



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

March 30, 2018

10:15 a.m. – 11:45 a.m.

Laurel-Beltsville Senior Center

Multi-Purpose Room

7120 Contee Road

Laurel, Maryland 20707

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

**Friday, March 30, 2018
Laurel-Beltsville Senior Center
10:15 a.m. – 11:45 a.m.**

			ACTION	
			Motion	Second
1.	Approval of Commission Agenda (10:15)	(+*)	Page 1	
2.	Approval of Commission Minutes Open Session – February 21, 2018	(+*)	Page 3	
3.	General Announcements (10:15)			
	a) Financial Disclosure Filing Requirement			
	b) M-NCPPC Women’s History Month Event hosted by the Diversity Council (Friday, March 30, 2018, 12:00 p.m. – 3:00 p.m. Laurel-Beltsville Senior Center)			
	c) April is Stress Awareness Month and Alcohol Awareness Month			
4.	Committee Minutes/Board Reports (For Information Only): (10:20)			
	a) Executive Committee Meeting – Open Session – March 5, 2018	(+)	Page 7	
	b) Employees’ Retirement System Board of Trustees Meeting Minutes February 6, 2018	(+)	Page 9	
5.	Action and Presentation Items (10:25)			
	a) Resolution #18-06 Adoption of the Energized Public Spaces Functional Master Plan (Sasaki)	(+*)	Page 13	
	b) Acknowledgement of Rick Liu as the Montgomery County Open Trustee to the Employees’ Retirement System Board of Trustees (Rose)	(+*)	Page 111	
	c) Recommendation of Appointment of White Oak Global Advisors as a New Investment Manager for the Employees’ Retirement System (Rose)	(+*)	Page 113	
	d) EOB Building Update (Bennett/Barney)	(+)	Page 115	
	e) Non-recommended Reductions to Meet Montgomery County Executive Recommended Budget (Kroll/Dept. Heads)	(H*)		
6.	Officers’ Reports			
	a) Executive Director’s Report (For Information Only) Employee Evaluations Not Completed by Due Date (February 2018)	(+)	Page 119	
	b) Secretary Treasurer (For Information Only) Investment Report (February 2018)	(+)	Page 121	
	c) General Counsel			
	1) Litigation Report (For Information Only)	(+)	Page 127	
	2) Legislative Update			
7.	Closed Session – Collective Bargaining	(++)		
	Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(7) and (9), a closed session is proposed to consult with counsel to obtain legal advice; and to conduct collective bargaining discussions, or consider matters that relate to the negotiations.			



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
 Open Session Minutes
 February 21, 2018

The Maryland-National Capital Park and Planning Commission met at the Prince George's Parks and Recreation Auditorium in Riverdale, MD.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair
 Dorothy Bailey
 Manuel Geraldo
 William Doerner

Montgomery County Commissioners

Casey Anderson, Vice-Chair
 Norman Dreyfuss
 Tina Patterson

NOT PRESENT

A. Shuanise Washington

Natali Fani-Gonzalez
 Gerald Cichy

Chair Anderson convened the meeting at 10:04 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Geraldo to approve the Commission agenda
 Seconded by Hewlett
 7 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – January 17, 2018

ACTION: Motion of Hewlett to approve the Commission minutes
 Seconded by Geraldo
 7 approved the motion

Closed Session – January 17, 2018

ACTION: Motion of Hewlett to approve the Commission minutes
 Seconded by Geraldo
 7 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

Chair Anderson announced that the M-NCPPC Women's History Event will be hosted by the Diversity Council on Friday, March 30, 2018 from 12:00 p.m.–3:00 p.m. at the Laurel-Beltsville Senior Center.

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee – Open Session – February 12, 2018
- b) Employees' Retirement System Board of Trustees Meeting Minutes – December 5, 2017
- c) MFD Purchasing Statistics – Fourth Quarter FY17

ITEM 5

ACTION AND PRESENTATION ITEMS

a) Resolution #18-04 Adoption of the Greater Cheverly Sector Plan

ACTION: Motion of Hewlett to approve Resolution #18-04

Seconded by Geraldo

7 approved the motion

b) Resolution #18-05 Change in Aquatic Pay Schedule

ACTION: Motion of Hewlett to approve Resolution #18-05

Seconded by Geraldo

7 approved the motion

c) New Sick Leave Law

Corporate Policy and Management Operations Chief Anju Bennett and Policy Manager Michael Beckham provided a briefing on the implementation of the Maryland Healthy Families Working Act legislation which passed on February 11, 2018. This new law requires employers, such as M-NCPPC, to provide 40 hours of paid sick/safe leave to all employees. Chief Bennett explained that the law was enacted mid-January, making it somewhat challenging for employers. However, the team has worked diligently with the Finance and Legal Departments to ensure the changes are properly applied and payroll systems are updated so affected employees earn leave appropriately. Employees have been notified of the changes through multiple channels, prior to the more detailed policy changes that are presently being developed with Department Heads and will also need to be reviewed by other parties. Additionally, to ensure the smooth implementation of the law, the team is working with operating departments to address operational concerns.

