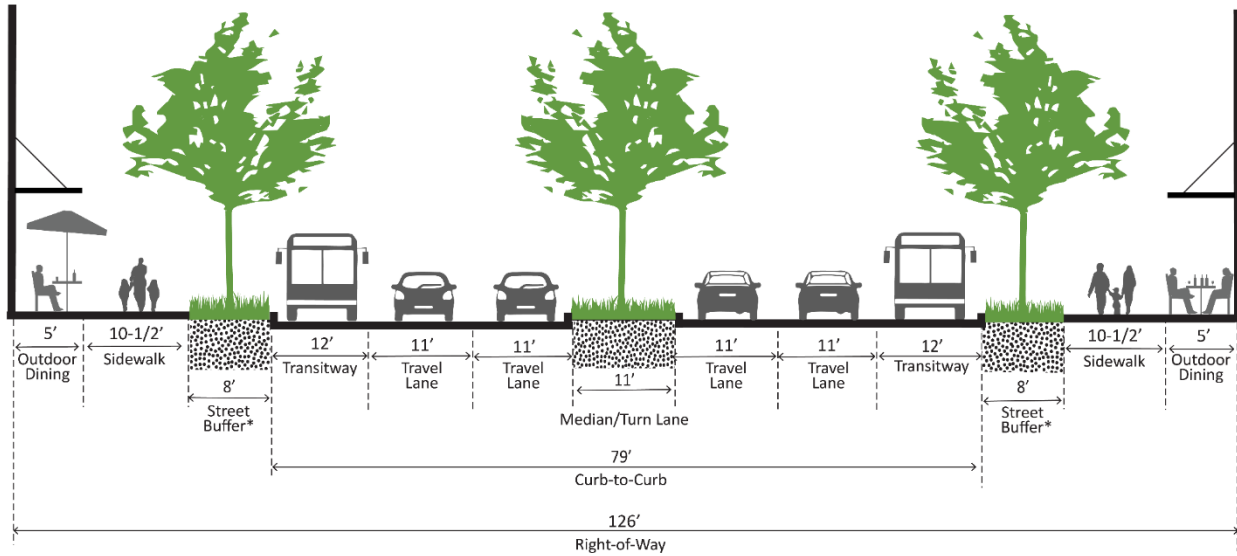
1763

1764 Georgia Avenue Sections

1765 As envisioned by the 2013 Countywide Transit Corridor Functional Master Plan, BRT traveling south  
 1766 on Georgia Avenue will enter the Sarbanes Transit Center in the Southbound direction by turning right  
 1767 onto Colesville Road. It will exit the Transit Center in the southbound direction by turning onto Wayne

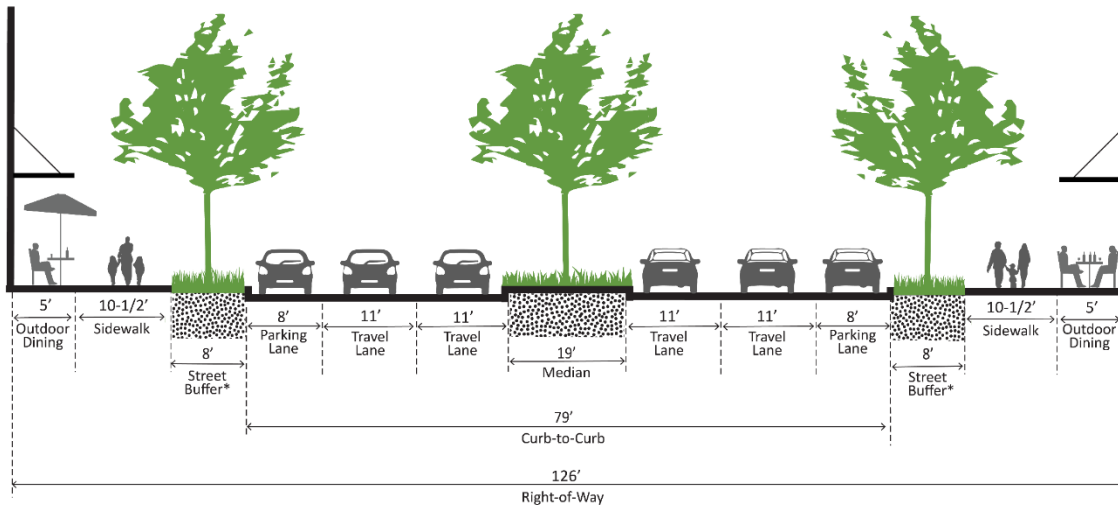
1768 Avenue and back onto Georgia Avenue. The reverse will occur in the northbound direction. For that  
 1769 reason, the segment of Georgia Avenue between Colesville Road and Wayne does not include  
 1770 dedicated transit lanes. To ensure a safe and feasible transition, this segment was included with both  
 1771 options for cross sections along Georgia Avenue developed for the Sector Plan.

1773 Curb-Running Bus Rapid Transit: Figures 18 – 21



\* Buffers to employ SWM Best Management Practices

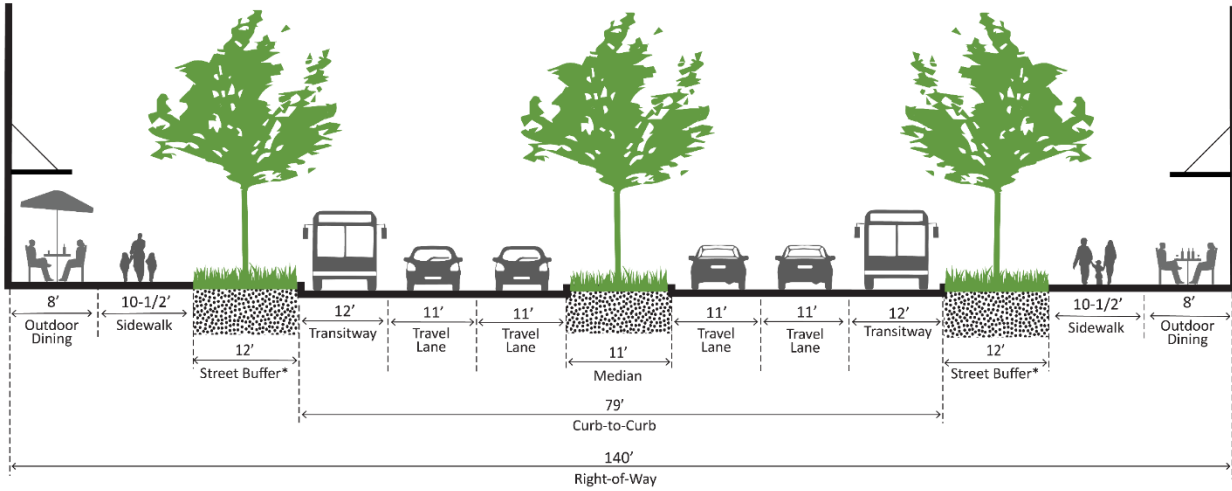
1774  
 1775 Figure 18. Georgia Avenue (M-8): Spring Street to Colesville Road, Looking North



\* Buffers to employ SWM Best Management Practices

1776  
 1777 Figure 19. Georgia Avenue (M-8): Colesville Road to Wayne Avenue, Looking North

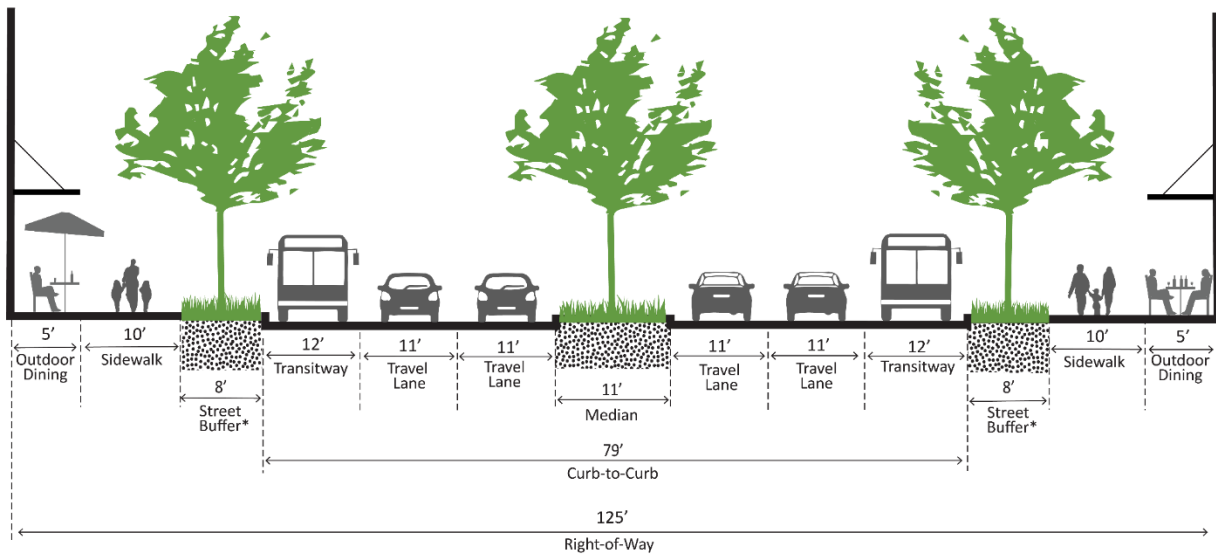
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\* Buffers with SWM to employ Best Management Practices

1779 Figure 20. Georgia Avenue (M-8): Wayne Avenue to Blair Mill Road, Looking North

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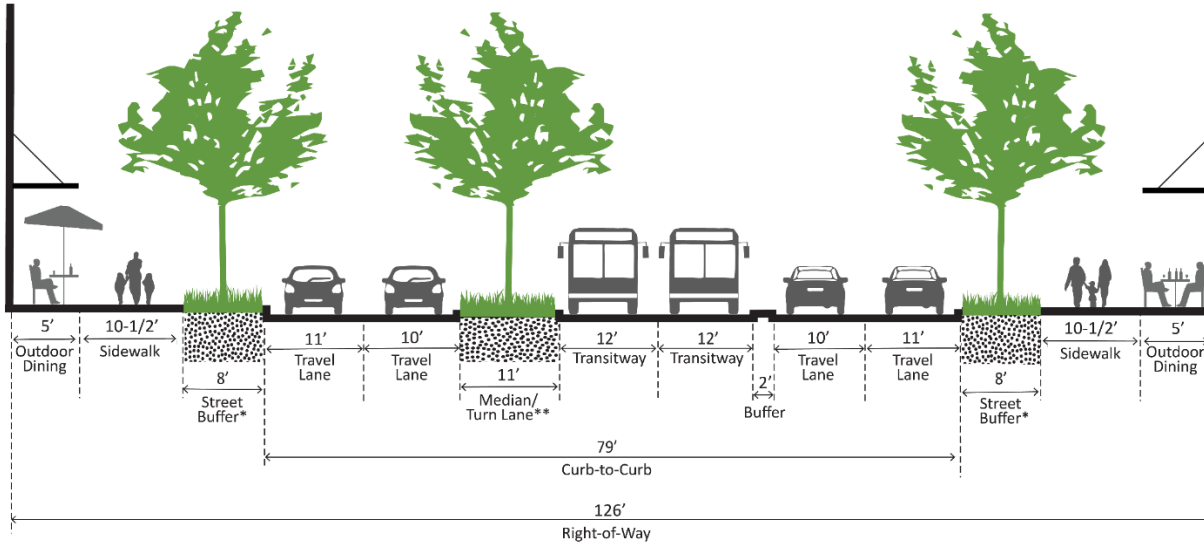


\* Buffers with SWM to employ Best Management Practices

1782 Figure 21. Georgia Avenue (M-8): Blair Mill Road to Eastern Avenue, Looking North

1784 *Median-Running Bus Rapid Transit: Figures 23 - 26*

1786



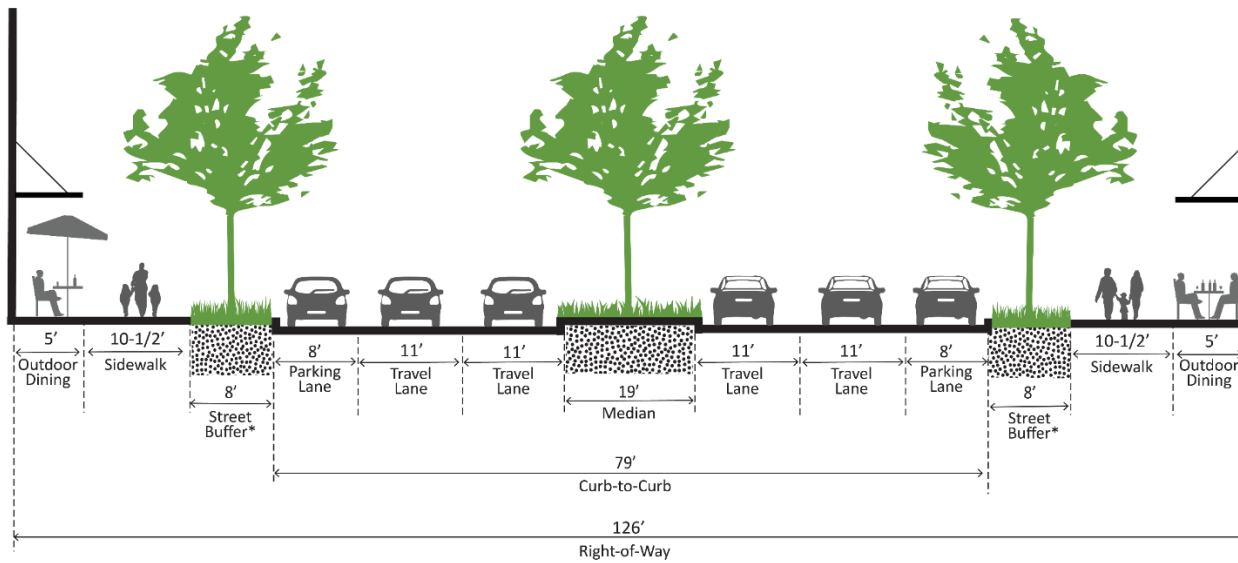
\* Buffers to employ SWM Best Management Practices

\*\* At turn lane condition, turn lane is 9' and there is a 2' buffer between the turn lane and the transitway.

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Figure 22. Georgia Avenue (M-8): Spring Street to Colesville Road, Looking North



\* Buffers to employ SWM Best Management Practices

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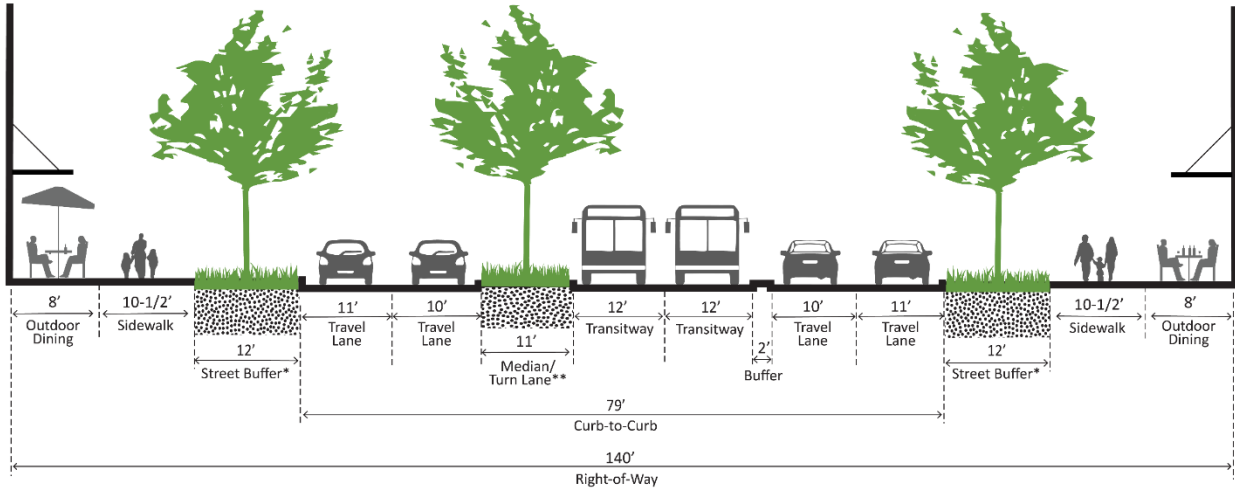
1790

Figure 23. Georgia Avenue (M-8): Colesville Road to Wayne Avenue, Looking North

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Note: The figure above is the same as Figure 20 in the curb-running BRT option for Georgia Avenue.