Chief Bennett and Mr. Beckham explained the three key changes stemming from the law include the:

- addition of paid leave for seasonal/intermittent and temporary contract employees who did not previously receive paid leave;
- broadening of the definition of family member for which paid leave may be used by Merit and Contract employees; and
- expansion of reasons for which all employees (Merit and Contract) may use leave to include concerns related to domestic violence, sexual assault and stalking.

Commissioner Doerner questioned how the agency would address confidentiality of individuals using leave for domestic matters. Commissioners questioned whether all denied leave should be appealed. Chief Bennett recommended that the approval of a sensitive event may best be screened by the Health and Benefits Office which already plays a role in the screening of other sensitive matters such as the Family Medical Leave Act. She added, that there are already mechanisms in the agency's policies to allow employees to raise concerns when benefits have been denied, however establishing the Health and Benefits Office as a place employees or supervisors could utilize helps ensure leave is reviewed consistently and sensitive information is protected. The Commissioners supported this approach. Chief Bennett explained she would work with the Policy team to ensure that language is embedded into policy regulations for Merit employees and Contract employees.

The Commissioners thanked Chief Bennett and Mr. Beckham for their work on the implementation of the new legislation. Chief Bennett informed the team would keep the Commission abreast of any further updates and thanked Commissioners for their support to move forward with policy updates.

ITEM 6

OFFICERS' REPORTS

- a) Executive Director's Report (For information only)
Employee Evaluations Not Completed by Due Date (January 2018)

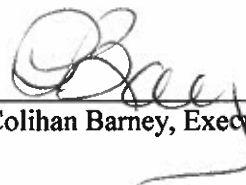
- b) Secretary Treasurer (For Information Only)
Investment Report (December 2017)

- c) General Counsel (For information only)
 - 1) Litigation Report (For Information Only)
 - 2) Legislative Update
General Counsel Adrian Gardner briefed the Commissioners regarding legislation related to the Washington Suburban Sanitary Commission's (WSSC) appointment of an Inspector General, Forest Conservation and Synthetic Turf Field.

The meeting adjourned at 10:45 a.m.



Deirdra S. Walker, Administrative Specialist



Patricia Colihan Barney, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

March 5, 2018

On March 5, 2018, the Maryland-National Capital Park and Planning Commission's Executive Committee met via conference call. Present were Chair Casey Anderson, Vice-Chair Elizabeth M. Hewlett and Executive Director Patricia Barney. Also present were:

Department Heads

Andree Checkley, Director, Prince George's County Planning
 Gwen Wright, Director, Montgomery County Planning
 Mike Riley, Director, Montgomery County Parks
 Debbie Tyner, Acting Director, Prince George's County Parks and Recreation
 Joseph Zimmerman, Secretary-Treasurer
 Adrian Gardner, General Counsel

Presenters/Staff

Mazen Chilet, Chief Information Officer
 Anju Bennett, Chief, Corporate Policy and Management Operations
 William Spencer, Human Resources Director, Department of Human Resources and Management

The meeting convened at 10:01 a.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	The agenda was accepted without changes.
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ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA

Discussion	<p>Executive Director Barney announced that the Employees' Retirement System Board will add an item regarding the appointment of Rick Liu as the Montgomery County Open Trustee to the Board of Trustees for the remainder of the term ending June 30, 2018 and the three-year term ending June 30, 2021. Vice-Chair Hewlett requested a bio for Mr. Liu to introduce him at the next Board meeting. Montgomery County Planning Director Gwen Wright will provide the bio.</p> <p>Executive Director Barney announced that a meeting will occur on Thursday, March 8, 2018, with both planning boards to discuss collective bargaining matters.</p>
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ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	<p>Secretary-Treasurer Joe Zimmerman requested that the bond sale resolutions be moved to June 2018.</p> <p>Vice-Chair Hewlett requested an update on the status of sexual harassment training for Commission staff. Human Resources Director Bill Spencer confirmed that sexual harassment training is provided annually and that Human Resources staff are preparing to deliver the training in the spring. Mr. Spencer will notify the Chairs once the training has been conducted.</p>
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ITEM 2 – MINUTES