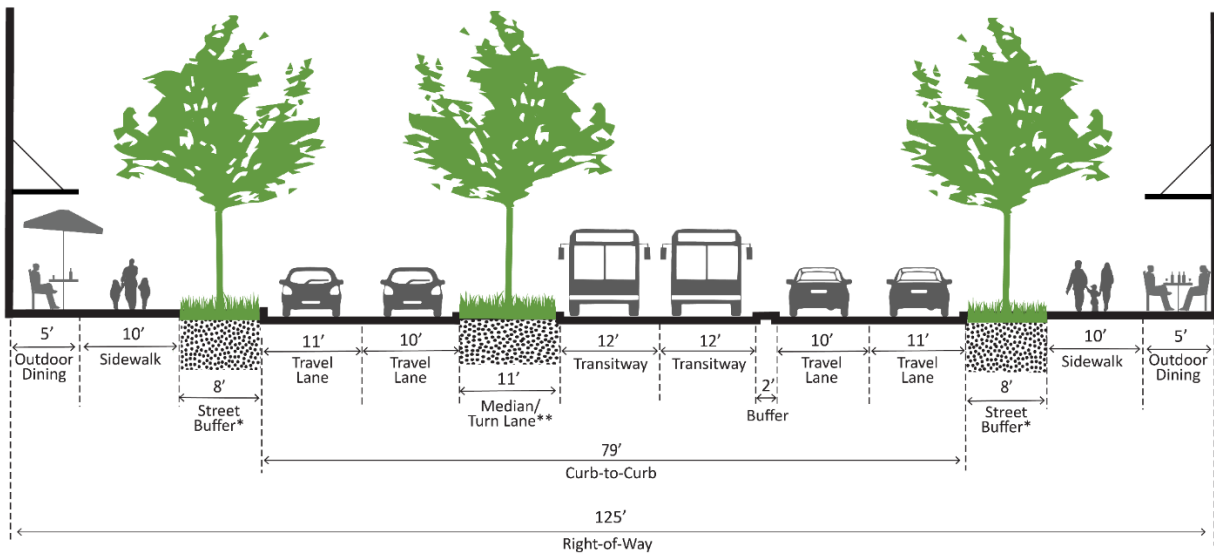
\* Buffers to employ SWM Best Management Practices  
 \*\* At turn lane condition, turn lane is 9' and there is a 2' buffer between the turn lane and the transitway.

1793

1794 Figure 24. Georgia Avenue (M-8): Wayne Avenue to Blair Mill Road, Looking North

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\* Buffers to employ SWM Best Management Practices  
 \*\* At turn lane condition, turn lane is 9' and there is a 2' buffer between the turn lane and the transitway.

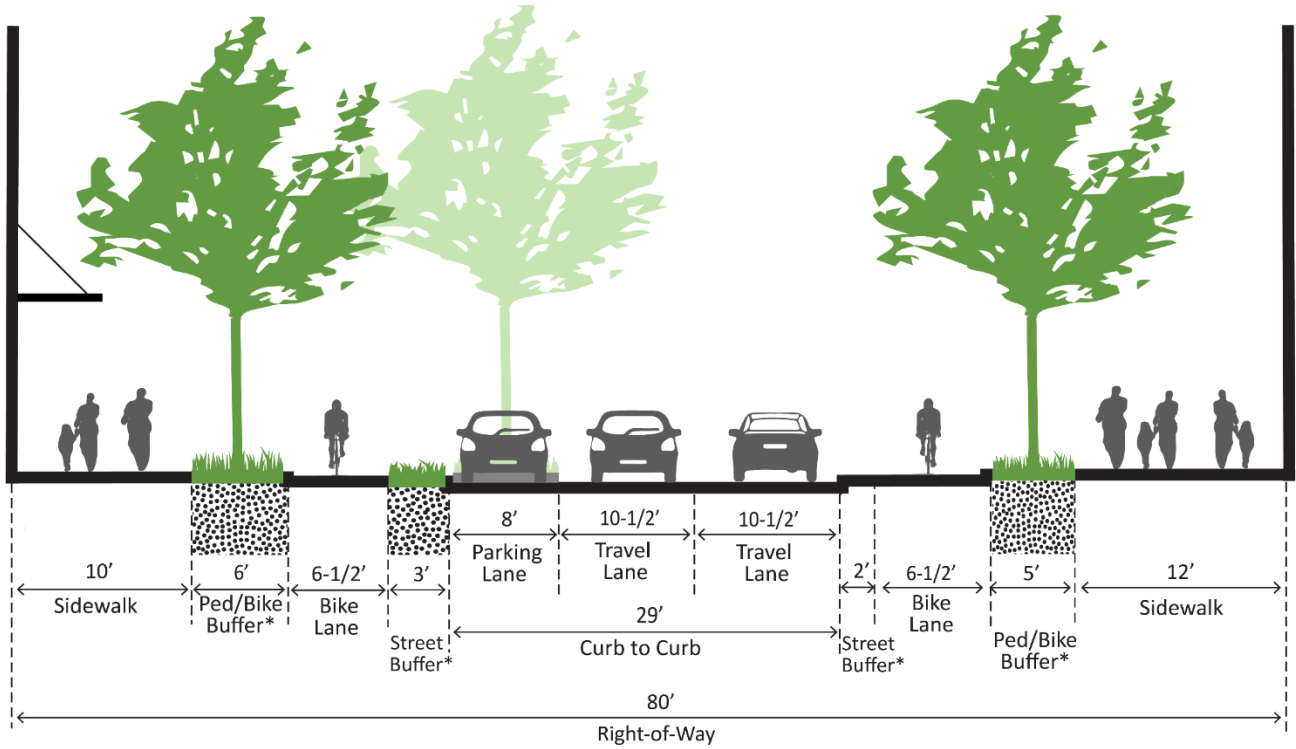
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1798 Figure 25. Georgia Avenue (M-8): Blair Mill Road to Eastern Avenue, Looking North

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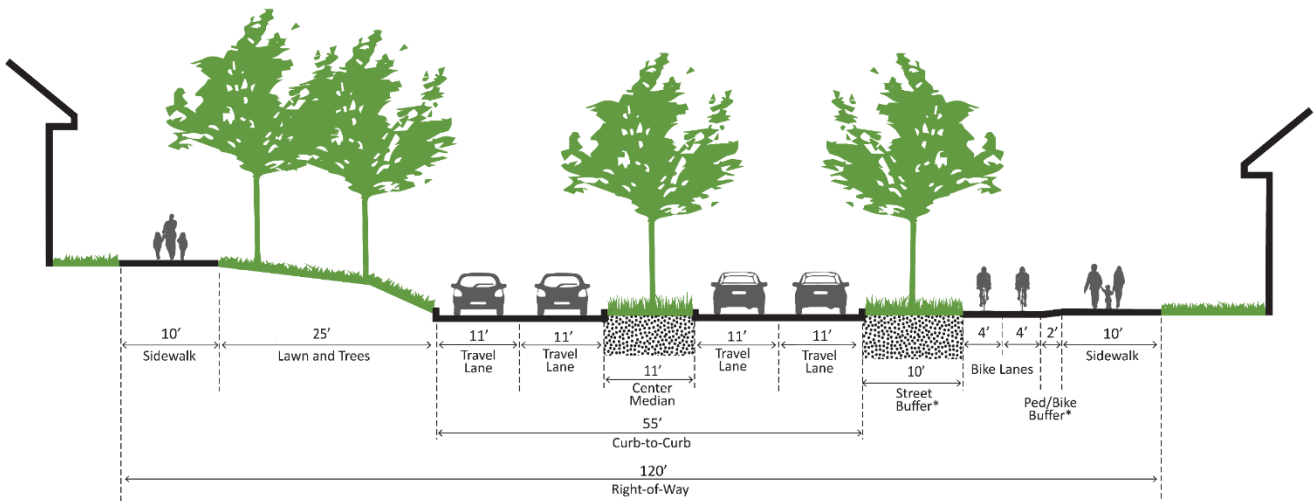
1800 Additional Street Sections



\* Buffers with SWM to employ Best Management Practices

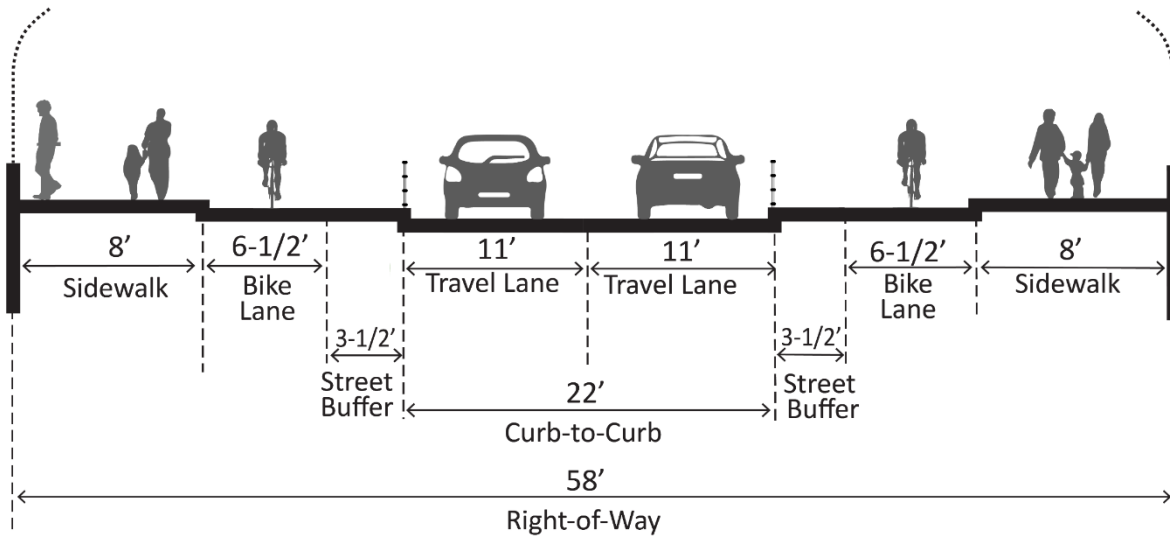
1801  
1802 Figure 26. 13th Street (B-3): Georgia Avenue to Eastern Avenue, Looking East

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\* Buffers with SWM to employ Best Management Practices

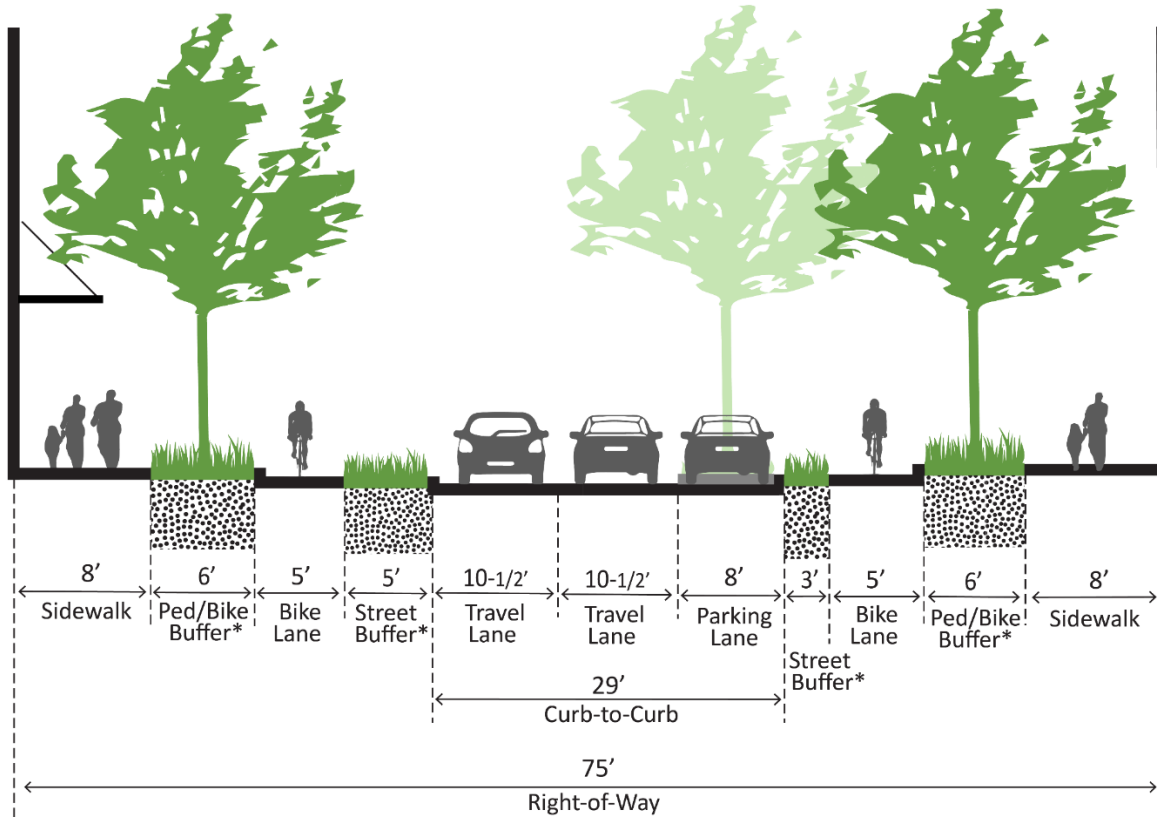
1805  
1806 Figure 27. 16th Street (M-9): Colesville Road to East-West Highway, Looking North



1807

1808 Figure 28. Burlington Avenue Bridge (M-20): Looking East

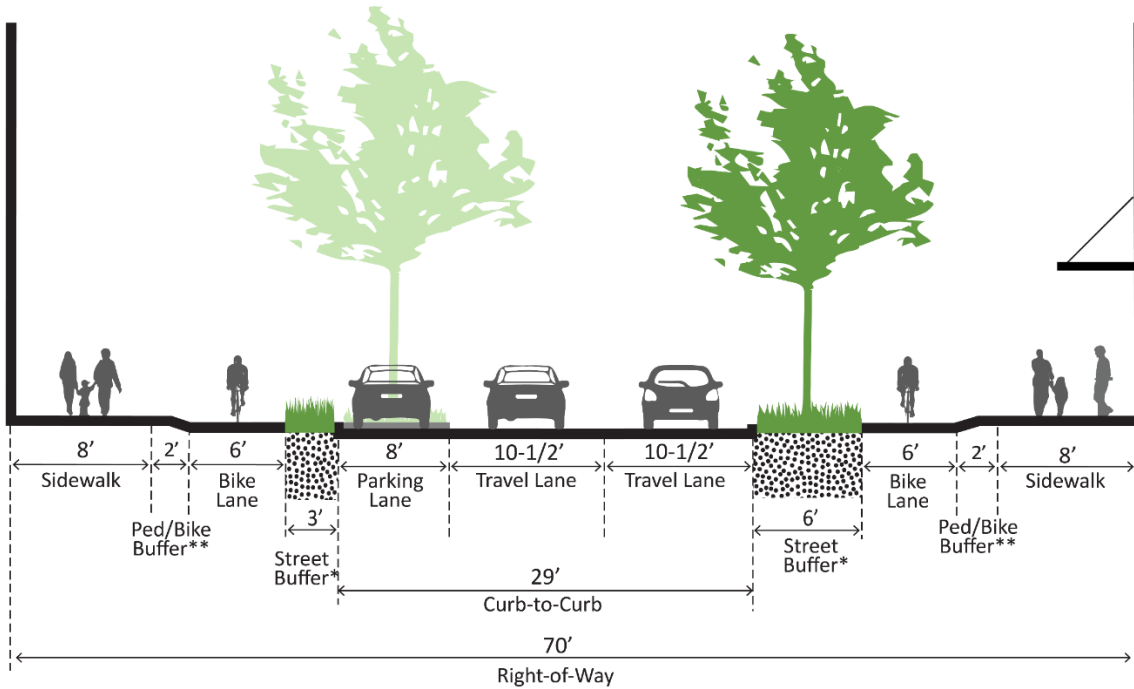
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\* Buffers with SWM to employ Best Management Practices

1810

1811 Figure 29. Cameron Street (B-28): 2nd Avenue to Georgia Avenue, Looking East



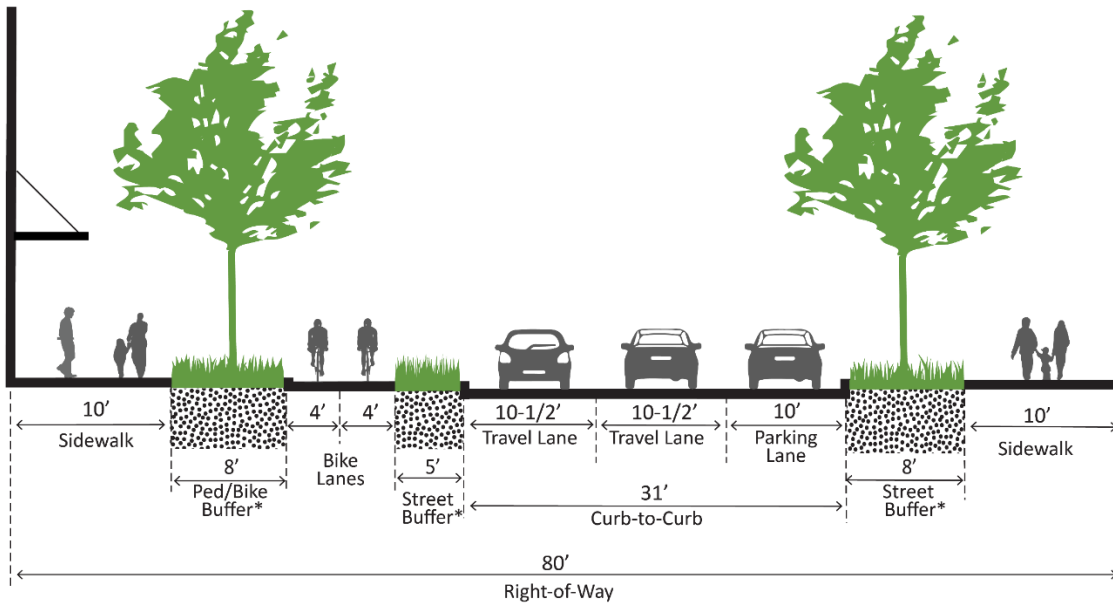
\* Buffers with SWM to employ Best Management Practices

\*\* Note: Ped/Bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane.