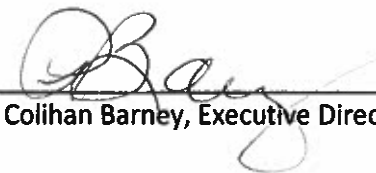
	February 12, 2018 Executive Committee Minutes – accepted without changes.
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ITEM3 – DISCUSSION/REPORTS/PRESENTATIONS

	There were no items discussed at this meeting.
Follow up	Human Resources Director Bill Spencer to inform the Chair and Vice-Chair once the sexual harassment training has been completed for Commission staff. Montgomery Planning Director Gwen Wright to provide a bio for Rick Liu to Vice-Chair Hewlett.

There being no further business to discuss, the meeting adjourned at 10:12 a.m.


Deirdra Walker, Administrative Specialist


Patricia Colihan Barney, Executive Director



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

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

**Tuesday, February 6, 2018; 10:00 A.M.
ERS/Merit Board Conference Room**

The regular meeting of the Board of Trustees convened in the ERS/Merit Board Conference Room on Tuesday, February 6, 2018 at 10:00 a.m. Voting members present were: Khalid Afzal, Patricia Barney, CPA, Howard Brown, Pamela F. Gogol, Dr. Alicia Hart, Sheila Morgan-Johnson, Barbara Walsh and Joe Zimmerman, CPA. Elizabeth M. Hewlett joined the meeting via conference call. Amy Millar arrived at 10:11 a.m. Gerald R. Cichy was not present.

ERS staff present were: Andrea L. Rose, Administrator; Heather D. Brown, Senior Administrative Specialist; Sheila S. Joynes, Accounting Manager; and, Ann McCosby, Software Manager.

Presentations by Boomershine Consulting Group - Gregory M. Stump, Chief Actuary and Sunita K. Bhatia, Senior Actuary and M-NCPPC Legal Department - LaTonya Reynolds, Senior Counsel.

CHAIRMAN HEWLETT opened the meeting and gave condolences on the Board's behalf to Barbara Walsh on the loss of her mother.

1. CONSENT AGENDA

The following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- A. Approval of the February 6, 2018 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, December 5, 2017
- C. Closed Session Minutes of Regular Meeting, December 5, 2017
- D. Disbursements Granted Reports – November and December 2017

MS. GOGOL made a motion, seconded by MS. BARNEY to approve the Consent Agenda, as submitted. The motion PASSED unanimously (9-0). (Motion #18-1)

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
- B. Resolution for Khalid Afzal, Montgomery County Open Trustee

Khalid Afzal resigned from the Board of Trustees ("Board") after 16 years of service. MR. AFZAL expressed his appreciation for the opportunity and experience and agreed to serve until replaced.

CHAIRMAN HEWLETT acknowledged MR. AFZAL's 16-year tenure on the ERS Board of Trustees and his dedicated support as the Chairman of the Member Education Committee and a member on the Investment Monitoring Group (IMG). As the former IMG Chairman, MS. BARNEY thanked MR. AFZAL for his commitment. Andrea Rose read a Resolution in honor of MR. AFZAL.

3. **MISCELLANEOUS**

No miscellaneous reported.

4. **MANAGER REPORTS/PRESENTATIONS**

A. Boomershine Consulting Group

Presentations by Gregory M. Stump, Chief Actuary and Sunita K. Bhatia, Senior Actuary

- i. Letter dated January 26, 2018 from Boomershine Consulting Group re: Administrative Assumptions and Tables
- ii. Memorandum dated January 30, 2018 from Andrea Rose re: Recommendation to Approve
 - a. Resolution to Update the Actuarial Equivalence Tables effective July 1, 2018 Consistent with the Assumptions Adopted in the April 2016 Experience Study.
 - b. Resolution

MS. MILLAR arrived at 10:11 a.m.

Greg Stump explained that actuarial equivalence tables are used in the calculation of benefit adjustments for participants electing an optional form of payment.