1812

1813 Figure 30. Silver Spring Avenue (B-25): Fenton Street to Georgia Avenue, Looking East

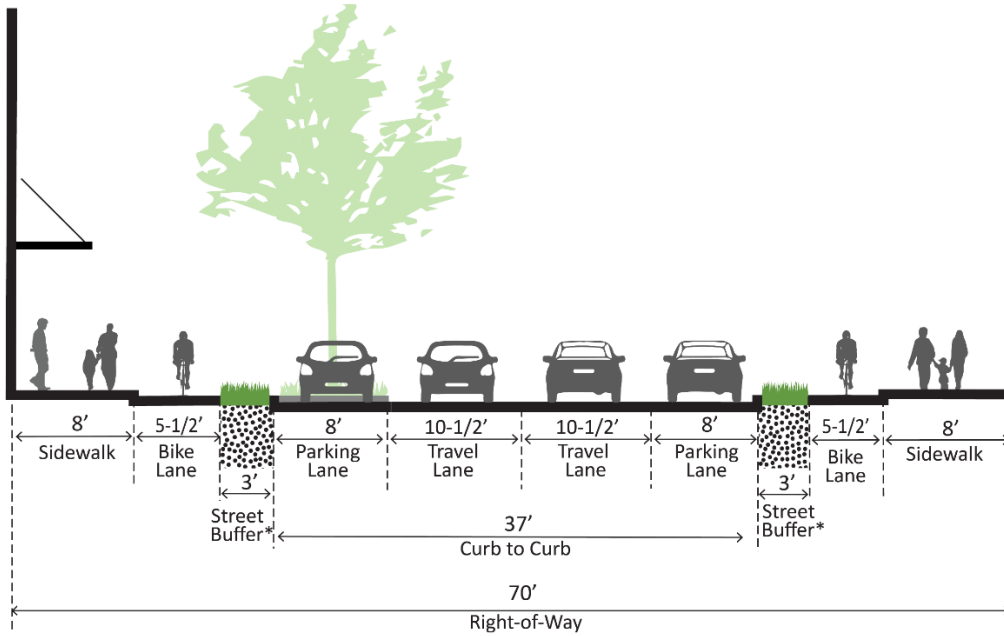
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\* Buffers with SWM to employ Best Management Practices

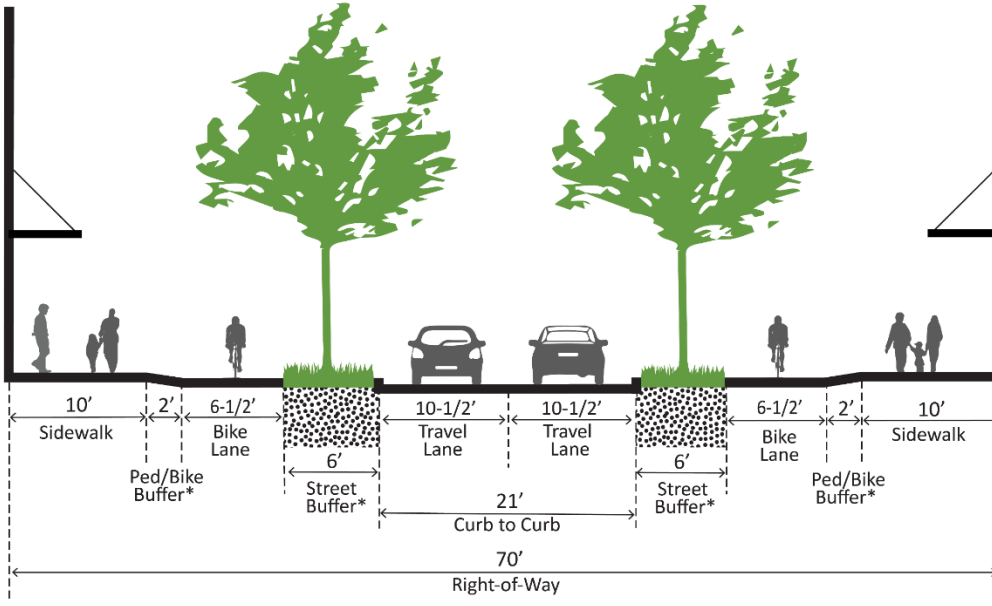
1815

1816 Figure 31. Fenton Street (A-264): Philadelphia Avenue to Wayne Avenue, Looking North



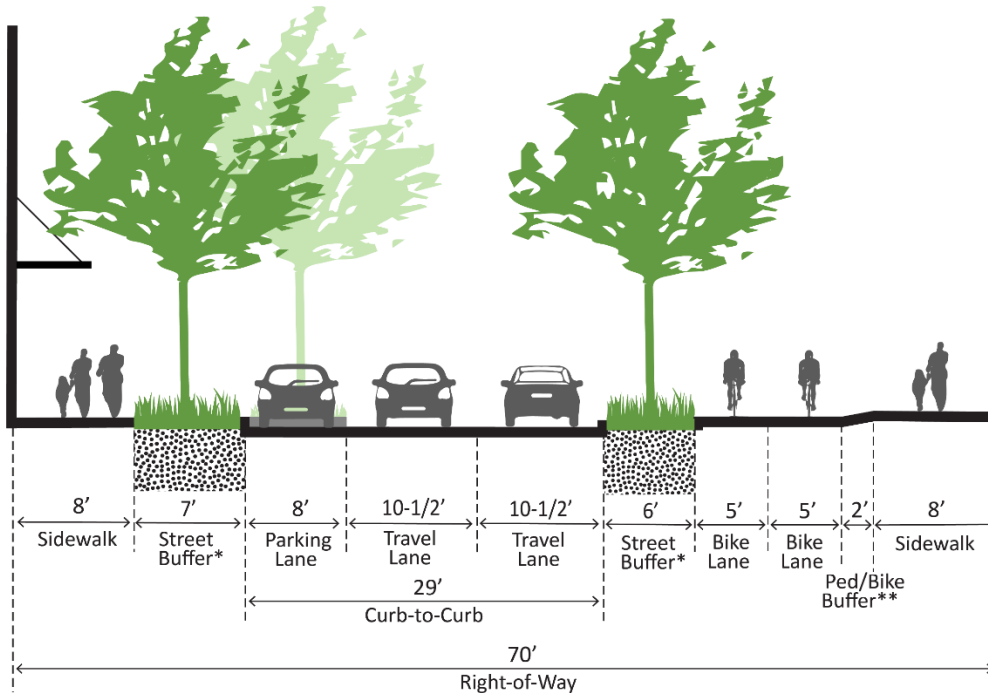
1817  
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\* Buffers with SWM to employ Best Management Practices.  
Figure 32. 1st Street (B-1): Spring Street to Fenwick Lane, Looking North



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1821

\* Buffers with SWM to employ Best Management Practices  
\*\* Note: Ped/Bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane  
Figure 33. 1st Street (B-30) Extended, Fenwick Lane to Cameron Street, Looking North



\* Buffers with SWM to employ Best Management Practices

\*\* Note: Ped/Bike Buffer: to differentiate the bikeway and the sidewalk, this space includes a mountable curb (1V:4H maximum) and 1 foot paver band. The sidewalk is 3 inches above the bike lane

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Figure 34. Blair Mill Road (B-25): Eastern Avenue to East-West Highway, Looking East

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Page 145: Add text after the last bullet under “Goals” as follows:

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Nature-based Solutions (NbS) are sustainable planning, design, and engineering practices that weave natural features and processes to mimic nature in the built environment. They aim to tackle climate change, food insecurity, water resources, natural disaster risks, and lost ecological performance. Several NbS are included in the Green Loop concept including cool surfaces, canopy tree and vegetation planting, shading strategies, and stormwater management. Architectural applications of NbS may include solar orientation, green roofs, gardens, water catchment, and vegetated landscapes. These elements improve human and ecological well-being, increase long-term economic prosperity, community desirability, rental retention rates, property values, and more. The Plan recommends implementing numerous Nature-based Solutions to achieve the goals outlined above.

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1838

Page 146: Delete section “3.7.3. Nature-Based Solutions for Urban Environmental Needs” as follows:

1839  
1840  
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[Nature-based Solutions (NbS) are sustainable planning, design, and engineering practices that weave natural features and processes to mimic nature in the built environment. They aim to tackle climate change, food insecurity, water resources, natural disaster risks, and lost ecological performance. Several NbS are included in the Green Loop concept including cool surfaces, canopy tree and vegetation planting, shading strategies, and stormwater management. Architectural applications of NbS may include solar orientation, green roofs, gardens, water catchment, and vegetated landscapes. These elements improve human and ecological well-being, increase long-term economic prosperity, community desirability, rental retention rates, property values, and more. The Plan recommends implementing numerous Nature-based Solutions to achieve the goals outlined above.]

1849

1850 Page 146: Insert the following bullet between the first and second bullets under “Goals” for “3.7.4. Urban  
1851 Heat Islands and Tree Canopy” as follows

1852

- Achieve 45% tree canopy coverage for the Plan area on both public and private property.

1854

1855 Page 147: Revise the fourth bullet under “Recommendations” as follows:

1856

- [Encourage]Require a minimum of 35 percent green cover on Optional Method Development projects where practicable and consistent with Plan objectives. A project may [achieve the 35 percent green cover requirement] provide green cover by:

1860

- o Providing an intensive green roof (six inches or deeper) on the [rooftop of the buildings] rooftop or other structure;

1861

- o [Proving]Providing native canopy tree cover on the landscape of the project site area at ground level; and/or

1862

- o Providing a combination of tree canopy cover and intensive green roof for a total of 35 percent or greater green cover on the total site.

1863

- o Site area for green cover [May] may be reduced [for] to accommodate on-site energy generation, other environmental site amenities, or where desirable to achieve other plan objectives.

1864

1865

1866

1867

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1869

- o [All new] New rooftops not covered in green roofs or alternative or renewable energy generation should be cool roofs or active rooftop uses.

1870

1871

1872 Page 148: Revise the fifth bullet under “Recommendations” as follows:

1873

- Consider a Cool Roof Initiative that encourages existing property owners to paint [their] roofs not covered in vegetation with reflective surfaces which can reduce the effects of heat island by as much as 33 percent.

1874

1875

1876

1877

1878 Page 156: Revise the first bullet under “Recommendations” for “3.8.1. Safety and Security” as follows:

1879

- Ensure consistent street lighting to provide a greater level of safety and comfort for pedestrians, particularly when [walking] traveling at night. The plan strongly recommends additional lighting at underpasses such as the pedestrian tunnel under the Metrorail at Georgia Avenue, and under the Metrorail at Colesville Road.

1880

1881

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1884

1885 Page 157: Revise third bullet under “Recommendations” for “3.8.2. Homeless and Housing Insecurity  
1886 Services” as follows:

1887

- Work with service providers to provide [sufficient] more places that are welcoming and supportive of the housing insecure.

1888

1889

1890

1891 Page 166: Delete the following heading after the second paragraph under “3.9 Historic Resources” as  
1892 follows:

1893

[Building Preservation Opportunities in Downtown Silver Spring]

1894

1895

1896 Page 166: Revise the text under “Building Preservation Opportunities in Downtown Silver Spring” as  
1897 follows:

1898  
1899 3.9.1 Goals

1900  
1901 Silver Spring’s historic buildings are critical to the community’s character and collective memory;  
1902 offer tangible connections to the past; provide opportunities for education and interpretation; and  
1903 create a diversity of building types within the Plan area. The Silver Spring Downtown and Adjacent  
1904 Communities Plan will [encourage preservation and adaptive reuse of designated historic properties]:

- 1905 • Recognize and interpret the diversity, heritage, and history of the Plan area.
- 1906 • Encourage preservation and adaptive reuse of historically significant properties.
- 1907 • Educate owners of historic properties on the benefits of local, state, and federal historic  
1908 preservation tax credit programs.
- 1909 • Document and support local, independently-owned businesses in operation for over 15 years.

1910  
1911 Page 166: Revise the following heading under “Building Preservation Opportunities in Downtown Silver  
1912 Spring” as follows:

1913  
1914 [3.9.1] 3.9.2 Resources Listed in the Master Plan for Historic Preservation

1915  
1916 Page 166: Revise the heading after “3.9.1 Master Plan for Historic Preservation” as follows:

1917  
1918 [Goals] Recommendations:

1919  
1920 Page 167: Revise the second paragraph as follows:

1921  
1922 Silver Spring features numerous resources listed in the *Master Plan for Historic Preservation*. These  
1923 resources have architectural and historical significance, but more importantly, provide material and  
1924 tangible benefits to the community. The historic sites and districts shall continue to be preserved as  
1925 they contribute to the vitality of downtown Silver Spring. For example, prioritizing the continued  
1926 rehabilitation of the Jesup Blair House (listed to the Master Plan for Historic Preservation in 1986)  
1927 will allow M-NCPPC to identify a partner to activate the space and complement future park  
1928 programming at Jesup Blair Park. Interpretation of [these places] historic sites and districts, however,  
1929 should be re-evaluated to ensure analysis of segregation, discrimination, underrepresented  
1930 communities, and other histories insufficiently documented in previous surveys of Silver Spring.

1931  
1932 Page 167: Revise the last paragraph as follows:

1933  
1934 The transformation and adaptive reuse of transportation infrastructure (such as parking lots) is critical  
1935 for the evolution of our urban downtown and essential for our future mobility beyond the automobile.  
1936 Historic preservation will contribute to such planning efforts by actively encouraging the  
1937 preservation and adaptive reuse of important spaces and buildings, documenting the history of land  
1938 use, and providing guidance for designated historic resources through the design review process.  
1939 Further reimagining and activation of this parking lot would be appropriate and encouraged with  
1940 respect to the ongoing preservation of the site, consistent with retaining the lot’s character-defining  
1941 shape and features. In [addition] particular, proposals could explore the addition of a commercial  
1942 one-story building that is compatible with the architecture of the shopping center and respects the

1943 relationship between the shopping center and streets. Historically, a section of the parking lot once  
 1944 included a gas station which provides justification for the addition of a small structure.  
 1945

1946 Page 168: Delete section “3.9.2. Locational Atlas and Index of Historic Sites” as follows:  
 1947

1948 [3.9.2. Locational Atlas and Index of Historic Sites

1949 Established in 1976, the Locational Atlas and Index of Historic Sites identifies resources that are  
 1950 potentially historically significant. Resources listed on the atlas are protected from demolition or  
 1951 substantial alteration under Chapter 24A of the Montgomery County Code. This designation is meant  
 1952 to be temporary until analysis for listing in the Master Plan for Historic Preservation can be  
 1953 completed.]  
 1954

1955 Page 168: Insert a new section regarding the Locational Atlas and Index of Historic Places as follows:  
 1956

1957 3.9.3. Resources Listed in the Locational Atlas and Index of Historic Sites

1958 Recommendation:

- 1959 • Review properties listed on the Locational Atlas and Index of Historic Sites as part of any  
 1960 redevelopment proposal or as part of comprehensive analysis of resources listed in the atlas.  
 1961

1962 Established in 1976, the Locational Atlas and Index of Historic Sites identifies resources that are  
 1963 potentially historically significant. Resources listed on the atlas are protected from demolition or  
 1964 substantial alteration under Chapter 24A of the Montgomery County Code. This designation is meant  
 1965 to be temporary until analysis for listing in the Master Plan for Historic Preservation can be  
 1966 completed.  
 1967

1968 8551 Fenton Street

1969 The building is listed in the Locational Atlas and Index of Historic Sites as a resource within the  
 1970 Silver Spring CBD Locational Atlas District. The first anchor tenant of this building (constructed in  
 1971 1951) was Morton’s Department Store which several sources have noted had a non-discriminatory  
 1972 environment at its stores. The Historic Preservation Commission and the Planning Board evaluate  
 1973 the significance of buildings proposed for redevelopment or as part of a larger analysis of resources  
 1974 listed in the Locational Atlas and Index of Historic Sites as outlined in Chapter 24A, Historic  
 1975 Resources Preservation, of the County Code.  
 1976  
 1977

1978 Page 171: Revise headings at the top of the page as follows:  
 1979

1980 [3.9.3] 3.9.4 New Sites [or Districts] to be Studied as Future Historic Preservation Master Plan  
 1981 Amendment(s)

1982 Recommendations:

- 1983 • Study the Weller’s Dry-Cleaning Building for the potential future listing in the *Master Plan for*  
 1984 *Historic Preservation* and encourage the adaptive reuse of the building if the occupant and use  
 1985 change.  
 1986  
 1987  
 1988

1989 Page 171: After the first two paragraphs, delete “Recommendation” and associated text as follows:  
 1990



1991 [Recommendation:  
 1992 Study the Weller’s Dry-Cleaning Building for the potential future listing in the Master Plan for  
 1993 Historic Preservation and encourage the adaptive reuse of the building if the occupant and use  
 1994 change.]

1995  
 1996 Page 172: Revise headings at the top of the page as follows:

1997  
 1998 [3.9.4] 3.9.5 New Sites or Districts to be Studied for listing on the National Register of Historic  
 1999 Places

2000  
 2001 [Goals] Recommendations:

2002  
 2003 Page 172: Add the following heading after the fourth bullet under “Goals”:

2004  
 2005 Properties Potentially Eligible for the National Register of Historic Places

2006  
 2007 Page 172: Delete the “Perpetual Bank Building” from the list of potentially eligible properties as  
 2008 follows:

- 2009  
 2010 • Operations Research, Inc., Building (1400 Spring Street)  
 2011 • [Perpetual Bank Building (8700 Georgia Avenue)]  
 2012 • U.S. Industries Building (949 Bonifant Street)

2013  
 2014 Page 173: Modify the heading regarding Garden Apartments as follows:

2015  
 2016 [Proposed Silver Spring] Garden and Mid-Rise Apartment [Complex] Historic District

2017  
 2018 Page 173: Add the following bullet under the revised Garden and Mid-Rise Apartment heading as  
 2019 follows:

- 2020  
 2021 • Study a Silver Spring Garden and Mid-Rise Apartment National Historic District and list the  
 2022 district on the National Register of Historic Places, which would open state and federal  
 2023 historic preservation tax credit opportunities to property owners.

2024  
 2025 Page 174: Delete the last sentence on the page as follows:

2026  
 2027 [Staff recommends listing the district to the National Register of Historic Places, which would open  
 2028 state and federal historic preservation tax credit opportunities to property owners.]

2029  
 2030 Page 175: Revise the headings and first paragraph at the top of the page as follows:

2031  
 2032 [3.9.5.] 3.9.6. Archeological Resources

2033  
 2034 [Goals] Recommendation:

2035

- 2036 • Advocate for archaeological investigations in areas with potential for buried resources to be  
 2037 present, as projects are undertaken. This is often in areas with limited land development such  
 2038 as [minimal land disturbance (primarily located at] Jesup Blair Park[)] when projects are  
 2039 undertaken].  
 2040

2041 Page 175: Add the following information as a footnote to the recommendation regarding burial  
 2042 resources:

2043  
 2044 The potential to have intact archeological sites present in any given location is based on past land  
 2045 use and decreases in areas with more extensive ground disturbance (land disturbed through use,  
 2046 construction, grading, etc.). The level of ground disturbance typical in urban areas means the  
 2047 potential for intact resources needs to be evaluated at an individual property level. At Jesup Blair  
 2048 Park, Park and Planning staff archaeologists will coordinate and determine the level of archaeological  
 2049 investigations to be included in a Historic Area Work Permit (HAWP) application to the Historic  
 2050 Preservation Commission. The proposed level of investigation will be based on historical research,  
 2051 environmental context review, field inspections, findings of past investigations, and the location and  
 2052 nature of proposed improvements.  
 2053

2054 Page 175: Revise the heading and bullets following the first paragraph under “3.9.6. Cultural and  
 2055 Heritage Resources” as follows:

2056  
 2057 [Goals] Recommendations:  
 2058

- 2059 • Establish a legacy business registry to recognize the economic, cultural, and social  
 2060 contributions of long-standing businesses to the fabric of Silver Spring.
- 2061 • [Study potential incentives to preserve local, independently owned businesses.]
- 2062 • Partner with existing and new local partners to add interpretation of histories absent from our  
 2063 present narratives. Interpretation may include physical (historic markers and panels, public  
 2064 art, etc.) and digital or other ephemeral media (websites, story maps, virtual walking.
- 2065 • [Celebrate the diversity, heritage, and history of the Plan area.]
- 2066 • Support [any future recommendations of] the Streets and Parks Facilities Renaming Review  
 2067 Project.  
 2068

2069 Page 178: Revise the heading and insert text under “4.1 ZONING” as follows:

2070  
 2071 4.1.1 [Connectivity and Infrastructure Fund (CIF)] Downtown Silver Spring Overlay Zone  
 2072

2073 An overlay zone is a mapped district placed over the underlying Euclidian zone that modifies the  
 2074 uses or development standards of the zone. An overlay zone imposes requirements, restrictions, or  
 2075 allowances in addition to, or in place of, those of the underlying zoning. This Plan recommends the  
 2076 adoption of a Downtown Silver Spring Overlay Zone that will cover all Plan districts except the  
 2077 Adjacent Communities District. The overlay zone would implement the recommendations of this  
 2078 Plan related to density, affordable housing, public benefits, design excellence and the Civic  
 2079 Improvement Fund.  
 2080

2081 Page 178: Insert the following heading after section 4.1.1. as follows:

2082  
 2083 4.1.2. Civic Improvement Fund (CIF)

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Page 178: Revise the first bullet under “4.1.1. Connectivity and Infrastructure Fund (CIP)” as follows:

- Any CR property in the Plan area may obtain additional density necessary to reach the mapped maximum building height [, or additional height approved for a property in the BHIZ,] by making a contribution to the [Connectivity and Infrastructure] Civic Improvement Fund (CIF). The Contribution methodology will be determined by the Zoning Ordinance.

Page 178: Revise the third bullet under “4.1.1. Connectivity and Infrastructure Fund (CIP)” as follows:

- The CIF will be implemented by the [Planning Department under the direction of the Planning Board] County and contributions will be used toward implementation of specific projects within downtown Silver Spring intended to upgrade the public realm so as to continue to attract businesses, residents, and visitors, including:
  - Enhanced Transit Center Arrival Experience;
  - Bridge connection over Metrorail/CSX tracks;
  - Public bicycle parking facilities;
  - Green Loop improvements beyond the frontage of a redeveloped site;
  - [Select utility improvements;]
  - Or other projects identified by the County or the Planning Board.

Page 178: Delete section “4.1.2 Silver Spring Downtown Building Height Incentive Zone (BHIZ)” as follows:

[4.1.2. Silver Spring Downtown Building Height Incentive Zone (BHIZ)]

- This plan recommends the establishment of a Silver Spring Downtown Building Height Incentive Zone (BHIZ) as shown in Map 32 to allow CR-zoned properties pursuing Optional Method Development to increase building heights by up to 150 percent of the mapped height to a maximum of 300 feet. Approved height will be subject to the Design Review process through the Design Advisory Panel.
- The Planning Board may approve certain properties identified in the Metro Center District A to realize an increased building height in excess of 300 feet, consistent with the recommendations of the Sector Plan and Design Guidelines, subject to the Design Review process through the Design Advisory Panel.
- To qualify for the additional height under the BHIZ, projects must provide a combination of greater than the minimum 15 percent MPDUs on-site, a contribution to the Montgomery County Housing Initiative Fund (HIF), and/or include an activating ground-floor Neighborhood Service including, but not limited to, small business, art gallery/venue, community meeting space, educational or medical use, historic preservation, or non-ground floor area dedicated to Design for Life residences.]

Page 179: Revise the second bullet under “4.1.3. Fenton Village Overlay Zone (FVOZ)” as follows:

- Allow properties required to provide Public Open Space (POS) on-site to instead contribute financially to new open spaces recommended within the district. [Coordinate with Montgomery Parks to determine a new off-site open space contribution formula to better realize the goals of the Plan.]

2132 Page 180: Delete Map 31.

2133

2134 Page 181: Revise the second and third paragraphs under “4.1.5. CR, CRT, CRN Zoning” as follows:

2135

2136 [Properties inside the BHIZ are confirmed at the existing height maximums.] Maximum heights on  
2137 properties throughout the plan have been adjusted per urban design goals of each district, with at  
2138 least a 20 percent increase on most properties to eliminate the existing “T” designation. Select  
2139 blocks surrounding the Transit Center are recommended for heights up to 360 feet, with Planning  
2140 Board approval.

2141

2142 The Design Guidelines that will accompany this Plan will indicate where heights should step down  
2143 at specific downtown edges [the edge of the BHIZ].

2144

2145 Page 181: Revise the fourth bullet under “4.1.12. Public Benefits in the CR Zones” as follows:

2146

- 2147 • The Plan proposes that “Transit Proximity” [and “Structured Parking”] (under Connectivity and  
2148 Mobility) be excluded from the list of potential public benefits for projects within the Plan area.

2149

2150 Page 182: Revise the text under “4.1.13. Design Advisory Panel” as follows:

2151

2152 The Sector Plan recommends establishment of a Design Advisory Panel (DAP), similar in structure  
2153 and function to the Bethesda DAP, for all Optional Method projects in the Plan area to assess the  
2154 number of Design Excellence Public Benefit Points [and for maximum height within the BHIZ]. The  
2155 Design Advisory Panel should be comprised of a diverse group of individuals who represent the  
2156 interests of the community.

2157

2158 Page 182: Insert the following section after section “4.1.15. Green Loop” as follows:

2159

2160 4.1.11. Unified Mobility Program

2161

2162 The 2021-2024 Growth and Infrastructure Policy (GIP) recommends implementation of Unified  
2163 Mobility Programs (UMPs) for all Red Policy areas in the County. Unified Mobility Programs are  
2164 implemented to ensure there is adequate public transportation facilities within a sector plan area and  
2165 they are established by Council Resolution after a public hearing. The Council may amend the UMP  
2166 and the fee at any time, after a public hearing. In areas subject to an UMP, regulatory applicants are  
2167 exempt from the Local Area Transportation Review, and instead fees are collected (typically scaled  
2168 by the number of net new trips generated by the master-planned additional density) to fund essential  
2169 transportation improvements such as new/improved sidewalks and other ADA accessibility  
2170 infrastructure, separated bikeways, local transit stop improvements, etc..

2171

2172 Recognizing the unique relationship between Montgomery Hills and downtown Silver Spring, this  
2173 Sector Plan confirms the recommendation included in the 2020 Forest Glen and Montgomery Hills  
2174 Plan to include a combined UMP for both areas. The CIF described above will fund civic  
2175 improvements specifically differentiated from the essential mobility projects to be funded by the  
2176 UMP.

2177

2178 Page 184: Revise Table 12. Capital Improvements Program as follows:

2179

Table 12. Capital Improvements Program			
Project Name	Category	Lead Agency	Coordinating Agencies
Renovate/Repurpose Jesup Blair Park	Parks and Open Space	M-NCPPC*	Montgomery College, Private
Create Ripley District Park	Parks and Open Space	M-NCPPC	Private
Create Blair Park	Parks and Open Space	M-NCPPC	Private
Create Sonny's Park (Blairs Development)	Parks and Open Space	M-NCPPC	Private
Create South Silver Spring Park	Parks and Open Space	M-NCPPC*	
Create Metro Center Park	Parks and Open Space	M-NCPPC	Private
Renovate Acorn Park	Parks and Open Space	M-NCPPC*	
Renovate Ellsworth Urban Park	Parks and Open Space	M-NCPPC*	
Create Fitness Park (Blairs Development)	Parks and Open Space	M-NCPPC	Private
Develop Philadelphia Avenue Urban Park	Parks and Open Space	M-NCPPC*	
Expand/Renovate Fenton Street Park	Parks and Open Space	M-NCPPC*	
Create Fenton Village Neighborhood Green	Parks and Open Space	M-NCPPC	Private
Create Downtown North Park	Parks and Open Space	M-NCPPC	Private
Create Ellsworth District Park (WF Site)	Parks and Open Space	M-NCPPC	Private
Create Bonifant-Dixon Park	Parks and Open Space	M-NCPPC	Private
Create Rachel Carson, Blair Stomping, The Mews, and Lucy's Landing Parks	Parks and Open Space	M-NCPPC	Private
New Pedestrian Bridge Connection (South Silver Spring to Ripley District)	Transportation, Parks and Open Space	M-NCPPC, MCDOT, CSX	
Green Loop Streets	Transportation, Parks and Open Space	MCDOT, SHA M-NCPPC	Private
1st Avenue Extension	Transportation	MCDOT	Private
1st Avenue Alley	Transportation	MCDOT	Private
Thayer Avenue to Bonifant Street Extension	Transportation	MCDOT	Private
Silver Spring Avenue to Sligo Avenue Extension	Transportation	MCDOT	Private
[Mayor Lane to Fenton Street Extension]	[Transportation]	[MCDOT]	[Private]
<u>Commercial</u> Shared Street: Bonifant Street (Ramsey Street to Georgia Avenue)	Transportation	MCDOT	Private
<u>Commercial</u> Shared Street: Ellsworth Drive (Fenton Street to Veterans Plaza)	Transportation	MCDOT	Private
<u>Commercial</u> Shared Street: Newell Street (Kennett Street to East-West Highway)	Transportation	MCDOT	Private
Pedestrian/Bicycle Connection: Fenton Street to Mayor Lane (along with the redevelopment of Parking Lot 4 site in Fenton Village)	Transportation	MCDOT	Private
Pedestrian/Bicycle Connection: Bonifant Street to Wayne Avenue	Transportation	MCDOT	Private
East-West Highway road diet	Transportation	M-NCPPC, MDOT SHA	
Georgia Avenue road diet <u>for dedicated bus lanes</u>	Transportation	M-NCPPC, MDOT SHA	
Colesville Road road diet <u>for dedicated bus lanes</u>	Transportation	M-NCPPC, MDOT SHA	
Colesville Road: removal of dynamic lane operation	Transportation	M-NCPPC, MDOT SHA	
<u>Upgrade all crosswalks to continental pavement marking</u>	<u>Transportation</u>	<u>M-NCPPC, MDOT SHA</u>	<u>Private</u>
Protected Crossings	Transportation	M-NCPPC, MCDOT, MDOT SHA	

Install new sidewalks (close existing sidewalk gaps)	Transportation	M-NCPPC, MCDOT	Private
Traffic Calming Study on Blair Road	Transportation	M-NCPPC, MCDOT	DDOT
Upgrade bus stops with shelters	Transportation	M-NCPPC, MCDOT	Private
Long-term bicycle parking at transit stations (Sarbanes Transit Center, Silver Spring Library Purple Line Station)	Transportation	M-NCPPC, WMATA, MTA	
Short-term bicycle parking in Silver Spring CBD	Transportation	M-NCPPC	Private
13th Street (Eastern Avenue to Georgia Avenue) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
16th Street (Spring Street to District of Columbia) separated bike lanes	Transportation	M-NCPPC, MDOT SHA	Private
2nd/Wayne Avenue (Spring Street to Colesville Road) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
2nd/Wayne Avenue (Colesville Road to Cedar Street) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Capital Crescent Trail	Transportation	M-NCPPC, MCDOT	Private
Fenton Street Extended bicycle and pedestrian [shared use] <u>side path</u>	Transportation	M-NCPPC, MCDOT	Private
Fenton Street (Ellsworth Drive to King Street) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Fenton Street (Cameron Street to Ellsworth Drive) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Burlington Avenue (Georgia Avenue to Fenton Street) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Cameron Street (Spring Street to 2nd Avenue) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Dixon Avenue (Wayne Avenue to Georgia Avenue) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Newell Street (District of Columbia to East-West Highway) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Silver Spring Avenue (Georgia Avenue to Fenton Street) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Spring Street/Cedar Street (16th Street to Wayne Avenue) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private
Blair Mill Road (Eastern Avenue and East-West Highway) separated bike lanes	Transportation	M-NCPPC, MCDOT	Private

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Page 186: Revise Table 13. Historic Preservation Implementation Summary as follows:

Table 7. Historic Preservation Implementation Summary		
Description	Time Frame	Category
Study and evaluate the Weller’s Dry-Cleaning Building (8237 Fenton Street) for future listing in the <i>Master Plan for Historic Preservation</i> or recordation of a Historic Preservation Easement.	Long Term	Historic Preservation

<p>Phase One: Create a Silver Spring Legacy Business Registry that documents all retail and service-orientated businesses in the Plan area. Phase Two: Study potential incentives to preserve local, independently owned businesses.</p>	<p>Short Term</p>	<p>Historic Preservation/DHCA/ Research</p>
<p>Collaborate with local partners and engage the broader community to discuss potential interpretation opportunities in Silver Spring.</p>	<p>Short Term</p>	<p>Historic Preservation</p>
<p>Study the following properties for listing in the National Register of Historic Places:</p> <ul style="list-style-type: none"> <li>○ Medical Office Building (1111 Spring Street)</li> <li>○ Metropolitan Building (8720 Georgia Avenue)</li> <li>○ Montgomery Center (8630 Fenton Street)</li> <li>○ Operations Research, Inc., (1400 Spring Street)</li> <li>○ [Perpetual Bank Building (8700 Georgia Avenue)]</li> <li>○ U.S. Industries Building (949 Bonifant Avenue)</li> <li>○ American National Bank Building (8701 Georgia Avenue)</li> <li>○ Garden and Mid-Rise Garden Apartment District</li> </ul>	<p>Long Term</p>	<p>Historic Preservation</p>
<p>Support the recommendations of the Montgomery County Street and Parks Facilities Renaming Review Project on the renaming of county streets and park facilities.</p>	<p>Long Term</p>	<p>Historic Preservation/ IRC Division</p>

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Page 187: Revise the following bullets under “4.5.1 Partnerships for Economic Growth” as follows:

- [Partner with] Encourage a partnership between the Montgomery County Economic Development [Council] Corporation (MCEDC) and other entities in the downtown [the champion for downtown] to create a market incentive to invest in speculative office suites in office space that has been vacant for an extended period. [Have MCEDC fund the program and the champion for the downtown market and help property owners secure funds.] Create a plan for the incentive that caps the amount at a reasonable cost to the county while also providing a meaningful incentive to building owners.
- [Analyze the feasibility of a fund operated by MCEDC to invest in office-using start-ups that locate in Silver Spring. Have the champion for downtown market the fund and use the fund to attract additional business to Silver Spring. Create a plan for the fund that establishes accepted levels of risk that is consistent with purchasing equity positions in start-up firms.]
- Partner with [the County Executive’s Business Advancement Team] County government to reinvigorate the Silver Spring Innovation Center to meet the needs of and to support women and minority entrepreneurs, in alignment with the recommendations of the Business Incubator Review and Entrepreneurial Ecosystem study prepared by Axcel Innovation LLC and presented to the PHED committee on July 26, 2021. [Create a business plan to define how the incubator

- 2202 can add value to start-up firms to guide operations and to enable evaluation of whether the
- 2203 incubator is achieving its objectives.]
- 2204 • Encourage activation of underutilized space: Partner with MCEDC, the County Executive’s
- 2205 Business Advancement Team, and [the champion for downtown] other entities to study a vacancy
- 2206 tax on empty retail frontage to encourage property owners to lease and activate vacant spaces.
- 2207 The funds generated by this tax should be returned to the Silver Spring area. The money should
- 2208 be [provided to the new champion for downtown Silver Spring and go into the funds this Plan
- 2209 recommends creating to advance placemaking] used to advance placemaking in the downtown.
- 2210 • [Create capacity to support small retailers: Form] Encourage a partnership between the
- 2211 [Montgomery County Office of the County Executive Small Business Navigator] County and
- 2212 mission-oriented non-profit stakeholders to fund a diverse retail liaison position to support
- 2213 diverse retailers in Silver Spring. Explore creating a loan pool that could provide resources and
- 2214 incentives to local small business, help subsidize tenant improvements, and could support
- 2215 business owners in purchasing their properties. See the March 2021 Retail in Diverse
- 2216 Communities Report [published in March 2021] for additional details about these
- 2217 recommendations.
- 2218 • Encourage property owners with underutilized and vacant street-level retail space to donate that
- 2219 space to mission-oriented non-profits to run retail incubators in which entrepreneurs can try new
- 2220 retail concepts.
- 2221 • The Plan supports the [establishment of a “champion” entity] strengthening of entities in the
- 2222 downtown that will assist with marketing, activation, and maintenance. [Such an entity] These
- 2223 entities could help address issues of safety and trash collection on the streets, as well as promote,
- 2224 highlight, and support the many amenities the downtown has to offer. Downtown Silver Spring
- 2225 will [benefit from a strong champion for downtown and will] need support from partnerships
- 2226 between the public sector, property owners, businesses, and social service organizations in order
- 2227 to full achieve the vision expressed in this Plan.

2228  
2229 Page 188: Revise the second paragraph under “4.5.2. Arts and Entertainment District” as follows:

2230  
2231 The Plan supports the following recommendations that could enhance and grow the Arts and

2232 Entertainment District in Silver Spring and contribute significantly to the economic growth of

2233 the downtown. Many of these recommendations encourage partnership between the Arts and

2234 Entertainment District and the [“champion for downtown”] other entities described above.

2235

2236 Page 189: Revise the third bullet under “4.5.2. Arts and Entertainment District” as follows:

2237  
2238 New public art in Silver Spring, whether through public process or through optional method

2239 development, should represent and support the diverse communities of Silver Spring.

2240

2241 Page 189: Revise the first paragraph under “4.5.4 Partnerships with the Community” as follows:

2242  
2243 As discussed in Section [2.6]3.5 Parks and Public Spaces, this Plan supports the goal of providing

2244 sufficient open space for active recreation, social gathering, and contemplative activities. The

2245 Plan supports the following recommendation to achieve that goal:

2246

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2249

**General**



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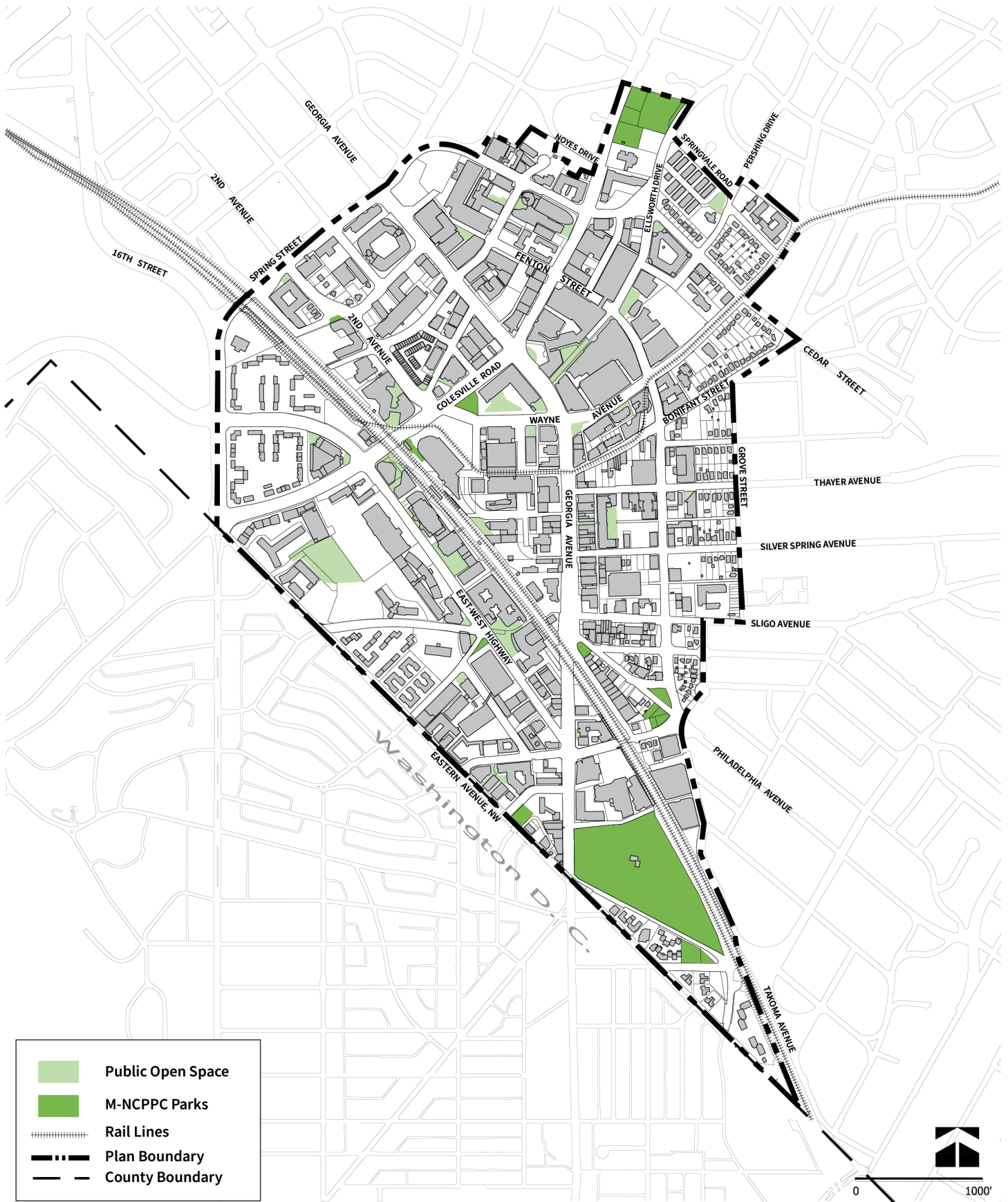
All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft Silver Spring Downtown and Adjacent Communities Plan (Winter 2022). The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual information, and to convey the actions of the District Council. Graphics and tables will be revised and re-numbered, where necessary, to be consistent with the text and titles.

This is a correct copy of Council action.

  
\_\_\_\_\_  
Judy Rupp  
Clerk of the Council

**Attachment 3:**

Map of revised plan boundary as approved by the Montgomery County Council on May 26, 2022



Montgomery Planning

## POTOMAC OVERLOOK HISTORIC DISTRICT: AN AMENDMENT TO THE MASTER PLAN FOR HISTORIC PRESERVATION



### Description

Approve the Resolution of Adoption for transmission to the Full Commission.

## MASTER PLAN INFORMATION

Resolution

Potomac Overlook Historic District

Date

June 2, 2022

Lead Planner

John Liebertz

Planning Division

Historic Preservation, Countywide  
Planning & Policy Division

Staff Contact

[john.liebertz@montgomeryplanning.org](mailto:john.liebertz@montgomeryplanning.org)  
301-563-3405

Planning Board Information

MCPB  
Item No. 10

## Planning Staff



John Liebertz, Cultural Resource Planner III, Countywide Planning & Policy  
[john.liebertz@montgomeryplanning.org](mailto:john.liebertz@montgomeryplanning.org), 301-563-3405



Rebecca Ballo, Historic Preservation Supervisor, Countywide Planning & Policy  
[rebecca.ballo@montgomeryplanning.org](mailto:rebecca.ballo@montgomeryplanning.org), 305-563-3404



Jason Sartori, Chief, Countywide Planning & Policy  
[jason.sartori@montgomeryplanning.org](mailto:jason.sartori@montgomeryplanning.org), 301-495-2172

## SUMMARY

- Attached for your review and approval is the Montgomery County Planning Board Resolution Number 22-047 to adopt the Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation.
- The Montgomery County Council, sitting as the District Council, approved the Planning Board Draft Plan for the Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation by Resolution No. 19-1224 on April 19, 2022.

## CONCLUSION

- Approve the Resolution of Adoption for transmission to the Full Commission.

## ATTACHMENTS

1. Montgomery County Planning Board Resolution No. 22-047
2. Montgomery County Council Resolution No. 19-1224



**MCPB NO. 22-047**  
**M-NCPPC NO. 22-24**  
**POTOMAC OVERLOOK HISTORIC DISTRICT**

**RESOLUTION**

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on November 18, 2021, on the Public Hearing Draft for the *Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation*, being also an amendment to *Master Plan for Historic Preservation in Montgomery County, Maryland* (1979), as amended; *Bethesda-Chevy Chase Master Plan* (1990), as amended; and the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties* (1964), as amended.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on November 18, 2021, approved the Planning Board Draft Plan for the *Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation*, recommended that it be approved by the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County (the “Montgomery County District Council”), and on December 22, 2021, forwarded it to the Montgomery County Executive for recommendations and analysis; and

WHEREAS the Montgomery County Executive offered no comments thereon; and

WHEREAS the Montgomery County District Council held a public hearing on March 1, 2022, wherein testimony was received concerning the Planning Board Draft of *Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation*; and

WHEREAS, the District Council, on April 19, 2022, approved the Planning Board Draft of *Potomac Overlook Historic District: An Amendment to the Master Plan for Historic Preservation* by District Council Resolution No. 19-1224.

Approved as to  
Legal Sufficiency: /s/ Matthew T. Mills  
M-NCPPC Legal Department



Resolution No.: 19-1224  
Introduced: January 18, 2022  
Adopted: April 19, 2022

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND**

---

Lead Sponsor: County Council

---

**SUBJECT:** Approval of the Planning Board Draft Amendment to the Master Plan for  
Historic Preservation: Potomac Overlook Historic District

**Background**

1. On December 22, 2021, the Montgomery County Planning Board transmitted to the Council the Planning Board Draft Amendment to the Master Plan for Historic Preservation: Potomac Overlook Historic District (hereafter referred to as the Amendment).
2. The attached Planning Board recommended amendment to the Master Plan for Historic Preservation would designate the Potomac Overlook subdivision (: #35-157) located at 7205, 7209, 7211 MacArthur Boulevard, 5300 Mohican Road, 6600, 6601, 6602 6604, 6605, 6606 Rivercrest Court, 6608, 6612, 6613, 6609, 6604, 6601 Virginia View Court, and 6525, 6541, 6551 Wiscasset Road in Bethesda, Maryland, 20816, as an historic district.
3. On March 1, 2022, the County Council held a public hearing on the Planning Board Draft Amendment. All public testimony favored the historic designation of the Potomac Overlook Historic District (: #35-157).
4. On April 19,2022, the County Council reviewed the Planning Board Draft Amendment.



**Action**

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Amendment to the Master Plan for Historic Preservation, Potomac Overlook Historic District (: #35-157), is approved.

This is a correct copy of Council action.



---

Selena Mendy Singleton, Esq.  
Clerk of the Council

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

## M-NCPPC RESOLUTION NO. 22-15

### APPOINTMENT OF PETER SHAPIRO AS TRUSTEE TO THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the Commission is Plan Sponsor of the Employees' Retirement System and Trust;  
and

WHEREAS, Section 2.1.1 of the Employees' Retirement System Plan mandates that the Board of Trustees include as members two Commissioners who "shall serve at the pleasure of the Commission," with one of those being a Prince George's County resident, and therefore a representative from the Prince George's County Planning Board; and

WHEREAS, the current term for appointment to the Board of Trustees for a Prince George's County Planning Board representative is effective July 1, 2019 through June 30, 2022;  
and

WHEREAS the Commission appointed Peter Shapiro to the Board of Trustees as the Appointed Trustee from the Prince George's County Planning Board to serve the remainder of the current three-year term ending June 30, 2022, with the retirement of former Prince George's Planning Board Chair Elizabeth M. Hewlett.

WHEREAS, the Prince George's County Planning Board recommended the appointment of Peter Shapiro to serve a full term which starts on July 1, 2022 through June 30, 2025 on the ERS Board of Trustees at its June 9, 2022 meeting; and

NOW THEREFORE, BE IT RESOLVED that the Maryland-National Capital Park and Planning Commission, as Plan Sponsor for the ERS Trust, does hereby appoint Commissioner Peter Shapiro to the Board of Trustees as the Appointed Trustee from the Prince George's County Planning Board, effective July 1, 2022, for the three-year term commencing that date.

REVIEWED AND APPROVED  
FOR LEGAL SUFFICIENCY

s\ Debra S. Borden  
M-NCPPC Legal Department  
June 3, 2022

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# EMPLOYEES' RETIREMENT SYSTEM

The Maryland-National Capital Park and Planning Commission  
6611 Kenilworth Avenue, Suite 100  
Riverdale, Maryland 20737

(301) 454-1415 - Telephone

(301) 454-1413 - Facsimile

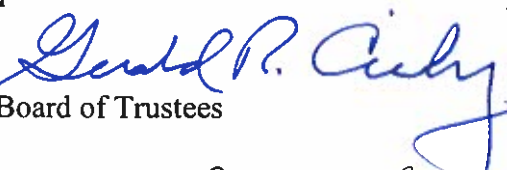
<http://ers.mncppc.org>

[ERSBoard@mncppc.org](mailto:ERSBoard@mncppc.org)

Item 6g

**Andrea L. Rose**  
**Administrator**

To: The Commission Date: June 7, 2022

Via: Gerald R. Cichy   
Chairman, ERS Board of Trustees

From: Andrea L. Rose, Administrator 

Subject: Acknowledge the Re-Appointment of Sergeant Howard Brown as the Fraternal Order of Police Representative to the ERS Board of Trustees for term ending June 30, 2025

## **RECOMMENDATION**

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System ("ERS"), I respectfully request the Commission acknowledge the re-appointment of Sergeant Howard Brown as the Fraternal Order of Police ("FOP") Representative Trustee for the three-year term ending June 30, 2025.

## **BACKGROUND**

In accordance with Section 2.1.5(b) of the Plan Document, Sergeant Howard Brown was selected to represent the FOP on the ERS Board. At its June 7, 2022 meeting, the Board acknowledged the selection of Sergeant Brown as the FOP Representative for the term ending June 30, 2025.

Sergeant Brown joined the Prince George's County Park Police Division in March 2015 and was selected to represent the FOP in July 2015. Sergeant Brown has 15 years of experience as a board member for the Anne Arundel County Retirement System.

Thank you for your action.



**Andrea L. Rose**  
**Administrator**

To: The Commission

Date: June 7, 2022

Via: Gerald R. Cichy  
Chair, ERS Board of Trustees

From: Andrea L. Rose, Administrator

Subject: Acknowledge the Appointment of Lisa Blackwell-Brown as the Municipal and County Government Employees' Organization Representative to the Board of Trustees for term ending June 30, 2025

### **RECOMMENDATION**

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System ("ERS"), I respectfully request the Commission acknowledge the appointment of Lisa Blackwell-Brown as the Municipal & County Government Employees' Organization ("MCGEO") Representative for the three-year term ending June 30, 2025.

### **BACKGROUND**

In accordance with Section 2.1.5(d) of the Plan Document, MCGEO President, Gino Renne appointed Lisa Blackwell-Brown to represent MCGEO on the Board. At its June 7, 2022 meeting, the Board acknowledged Ms. Blackwell-Brown as the appointed MCGEO Representative for the term ending June 30, 2025.

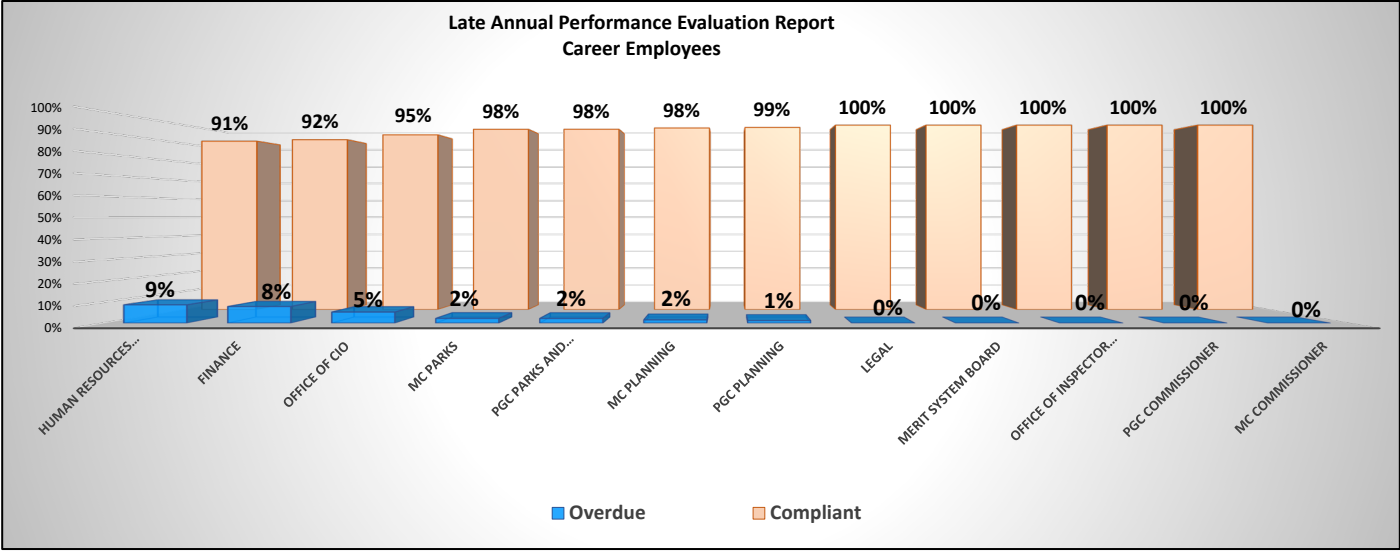
Ms. Blackwell-Brown is the Secretary-Treasurer for the UFCW Local 1994 and the field representative for public safety, which includes Sheriffs, Cumberland City Police and the Department of Corrections and Rehabilitation. She served as Recorder from December 2020 until her election as Secretary-Treasurer in September 2021. She has her undergraduate degree in Political Science from the University of Dayton, and her law degree from Widener University School of Law (J.D). She also graduated from Wayne State University with a LL.M. in Labor and Employment Law. Prior to working at UFCW Local 1994, she worked at Legal Aid in Baltimore, representing abused and neglected children. Ms. Blackwell-Brown lived in Quito, Ecuador for four years teaching English to attorneys and honing her Spanish-speaking skills, becoming fluent.

Thank you for your action.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE  
BY DEPARTMENT AS OF MAY 2022**

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	<u>Apr-22</u>	<u>May-22</u>	<u>Apr-22</u>	<u>May-22</u>	<u>Apr-22</u>	<u>May-22</u>	<u>Apr-22</u>	<u>May-22</u>
CHAIRMAN, MONTGOMERY COUNTY	1	0	0	0	0	0	1	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	1	1	1	1
OFFICE OF INSPECTOR GENERAL	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	0	2	0	0	2	2	2	4
LEGAL DEPARTMENT	0	0	0	0	0	0	0	0
FINANCE DEPARTMENT	1	2	1	0	0	1	2	3
PRINCE GEORGE'S PLANNING	2	2	0	0	0	0	2	2
PRINCE GEORGE'S PARKS & RECREATION	20	0	2	0	2	2	11	22
MONTGOMERY COUNTY PARKS	12	13	2	0	2	2	16	15
MONTGOMERY COUNTY PLANNING	1	2	0	0	0	0	1	2
<b>**DEPARTMENT TOTAL BY DAYS LATE**</b>	<b>24</b>	<b>21</b>	<b>5</b>	<b>0</b>	<b>7</b>	<b>8</b>		
<b>COMMISSION-WIDE TOTAL</b>							<b>36</b>	<b>49</b>

\*\*DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.



\*Data As Of May 31, 2022

Employee Count Department	Evaluation Status		Total Employees
	Overdue	Compliant	
Finance	3	35	38
Human Resources and Mgt	4	42	46
Legal		20	20
MC Commissioner		4	4
MC Parks	15	648	663
MC Planning	2	127	129
Merit System Board		1	1
Office of CIO	1	18	19
Office of Inspector General		4	4
PGC Commissioner		8	8
PGC Parks and Recreation	22	962	984
PGC Planning	2	159	161
<b>Total Employees</b>	<b>49</b>	<b>2,028</b>	<b>2,077</b>





**Office of the General Counsel**  
**Maryland-National Capital Park and Planning Commission**

*Reply To*

June 1, 2022

**Debra S. Borden**  
 Acting General Counsel  
 6611 Kenilworth Avenue, Suite 200  
 Riverdale, Maryland 20737  
 (301) 454-1670 • (301) 454-1674 fax

**MEMORANDUM**

**TO:** The Maryland-National Capital Park and Planning Commission

**FROM:** Debra S. Borden  
 Acting General Counsel

**RE:** Litigation Report for May 2022 – FY 2022

---

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, June 15, 2022. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

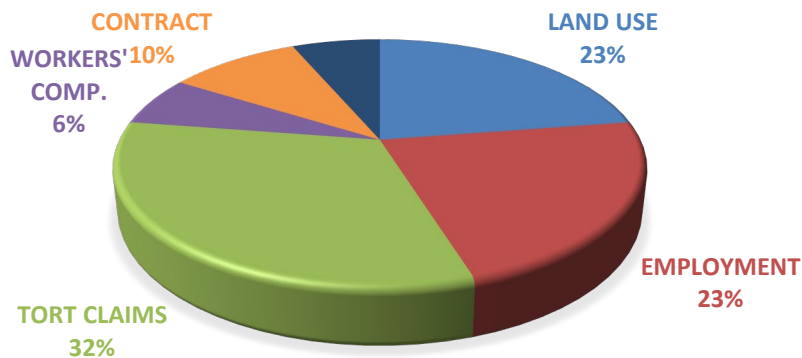
**Table of Contents – May FY 2022 Report**

Composition of Pending Litigation.....	Page 01
Overview of Pending Litigation (Chart).....	Page 01
Litigation Activity Summary .....	Page 02
Index of New YTD Cases (FY22) .....	Page 03
Index of Resolved YTD Cases (FY22) .....	Page 04
Disposition of FY21-FY22 Closed Cases Sorted by Department .....	Page 05
Index of Reported Cases Sorted by Jurisdiction.....	Page 10
Litigation Report Ordered by Court Jurisdiction.....	Page 12

**May 2022**  
**Composition of Pending Litigation**  
(Sorted by Subject Matter and Forum)

	STATE TRIAL COURT	MARYLAND COSA	MARYLAND COURT OF APPEALS	FEDERAL TRIAL COURT	FEDERAL APPEALS COURT	U.S. SUPREME COURT	SUBJECT MATTER TOTALS
ADMIN APPEAL: LAND USE	4	2	1				7
ADMIN APPEAL: OTHER							
BANKRUPTCY							
CIVIL ENFORCEMENT							
CONTRACT DISPUTE	3						3
DEBT COLLECTION							
EMPLOYMENT DISPUTE	4	1		2			7
LAND USE DISPUTE							
MISCELLANEOUS	2						2
PROPERTY DISPUTE							
TORT CLAIM	10						10
WORKERS' COMPENSATION	2						2
<b>PER FORUM TOTALS</b>	<b>25</b>	<b>3</b>	<b>1</b>	<b>2</b>			<b>31</b>

**OVERVIEW OF PENDING LITIGATION**



## May 2022 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2022			
	Pending April 2022	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
<b>Admin Appeal: Land Use (AALU)</b>	6	1		10	7	10	7
<b>Admin Appeal: Other (AAO)</b>							
<b>Bankruptcy (B)</b>							
<b>Civil Enforcement (CE)</b>							
<b>Contract Disputes (CD)</b>	3			3	1	1	3
<b>Debt Collection (D)</b>							
<b>Employment Disputes (ED)</b>	7			4	6	3	7
<b>Land Use Disputes (LD)</b>							
<b>Miscellaneous (M)</b>	2			2	2	2	2
<b>Property Disputes (PD)</b>							
<b>Tort Claims (T)</b>	9	1		8	5	3	10
<b>Workers' Compensation (WC)</b>	2			7	4	7	2
<b>Totals</b>	29	2		34	23	26	31

**INDEX OF YTD NEW CASES  
(7/1/2021 TO 6/30/22)**

<b>A. <u>New Trial Court Cases.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Izadjoo v. M-NCPPC	MC	ED	July 21
McGill v. Commission	PG	WC	Aug 21
Payne v. M-NCPPC	PG	Tort	Aug 21
Troublefield v. Commission	PG	Tort	July 21
Friends of Ten Mile Creek, et al. v. Montgomery County Planning Board	MC	AALU	Oct. 21
Commission v. Alan's Outlet, et al.	St. M	CD	Nov. 21
Robinson, et al. v. Prince George's County Planning Board, et al.	PG	AALU	Nov. 21
In the Matter of Michael Fox	Calvert	WC	Dec. 21
In the Matter of Michael Fox	Calvert	WC	Dec. 21
Village of Friendship Heights v. Montgomery Planning Board	MC	AALU	Jan. 22
Miles v. Commission, et al.	MC	ED	Mar 22
Walters v. Commission, et al.	PG	Tort	Mar 22
Tolson v. Commission	PG	ED	Mar 22
Deakins v. Commission	MC	ED	Mar 22
Lopez v. Commission	MC	ED	Mar 22
Davis v. Commission	PG	Tort	April 22
Commission v. Conwell	PG	Tort	April 22
Commission v. Faulk	PG	Tort	April 22
Troublefield v. Prince George's County, et al.	PG	Tort	April 22
<b>B. <u>New Appellate Court Cases.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	MC	AALU	July 21
6525 Belcrest Road, LLC v. Dewey, L.C., et al.	PG	AALU	Dec. 21
Heard v. Maryland-National Capital Park and Planning Commission	PG	AALU	Dec. 21
Izadjoo v. M-NCPPC	MC	ED	Jan. 22
Stewart v. Prince George's County Planning Board	PG	AALU	May 22

**INDEX OF YTD RESOLVED CASES  
(7/1/2021 TO 6/30/2022)**

<b>A. <u>Trial Court Cases Resolved.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	MC	AALU	June 21
Commission v. Batson	PG	WC	June 21
Gibson v. Commission	PG	WC	June 21
Hoenig v. Commission	PG	WC	June 21
Simmons, et al. v. Prince George's Planning Bd.	PG	AALU	June 21
Frederick-Bey v. Dick, et al.	PG	Tort	July 21
Deutsche Bank National Trust Company v. Commission	PG	Misc.	July 21
Amica Mutual Insurance Company v. Montgomery County, Maryland, et al.	MC	Tort	Aug. 21
Izadjoo v. Maryland-National Capital Park & Planning Commission	MC	ED	Aug. 21
Snoots v. Commission	MC	WC	Sep. 21
Murray v. Commission	MC	WC	Sep. 21
Kosary v. Montgomery County Planning Board	MC	AALU	Oct. 21
Troublefield v. Commission, et al.	PG	Tort	Oct. 21
6525 Belcrest Road, LLC v. Dewey, L.C., et al.	PG	AALU	Nov. 21
Heard v. Maryland-National Capital Park and Planning Commission	PG	AALU	Dec. 21
Izadjoo v. Maryland-National Capital Park & Planning Commission	MC	ED	Dec. 21
Hitchcock v. M-NCPPC	MC	WC	Jan. 22
Structural Engineering Group Inc. v. M-NCPPC	MC	CD	Jan. 22
In the Matter of Michael Fox	Calvert	WC	Mar. 22
In the Matter of Michael Fox	Calvert	WC	Mar. 22
Nuzback, Kathryn A., Revocable Trust v. Commission	PG	Misc.	Mar. 22
Beck v. Montgomery County Department of Parks, et al.	MC	ED	Mar. 22
<b>B. <u>Appellate Court Cases Resolved.</u></b>	<b><u>Unit</u></b>	<b><u>Subject Matter</u></b>	<b><u>Month</u></b>
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Apr. 21
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Sep. 21
Benton v. Woodmore Overlook Commercial, LLC.	PG	AALU	Sep. 21
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	MC	AALU	Mar. 22
Stewart, et al. v. Prince George's Planning Board et al.	PG	AALU	Mar. 22

	<b>Disposition of FY21-FY22 Closed Cases Sorted by Department</b>	
<b>CLIENT</b>	<b>PRINCIPAL CAUSE OF ACTION IN DISPUTE</b>	<b>DISPOSITION</b>
<b>Employees Retirement System</b>		
<b>Finance Department</b>		
<b>Department of Human Resources &amp; Management</b>		
Commission v. Batson	The Commission filed for Judicial Review on the record of WCC order regarding surgical authorization for leg causally related to accidental injury.	06/03/2021 - Order of the Court. Case Dismissed and Remanded to the Workers' Compensation Commission for consideration and approval of the Agreement of Final Compromise and Settlement.
Gibson v. Commission	Claimant seeks judicial review of an order from the Workers' Compensation Commission denying causal connection of back injury to the accidental injury of October 20, 2017.	06/10/2021 - Order of Court. Case remanded to Workers' Compensation Commission.
Hoening v. Commission	Claimant seeks judicial review of February 7, 2020, order from the Workers' Compensation Commission regarding extent of disability.	06/02/2021 - Order of Court. Case Dismissed and Remanded to Workers' Compensation Commission.
Izadjoo v. Maryland-National Capital Park and Planning Commission	Izadjoo filed an appeal of the Merit Board decision of February 25, 2021, denying his appeal of the Montgomery County Department of Parks' denial of grievance 20-14 regarding his 2020 Annual Performance Evaluation.	08/23/2021 – Order of Court – Decision of Merit Board affirmed.
Snoots v. Commission	Petition for Judicial Review of Workers' Compensation Commission determination that not permanently totally disabled	09/01/2021 – Order of Court. Case remanded to Workers' Compensation Commission.
Murray v. Commission	Petition for Judicial Review of an order from the Workers' Compensation Commission that held claimant is not permanently and totally disabled.	09/01/2021 – Order of Court. Case remanded to Workers' Compensation Commission.
Izadjoo v. Maryland-National Capital Park and Planning Commission	Izadjoo filed an appeal of the Merit Board decision of denying appeal of his request for reclassification.	12/20/21 Decision of Merit Board affirmed.

Hitchcock v. Commission	Hitchcock filed appeal of Workers' Compensation Commission determination that he did not sustain a compensable accidental injury on June 5, 2020.	01/12/2022 – Order of Court. Case remanded to the Workers' Compensation Commission for approval of settlement.
In the Matter of Michael Fox	Fox appealed a determination by the Workers' Compensation Commission that he did not sustain a compensable occupation disease (hypertension) as a result of his work as a Park Police officer.	03/16/2022 – Case settled and remanded to Worker's Compensation Commission for approval of settlement.
In the Matter of Michael Fox	Fox appealed a determination by the Workers' Compensation Commission that he did not sustain a compensable occupation disease (hypertension) as a result of his work as a Park Police officer.	03/16/2022 – Case settled and remanded to Worker's Compensation Commission for approval of settlement.
<b>Montgomery County Department of Planning</b>		
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	Judicial Review of Montgomery County Planning Board's approval of RCCG Jesus House Preliminary Plan 120160040.	06/04/21 - Planning Board's decision affirmed.
Kosary v. Montgomery County Planning Board	Judicial Review of Montgomery County Planning Board's approval of Primrose School Preliminary Forest Conservation Plan CU-18-08.	10/19/21 – Summary Judgment in favor of Plaintiff.
<b>Montgomery County Department of Parks</b>		
Amica Mutual Insurance Company v. Montgomery County, Maryland, et al.	Subrogation suit for damages caused by a tulip poplar striking a home.	08/12/21 – Joint Stipulation of Dismissal with Prejudice.
Structural Engineering Group Inc. v. M-NCPPC	Construction change order dispute and time delay claim related to greenhouse at Brookside Gardens.	01/3/2022 – Order of Court. Matter dismissed with prejudice. Parties entered into settlement agreement.
Beck v. Montgomery County Department of Parks, et al.	Plaintiff alleged discrimination based on disability under the ADA and FMLA.	03/04/2022 – Order approving Stipulation of Dismissal and directing clerk to close the case.

<b>Montgomery County Park Police</b>		
<b>Montgomery County Planning Board</b>		
Concerned Citizens of Cloverly, et al. v. Montgomery County Planning Board	Appeal from Circuit Court decision affirming Montgomery County Planning Board's approval of RCCG Jesus Hose Preliminary Plan 120160040.	03/17/2022 – Judgment of the Circuit Court affirmed.
<b>Prince George's County Department of Parks and Recreation</b>		
Frederick-Bey v. Dick, et al.	Plaintiff claims injury in the course of using weight room at Allentown Splash and Fitness Center allegedly due a defect in the equipment as a result of negligence on the part of Commission staff and has sued a Commission employee who has not been properly served.	07/28/2021 – Order of the Court. Case Dismissed with Prejudice on grounds barred by statute of limitations.
Deutsche Bank National Trust Company v. Commission	Action seeking to quiet title as to alleged encroachment on Commission land.	07/08/2021 – Amended Complaint filed that no longer included the Commission as no encroachment on Commission land.
Troublefield v. Commission, et al.	Tort suit for injuries allegedly sustained while attending a graduation ceremony at Show Place Arena.	10/21/2021 Voluntary Dismissal
Nuzback, Kathryn A., Revocable Trust v. Commission	Action filed against the Commission and Prince George's County to obtain documents pertaining to a Maryland Public Information Act request.	03/31/2022 – Case dismissed by Plaintiff.
<b>Prince George's County Planning Department</b>		



<b>Prince George's County Planning Board</b>		
Simmons v. Prince George's County Planning Board	Judicial Review of Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-20006 (Freeway Airport)	06/17/2021 - Prince George's County Planning Board's Motion to Dismiss Granted.
Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board No. 19-32, File No. 4-180007. Benton failed to appear at judicial review hearing in Circuit Court and his petition was dismissed without an opinion. Benton filed for reconsideration which was also denied. Benton appealed the denial of the motion for reconsideration.	04/20/2021 - Mandate. Circuit Court decision affirmed. Costs to be paid by appellant.
Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board on Preliminary Plan of Subdivision 4-18007, Woodmore Overlook Commercial. Before the parties filed legal memoranda, in the Circuit Court and before the court held oral argument, and before the Planning Board had a chance to transmit the agency record, the developer's attorney filed a motion to dismiss based on, among other things, lack of standing. The Circuit Court granted the motion to dismiss. Benton appealed.	09/01/2021 – Mandate. Motion for reconsideration denied.
Benton v. Woodmore Overlook Commercial, LLC	Judicial Review of decision of the Prince George's County Planning Board No. 19-32, File No. 4-180007. Benton failed to appear at judicial review hearing in Circuit Court and his petition was dismissed without an opinion. Benton filed for reconsideration which was also denied. Benton appealed the denial of the motion for reconsideration	09/28/2021 – Petition Dismissed.

6525 Belcrest Road, LLC v. Dewey, L.C., et al.	Declaratory Judgment Action filed over a dispute involving a parking parcel. Plaintiff contends that Defendants have misconstrued prior approvals of the Planning Board regarding the need for parking in a manner that will harm their interests. Plaintiff seeks to enjoin the Planning Board from approving a Detailed Site Plan.	11/11/2021 – Motion to Dismiss granted as to all parties.
Heard v. Maryland-National Capital Park and Planning Commission	Judicial review of the Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-05068 and denial of March 31, 2020, request for document under the Maryland Public Information Act.	11/09/2021 – Decision of the Prince George's County Planning Board affirmed.
Stewart, et al. v. Prince George's Planning Board, et al.	Appeal from Circuit Court decision affirming Prince George's Planning Board's approval of GB Mall Limited Partnership/Quantum Company Preliminary Plan Case No. 4-19023	03/31/2022 – Judgment of the Circuit Court affirmed.
<b>Prince George's Park Police</b>		
<b>Office of Internal Audit</b>		

**INDEX OF CASES**

**DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND ..... 12**

**DISTRICT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND ..... 12**

Commission v. Conwell..... 12

Wanda I. Davis v. Commission ..... 12

Commission v. Faulk..... 12

**DISTRICT COURT FOR ST. MARY’S COUNTY, MARYLAND ..... 13**

Commission v. Alan’s Outlet, et. al. .... 13

**CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND ..... 13**

Deakins v. Commission..... 13

Friends of Ten Mile Creek, et al. v. Montgomery County Planning Board..... 14

HMF Paving Contractors Inc. v. Maryland-National Park and Planning Commission ..... 14

Lopez v. Commission..... 15

Village of Friendship Heights v. Montgomery County Planning Board ..... 15

**CIRCUIT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND ..... 16**

Alexander v. Proctor..... 16

Brown v. City of Bowie, et al. .... 17

Coakley & Williams Construction v. Commission ..... 18

Getnet v. Maryland-National Capital Park and Planning Commission ..... 18

Jackson v. Prince George’s County Sports & Learning Complex..... 20

King v. Commission ..... 20

McGill v. Commission..... 21

Melito v Commission ..... 21

Montague v. Newton White Mansion ..... 22

Payne v. Commission, et al..... 22

Robinson, et al. v. Prince George’s County Planning Board, et al. .... 23

Snyder v. State of Maryland, et al. .... 23

Tolson v. Commission..... 24

Troublefield v. Prince George’s County, et al. .... 24

Walters v. Commission ..... 25

Wolf, et al. v. Planning Board of Prince George’s County ..... 25

**MARYLAND COURT OF SPECIAL APPEALS ..... 26**

6525 Belcrest Road, LLC v. Dewey, L.C., et al..... 26

Heard v. Maryland-National Capital Park and Planning Commission..... 26

Izadjoo v. Maryland-National Capital Park and Planning Commission..... 27

**MARYLAND COURT OF APPEALS**..... 27  
Stewart, et al. v. Prince George’s Planning Board, et al. .... 27  
**U.S. DISTRICT COURT OF MARYLAND** ..... 28  
Evans v. Commission, et al. .... 28  
Miles v. Commission, et al. .... 29

**DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND**

No Pending Cases

**DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND**

**Commission v. Conwell**

Case No. 050200086402022 (Misc.)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Subrogation action to recover losses for damage(s) to Commission property.

Status:

Docket:

04/25/2022	Complaint filed
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**Wanda I. Davis v. Commission**

Case No. 050200240582021 (Tort)

Lead Counsel: Johnson  
Other Counsel: Harvin

Abstract: Plaintiff claims she slipped and fell while walking out of a gym class at the Commission's Southern Regional Technology and Recreation Complex resulting in injuries.

Status: Case settled.

Docket:

10/01/2021	Complaint filed
04/08/2022	Commission served
04/19/2022	Notice of Intent to Defend filed.
05/20/2022	Case settled.

**Commission v. Faulk**

Case No. 050200086392022 (Misc.)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Subrogation action to recover losses for damage(s) to Commission property.

Status:

Docket:

04/25/2022	Complaint filed
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**DISTRICT COURT FOR ST. MARY'S COUNTY, MARYLAND**

**Commission v. Alan's Outlet, et. al.**  
Case No. D-043-CV-21-008547 (CD)

Lead Counsel: Johnson  
Other Counsel: Adams

Abstract: Commission's claim for damages regarding an undelivered garage shed. Commission submitted an order with payment for five sheds but only four were delivered.

Status: Default judgment entered against Defendant Alan's Outlet.

Docket:

11/03/2021	Complaint filed
01/13/2022	Return of Service as to all Defendants
02/23/2022	Voluntary Dismissal of Joseph Bernau
03/14/2022	Clerk error and dismissed entire case. Case reopened and new trial date set.
4/18/2022	Hearing held. Default judgment against Defendant Alan's Outlet entered in the amount of \$8,236 plus court costs of \$160.
05/27/2022	Request to file lien as to Defendants, Alan's Outlet and Alan's Amish Outlet filed.

**CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND**

**Deakins v. Commission**  
Case No. C-15-CV-22-000918 (ED)

Lead Counsel: Levan  
Other Counsel:

Abstract: Show Cause Action under the LEOBR regarding mandatory COVID vaccination requirements for police officers.

Status: Petition ~~filed~~denied, appeal period pending.

Docket:

02/24/2022	Petition for Show Cause Order filed
03/28/2022	Commission served
05/12/2022	Show Cause hearing
05/13/2022	Order denying Plaintiff's Application for Show Cause Order

**Friends of Ten Mile Creek, et al. v. Montgomery County Planning Board**

Case No. 487649-V (AALU)

Lead Counsel: Mills  
Other Counsel:

Abstract: Judicial Review of the Montgomery County Planning Board's approval of Site Plan 820200160 – Creekside at Cabin Branch.

Status: Awaiting hearing.

Docket:

10/12/2021	Petition for Judicial Review filed
10/27/2021	Response to Petition
11/02/2021	Response to Petition
11/12/2021	Amended Petition to add Petitioner Norman Mease
01/18/2022	Memorandum in Support of Petition for Judicial Review
02/15/2022	Joint Stipulation to Extend time to file Responsive Memorandum
03/02/2022	Answering Memorandum
03/17/2022	Reply Memorandum in Support of Petition for Judicial Review
06/01/2022	Hearing set.

**HMF Paving Contractors Inc. v. Maryland-National Park and Planning Commission**

Case No. 483255-V (CD)

Lead Counsel: Adams  
Other Counsel:

Abstract: Dispute over whether an allowance should be made, and additional monies paid regarding the measurement (and relative cost) of the retaining wall at Greenbriar Local Park.

Status: Matter Stayed.

Docket:

08/25/2020	Complaint filed
11/01/2020	Commission served
11/25/2020	Motion to Dismiss
12/28/2020	Opposition to Motion to Dismiss
03/12/2021	Consent motion to postpone hearing and stay case.
03/15/2021	Order of Court. Matter stayed for 90 days.
10/20/2021	Order of Court. Matter stayed until January 10, 2022.
01/24/2022	Pre-Trial hearing statement filed
02/01/2022	Motion to Continue
02/18/2022	Order of Court. Motion Moot. Case has been placed on the Stay Docket.
03/30/2022	Status hearing. Matter reset for July 12, 2022.

**Lopez v. Commission**

Case No. C-15-CV-22-000917 (ED)

Lead Counsel: Levan  
Other Counsel:

Abstract: Show Cause Action under the LEOBR regarding mandatory COVID vaccination requirements for police officers.

Status: Petition ~~filed~~denied, appeal period pending.

Docket:

02/24/2022	Petition for Show Cause Order filed
03/28/2022	Commission served
05/12/2022	Show Cause hearing
05/13/2022	Order denying Plaintiff's Application for Show Cause Order

**Village of Friendship Heights v. Montgomery County Planning Board**

Case No. C-15-CV-22-000398 (AALU)

Lead Counsel: Mills  
Other Counsel: Vaias

Abstract: Judicial Review of the Montgomery County Planning Board's approval of Sketch Plan 320220010-5500 Wisconsin Avenue.

Status: Awaiting hearing.

Docket:

01/27/2022	Petition for Judicial Review filed.
2/11/2022	Response filed.
02/22/2022	Response to Petition for Judicial Review.
03/04/2022	Response to Petition for Judicial Review.
03/28/2022	Motion to Extend Time for Transmitting Record
04/15/2022	Administrative Record Received
04/22/22	Motion denied as moot.
08/18/2022	Hearing set.



**CIRCUIT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND**

**Alexander v. Proctor**  
Case No. CAL19-37187 (Tort)

Lead Counsel: Adams  
Other Counsel:

Abstract: Officer Proctor deployed his Commission issued pepper spray when an unknown individual was observed wearing police-type gear and approaching our police substation. The individual failed/refused to stop, leading to the Officer deploying his pepper spray to stop and subsequently arrest the individual. Mr. Alexander (the individual) asserts that the stop was without Reasonable Articulate Suspicion/Probable Cause and therefore was unlawful and the amount of force used was excessive.

Status: In discovery.

Docket:

11/20/2019	Complaint filed
12/06/2019	Proctor served
12/09/2019	Commission served
01/03/2020	Commission’s Motion to Dismiss filed
01/23/2020	Motion to Dismiss denied. Plaintiff to file Amended Complaint on or before 02/07/2020.
02/08/2020	Amended Complaint filed
02/21/2020	Motion to Strike Amended Complaint or in the alternative to Dismiss
03/09/2020	Opposition to Motion to Strike
03/27/2020	Court orders matter to be set in for hearing on Motion
05/06/2020	Motion to Quash and for Protective Order
05/06/2020	Plaintiff’s Opposition to Motion to Quash and for Protective Order
05/22/2020	Order of Court – Motion to Quash and for Protective Order held in abeyance
09/16/2020	Motions Hearing held.
9/23/2020	Order of Court – Motion to Strike or in the alternative Motion to Dismiss denied. Motion to Quash and for Protective Order moot. Case to continue to due course.
9/30/2020	Answer to Amended Complaint filed.
03/14/2022	Plaintiff’s Expert Designation filed
04/11/2022	Defendant’s Expert Designation filed
02/13/2023	Trial

**Brown v. City of Bowie, et al.**  
Case No. CAL19-35931 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Injuries resulting from an event at Trap and Skeet location owned by the Commission. Defendants include the individual who discharged a weapon, a volunteer assigned to the group that day and Shooting Stars Shotgun Sports, LLC, an entity that provides shooting instructors at that location.

Status: Awaiting trial.

Docket:

11/15/2019	Complaint filed
01/27/2020	Defendant City of Bowie's Motion to Dismiss or in the Alternative for Summary Judgment
02/05/2020	Summons reissued for Commission
02/13/2020	Opposition to City of Bowie's Motion to Dismiss
02/26/2020	Defendant Daughtery's answer filed
03/13/2020	Commission served
04/08/2020	Commission's Answer filed
05/15/2020	Motions Hearing on City's Motion to Dismiss – continued due to pandemic
9/18/2020	Amended Complaint and Jury Trial
9/21/2020	Second Amended Complaint
9/24/2020	Hearing on Defendant City of Bowie's Motion to Dismiss and/or Summary Judgment. Motion to Dismiss is denied. Motion for Summary Judgment is granted based upon governmental immunity.
10/28/2020	Third Amended Complaint filed
12/08/2020	Answer to Complaint by Defendant Knode
02/16/2022	Status Conference Held
02/23/2022	Order of Court. Reset for June 21, 2023, for trial.

**Coakley & Williams Construction v. Commission**

Case No. CAL 20-13593 (CD)

Lead Counsel: Adams  
Other Counsel:

Abstract: Breach of contract regarding work done at the Southern Area Aquatics Recreation Center.

Status: Case settled.

Docket:

07/15/2020	Complaint filed
09/15/2020	Commission served
10/08/2020	Motion to Dismiss filed
10/27/2020	Opposition to Motion to Dismiss
01/11/2021	Motion to Quash and for Protective Order
04/02/2021	Order of Court. Motion to Quash denied.
04/02/2021	Order of Court. Motion to Dismiss Granted in part. Plaintiff to amend complaint within 15 days to correct the legal name of Defendant. The remaining issues in the Motion to Dismiss are denied.
04/14/2021	First Amended Complaint filed
05/04/2021	Commission Answer to First Amended Complaint and Jury Demand
07/25/2021	Pretrial Conference held
07/29/2021	Withdrawal of Request for Jury Trial.
09/13/2021	Motion to Strike Second Amended Complaint
09/14/2021	Pretrial Statement filed
09/27/2021	Second Amended Complaint
10/5/2021	Answer to Second Amended Complaint and Line withdrawing Motion to Strike Second Amended Complaint
12/15/2021	Mediation held. Commission seeking budget transfer request to fund settlement.
04/28/2022	Settlement Agreement fully executed.

**Getnet v. Maryland-National Capital Park and Planning Commission**

Case No. CAL 20-13268(Tort)

Lead Counsel: Harvin  
Other Counsel: Johnson

Abstract: Tort suit for injuries allegedly sustained when visitor fell through decking at a historic property not owned by the Commission.

Status: In discovery.

Docket:

07/06/2020	Complaint filed
07/29/2020	Commission served
08/20/2020	Motion to Dismiss filed

09/10/2020	Amended Complaint
09/11/2020	Opposition to Motion to Dismiss
09/22/2020	Amended Complaint
10/09/2020	Answer filed.
11/02/2020	2 <sup>nd</sup> Amended Complaint filed
11/06/2020	Defendant Montgomery County's Motion to Dismiss 2 <sup>nd</sup> Amended Complaint
12/03/2020	Case dismissed as to Montgomery County only
03/04/2021	3 <sup>rd</sup> Amended Complaint filed
04/19/2021	Defendant/Cross-Plaintiff, Kadcon Corporation's Crossclaim against Defendants/Cross-Defendants filed
05/19/2021	Robert Stillman Associates Answer to 3 <sup>rd</sup> Amended Complaint and Crossclaim
05/19/2021	Bell Architects Answer to 3 <sup>rd</sup> Amended Complaint and Crossclaim
10/15/2021	Defendant Bell Architects, PC and Robert Silman Associates Motion to Dismiss Plaintiff's Third Amended Complaint
11/01/2021	Plaintiff's Opposition to Motion to Dismiss 3 <sup>rd</sup> Amended Complaint.
11/04/2021	Defendant/Cross-Plaintiff, Kadcon Corporation's Opposition to Defendants/Cross-Defendants, Bell Architects, PC, and Robert Silman Associates, PLLC's, Motion to Dismiss Plaintiff's Third Amended Complaint and Kadcon Corporation's Crossclaim, Request for Hearing and Supporting Memorandum
12/10/2021	Defendant Bell Architects, PC and Robert Silman Associates PLLC's Motion for Leave to file Reply Memorandum in Support of Motion to Dismiss Plaintiff's Third Amended Complaint
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Motion for Leave to file Reply Memorandum in Support of Motion to Dismiss Kadcon Corporation's Crossclaim
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Reply to Kadcon Corporation's Opposition to the Pending Motion to Dismiss
12/10/2021	Defendants Bell Architects, PC and Robert Silman Associates PLLC's Reply to Plaintiff's Opposition to the Pending Motion to Dismiss
02/24/2022	Order of Court modifying scheduling order and setting trial for April 5, 2023.
04/08/2022	Motions Hearing
04/13/2022	Motion to Dismiss denied. Motion for Leave to File Reply Memorandum moot. Motion to Dismiss Third Amended Complaint denied.
04/06/2023	Trial

**Jackson v. Prince George's County Sports & Learning Complex**

Case No. CAL19-21516 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Injury to a minor allegedly related to use of equipment at the Sports & Learning Complex.

Status: In discovery.

Docket:

07/15/2019	Complaint filed
01/22/2020	Commission accepted service
01/27/2020	Complaint to be amended to reflect Commission as party.
02/04/2020	Amended Complaint filed
03/18/2020	Commission served
04/08/2020	Commission's answer filed.
01/26/2022	Order of Court. Trial continued to September 1, 2022.

**King v. Commission**

Case No. CAL 19-30096 (WC)

Lead Counsel: Foster  
Other Counsel:

Abstract: Claimant seeks judicial review of an order from the Workers' Compensation Commission denying authorization for neck surgery.

Status: Awaiting trial.

Docket:

09/23/2019	Petition for Judicial Review filed
10/03/2019	Commission filed Response to Petition.
02/07/2022	Joint Motion for Continuance
03/18/2022	Order of Court. Trial continued
03/02/2023	Trial

**McGill v. Commission**  
Case No. CAL 21-08946 (WC)

Lead Counsel: Foster  
Other Counsel:

Abstract: Claimant seeks judicial review of Workers' Compensation Commission decision dated July 19, 2021, which determined he had not sustained an increase in permanent partial disability and denied further treatment.

Status: Awaiting trial.

Docket:

08/03/2021	Petition for Judicial Review filed
08/16/2021	Commission filed Response to Petition
10/26/2022	Trial

**Melito v Commission**  
Case No. CAL 21-03760 (ED)

Lead Counsel: Johnson  
Other Counsel:

Abstract: Plaintiff seeks to secure administrative meeting or hearing on termination, former employee claims were denied.

Status: In discovery.

Docket:

04/01/2021	Complaint filed
04/22/2021	Commission served
05/20/2021	Motion to Dismiss filed
06/04/2021	Plaintiff's Opposition to Motion to Dismiss filed.
02/17/2022	Order of Court. Motion to Dismiss denied. Matter to continue in due course.
03/03/2022	Commission's Answer filed
09/29/2022	Trial

**Montague v. Newton White Mansion**

Case No. CAL 20-05753 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Claim related to slip and fall on ice at Newton White Mansion.

Status: In discovery.

Docket:

02/13/2020	Complaint filed.
06/19/2020	Amended Complaint filed.
07/21/2020	Answer filed.
08/29/2022	Trial

**Payne v. Commission, et al.**

Case No. CAL 21-06287 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained in 2014 at Clearwater Nature Center while working in summer camp program.

Status: In discovery.

Docket:

06/03/2021	Complaint filed
08/02/2021	Defendant Mock served
08/16/2021	Commission served
09/27/2021	Commission's answer filed
12/09/2021	Motion for Default filed as to Defendant Mock
04/04/2022	Answer of Defendant Mock filed

**Robinson, et al. v. Prince George's County Planning Board, et al.**

Case No. CAL 21-13945(AALU)

Lead Counsel: Goldsmith  
Other Counsel: Warner

Abstract: In relation to the development of a public K–8 middle school, Petitioners are challenging the Planning Board's decision to affirm the Planning Director's approval of a tree conservation plan, a revision of that tree conservation plan, and variances to the Woodland Conservation Ordinance that allowed removal of specimen trees. There is no statutory right to judicial review, and the petitioners cited no legal authority to petition the circuit court for judicial review. As a result, this may ultimately become a petition for a writ of mandamus under the administrative mandamus provisions of the Maryland Rules (7-401 to 7-403).

Status: Petition filed.

Docket:

11/12/2021	Petition filed
01/05/2022	Commission's Motion to Dismiss filed
01/05/2022	Response to Petition filed by Planning Board
01/05/2022	Motion to Dismiss filed by Planning Board
01/06/2022	Response to Petition filed by Board of Education
01/21/2022	Opposition to Motion to Dismiss
01/27/2022	Memorandum in Support of Petition for Judicial Review
01/31/2022	Motion to Strike Petitioner's Memorandum in Support of Petition for Judicial Review
01/31/2022	Planning Board's Reply to Petitioners' Opposition to Respondent's Motion to Dismiss
02/14/2022	Opposition to Motion to Strike
02/14/2022	Petitioner's Motion to Supplement the Record
02/14/2022	Amended Memorandum in Support of Petition for Judicial Review
02/25/2022	Planning Board's Memorandum
03/16/2022	Reply Memorandum filed.
06/30/2022	Motions hearing.

**Snyder v. State of Maryland, et al.**

Case No. CAL 20-13024 (Tort)

Lead Counsel: Adams  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained when tennis player allegedly tripped in hole of divider net and broke clavicle.

Status: In discovery.

Docket:

06/19/2020	Complaint filed.
07/27/2020	Commission's Motion to Dismiss
07/27/2020	Motion to Transfer Venue



08/11/2020	Opposition to Motion to Dismiss
08/25/2020	State of Maryland's Motion to Dismiss
09/10/2020	Amended Complaint.
10/30/2020	2 <sup>nd</sup> Amended Complaint filed
10/14/2020	Order of Court – Motion to Dismiss and Motion to Transfer Venue Moot.
05/04/2021	Commission and L. Gertzog's Answer to 2 <sup>nd</sup> Amended Complaint
08/22/2022	Trial

**Tolson v. Commission**  
Case No. CAL22--05472 (ED)

Lead Counsel: Levan  
Other Counsel:

Abstract: Show Cause Action under the LEOBR regarding mandatory COVID vaccination requirements for police officers.

Status: Petition filed.

Docket:

03/03/2022	Petition for Show Cause Order filed
03/28/2022	Commission served
04/27/2022	Consent Motion for Extension of Time to Respond to Show Cause.
05/09/2022	Response to Application for Show Cause filed.

**Troublefield v. Prince George's County, et al.**  
Case No. CAL 22-12298 (Tort)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained while attending a graduation ceremony at Show Pace Arena.

Status: Complaint filed.

Docket:

04/11/2022	Complaint filed
04/27/2022	Commission served
05/09/2022	Stipulation/Line of Dismissal as to Prince George's County only
05/20/2022	Commission's Answer filed

**Walters v. Commission**  
Case No. CAL22-01761 (Tort)

Lead Counsel: Johnson  
Other Counsel:

Abstract: Tort suit for injuries allegedly sustained when minor was playing on playground equipment at Melwood Hills Community Park.

Status: In discovery.

Docket:

01/19/2022	Complaint filed
03/25/2022	Commission served
04/06/2022	Commission's answer filed.
05/09/2023	ADR
07/06/2023	Trial

**Wolf, et al. v. Planning Board of Prince George's County**  
Case No. CAL20-14895 (AALU)

Lead Counsel: Goldsmith  
Other Counsel: Warner

Abstract: Judicial Review of the Prince George's County Planning Board's approval of Preliminary Plan of Subdivision 4-18001 (Magruder Pointe).

Status: Awaiting decision on Motions.

Docket:

08/19/2020	Petition for Judicial Review filed.
09/29/2020	Notice of Intent to Participate
09/29/2020	Motion to Dismiss filed by Werrlein WSSC, LLC
10/13/2020	City of Hyattsville's Notice of Intent to Participate
10/19/2020	Response to Petition for Judicial Review
10/19/2020	Planning Board's Motion to Dismiss filed
10/27/2020	City of Hyattsville's Opposition to Motion to Dismiss filed
11/30/2020	Motion to Consolidate with cases CAL19-21492, City of Hyattsville v. Prince George's County District Council and CAL19-22819 Eisen v. Prince George's County District Council
12/28/2020	Opposition to Motion to Dismiss
03/03/2021	Motions hearing held. Taken under advisement.
08/12/2022	Hearing set

**MARYLAND COURT OF SPECIAL APPEALS**

**6525 Belcrest Road, LLC v. Dewey, L.C., et al.**

Case No. CSA-REG-1632-2021 (AALU)

(Originally filed under CAE 20-11589 in Prince George’s County)

Lead Counsel: Harvin  
Other Counsel:

Abstract: Declaratory Judgment Action filed over a dispute involving a parking parcel. Plaintiff contends that Defendants have misconstrued prior approvals of the Planning Board regarding the need for parking in a manner that will harm their interests. Plaintiff seeks to enjoin the Planning Board from approving a Detailed Site Plan.

Status: Appeal from Circuit Court granting Motion to Dismiss.

Docket:

12/14/2021	Appeal filed.
02/28/2022	Briefing Notice issued
04/07/2022	Show cause issued as to Appellant and why matter should not be dismissed for failure to timely file record.
05/17/2022	Appellant’s Brief and Record Extract filed

**Heard v. Maryland-National Capital Park and Planning Commission**

Case No. CSA-REG-1563-2021 (AALU)

(Originally filed under CAL 20-14095 in Prince George’s County)

Lead Counsel: Warner  
Other Counsel: Goldsmith

Abstract: Appeal of decision affirming Prince George’s County Planning Board’s approval of Preliminary Plan of Subdivision 4-05068 and denial of March 31, 2020, request for document under the Maryland Public Information Act.

Status: Appeal filed.

Docket:

12/01/2021	Appeal filed.
03/28/2022	Appellant Brief filed
04/20/2022	Appellee Brief filed

**Izadjo v. Maryland-National Capital Park and Planning Commission**

Case No. CSA-REG 1795-2021 (ED)

(Originally filed under 486280-V in Montgomery County)

Lead Counsel: Adams  
Other Counsel: Johnson

Abstract: Izadjo appeals the decision of the Circuit Court affirming the decision of the Merit System Board denying appeal of his request for reclassification.

Status: Appeal filed.

Docket:

01/14/2022	Notice of Appeal to Court of Special Appeals
03/29/2022	Briefing Notice issued
05/19/2022	Appellant's Brief and Record Extract filed

**MARYLAND COURT OF APPEALS**

**Stewart, et al. v. Prince George's Planning Board, et al.**

Case No. COA-PET 0104-2022 (AALU)

(Originally filed as CAL20-11215 in Prince George's County; CSA-REG-0038-2021)

Lead Counsel: Goldsmith  
Other Counsel:

Abstract: Petition for Writ of Cert from Court of Special Appeals decision affirming Circuit decision that affirmed Prince George's County Planning Board's approval of GB Mall Limited Partnership/Quantum Company Preliminary Plan Case No.4-19023

Status: Petition filed.

Docket:

05/18/2022	Petition filed.
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**U.S. DISTRICT COURT OF MARYLAND**

**Evans v. Commission, et al.**

8:19-cv-02651 TJS (ED)

Lead Counsel: [Levan Foster](#)  
Other Counsel: [Foster](#)

Abstract: Plaintiff, police lieutenant, filed a complaint against the Commission and four individual defendants, alleging discrimination, retaliation and assorted negligence and constitutional violations.

Status: In discovery.  
Docket:

09/11/2019	Complaint filed
10/23/2019	Notice of Intent to file Motion for More Definite Statement filed by Defendants Commission, McSwain, and Riley
10/24/2019	Notice of Intent to file Motion for More Definite Statement filed by J. Creed on behalf of Defendant Murphy
10/28/2019	Notice of Intent to File a Motion for More Definite Statement filed by attorney C. Bruce on behalf of Defendant Uhrig
11/26/2019	Status Report filed by Plaintiff agreeing to file Amended Complaint specifying against whom each claim is asserted and dates of alleged events.
12/10/2019	Amended Complaint filed.
12/23/2019	Notice of Intent to file a Motion to Dismiss filed by all defendants
01/09/2020	Order granting Plaintiff leave to file Amended Complaint
01/16/2020	Second Amended Complaint filed
02/14/2020	Joint Motion to Dismiss filed by all Defendants
03/20/2020	Opposition to Motion to Dismiss
03/20/2020	Motion for Leave to file Third Amended Complaint
03/20/2020	Third Amended Complaint
04/17/2020	Plaintiff's Reply to Defendants' joint Opposition to Plaintiff's Motion for Leave to file Third Amended Complaint.
05/07/2020	Order granting Motion for Leave to File Third Amended Complaint; denying as moot Defendants' Joint Motion to Dismiss; granting defendants leave to renew their Joint Motion to Dismiss by May 22, 2020.
06/05/2020	Joint Motion to Dismiss for Failure to State a Claim filed by Commission, McSwain, Murphy, Riley and Uhrig.
07/10/2020	Motion for Leave to File Excess Pages
07/16/2020	Order granting in part and denying in part Motion for Leave to file Excess Pages and directing the Plaintiff to file a brief by 7/23/2020
07/23/2020	Response in Opposition to Joint Motion to Dismiss for Failure to State a Claim
08/06/2020	Response to Motion for Leave to file Excess Pages.

08/06/2020	Reply to Opposition to Joint Motion to Dismiss.
11/13/2020	Defendants' Motion to Dismiss granted in part. Counts 4, 5, part of 6 and 7 -10, part of 11, and 12 dismissed. Counts, 1 -3, part of 6 and 11, 13 -15 will proceed at this stage. Defendants to file an answer to remaining claims.
11/27/2020	Answer filed.
01/11/2021	Order – Case referred to Magistrate Judge Timothy J. Sullivan generally and to Magistrate Judge Jillyn K. Schulze for mediation
01/15/2021	Joint Consent to Proceed before Magistrate
01/28/2021	Order of Court re mediation week of May 17, 2021.
07/26/2021	Commission's Motion for Protective Order.
08/09/2021	Plaintiff's Opposition to Motion for Protective Order.
08/23/2021	Commission's Reply to Opposition for Protective Order.
10/05/2021	Informal Discovery Dispute Resolution Conference was held with the Judge to resolve issues raised in the Motion for Protective Order and Opposition. An Order was issued resolving several matters and requiring additional disclosure of information and/or documents
01/14/2022	Notice of Intent to file a Motion for Summary Judgment filed by Defendants Murphy, Uhrig, McSwain, and Commission.
02/17/2022	Order of Court re scheduling order. Motion for Summary Judgment due April 8, 2022.
04/08/2022	Defendants' Joint Motion to Seal Exhibits Related to Defendants' Motion for Summary Judgment
04/08/2022	Defendants' Joint Motion for Summary Judgment and Supporting Memorandum of Law
04/20/2022	Response in Opposition to Motion to Seal Exhibits
05/03/2022	Reply to Response to Motion to Seal

**Miles v. Commission, et al.**  
8:22-cv-00624-AAQ (ED)

Lead Counsel: Foster  
Other Counsel:

Abstract: Plaintiff, police officer, filed a complaint against the Commission and individual defendant, alleging hostile work environment, discrimination, retaliation, and violations of 42 USC §1981, 42 USC §1983, Maryland Statutory violations, and County Code violations.

Status: In discovery.  
Docket:

03/14/2022	Complaint filed
03/16/2022	Commission accepted service
03/23/2022	Waiver of the Service of Summons filed by Commission
04/29/2022	Case reassigned to Magistrate Judge Ajmel Ashen Quereshi

05/06/2022	Answer to complaint filed
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