Mr. Stump recommended the following changes to the ERS' current tables: the Board adopt new actuarial equivalence tables consistent with the assumptions adopted after the April 2016 Experience Study (a 7.00% interest rate assumption and the RP2000 Mortality Tables with male rates set forward one-year and female rates set forward two-years, projected to 2040 using scale BB, 60/40 blend (male/female); apply the new actuarial equivalence tables prospectively based on a date approved by the Board; and, review the actuarial equivalence tables concurrent with Experience Studies to determine if updates are needed. Sunita Bhatia explained there is no requirement for actuarial equivalence tables to be the same assumptions used in the actuarial valuation; however, it is considered best practice to maintain consistent assumptions for both.

MS. BARNEY made a motion, seconded by MS. MILLAR to go into Closed Session pursuant to the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(7) to consult with legal counsel. The motion PASSED unanimously (9-0). (Motion #18-2)

Andrea Rose said Staff concurred with Boomershine Consulting Group's recommendations and proposed an effective date of July 1, 2018 to apply the new actuarial equivalence tables to allow time to test the new tables in the pension system and notify members who may be planning to retire.

Ms. Rose presented a Resolution to the Board to adopt new actuarial equivalence tables as recommended by Boomershine Consulting Group effective July 1, 2018. Ms. Rose noted a minor typo from RP200 to RP2000 to be corrected in the Resolution.

MS. BARNEY made a motion, seconded by MS. GOGOL to approve the Resolution to adopt new actuarial equivalence tables consistent with the assumptions adopted after the April 2016 Experience Study (a 7.00% interest rate assumption and the RP2000 Mortality Tables with male rates set forward one-year and female rates set forward two-years, projected to 2040 using scale BB, 60/40 blend (male/female) effective July 1, 2018. The motion PASSED unanimously (9-0). (Motion #18-4)

The Board agreed the actuarial equivalence tables should be reviewed concurrent with each Experience Study to determine if updates are needed.

5. REPORT OF THE ADMINISTRATOR

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated January 30, 2018

Andrea Rose presented the Administrator's Report dated January 30, 2018.

An election will be held to determine the successor to Khalid Afzal. All Merit System employees working in the Montgomery County offices are invited to apply for the vacancy except for employees represented by MCGEO and the FOP who are not eligible. The Board will recommend the candidate receiving the highest number of votes to the Commission for appointment to the Board. The successful candidate will serve for the remainder of MR. AFZAL'S term, which expires on June 30, 2018 and a three-year term ending June 30, 2021. The Call for Nominations was put in the February 2018 *Update Newsletter*, on the ERS' website, and on the Commission's Intranet site.

The ERS issued a Request for Proposal (RFP) for a Pension Administration System on February 5, 2018. The RFP seeks proposals from qualified firms to provide a comprehensive pension administration system. Ms. Rose said it will take some time to review the proposals and conduct site visits so the contract may not be effective until fiscal year 2019.

Ms. Rose reported the ERS' new website went live January 2, 2018. The new website can be found at <http://ers.mncppc.org>.

6. ETHICS & FIDUCIARY RESPONSIBILITY TRAINING

A. M-NCPPC Legal Department

Presentation by LaTonya Reynolds, Senior Counsel

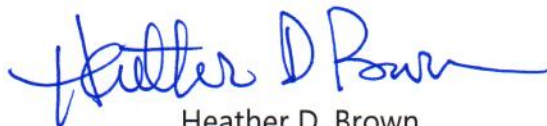
LaTonya Reynolds conducted the annual Ethics & Fiduciary Responsibility Training.

7. ADMINISTRATIVE FUNCTIONS

The Board will recess to perform administrative functions not subject to the Open Meetings Act, pursuant to Section 3-104 of the General Provisions Article of the Annotated Code of Maryland.

The Board of Trustees meeting of February 6, 2018 adjourned at 12:20 p.m.

Respectfully,



Heather D. Brown
Senior Administrative Specialist



Andrea L. Rose
Administrator



MONTGOMERY COUNTY DEPARTMENT OF PARKS
MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

M-NCPPC Item # ___

Date: 03/21/2018

MEMORANDUM

DATE: March 8, 2018

TO: The Maryland-National Capital Park and Planning Commission

VIA: Michael F. Riley, Director of Parks
Mitra Pedoeem, Deputy Director for Administration 
Dr. John E. Hench, Ph.D., Chief, Park Planning and Stewardship Division (PPSD) 

FROM: Brenda Sandberg, Manager, Legacy Open Space Program, PPSD 
Cristina Sasaki, Planner Coordinator, EPS Project Manager, PPSD 
Christopher McGovern, Supervisor, ITI Division

SUBJECT: Resolution of Adoption of the Approved *Energized Public Spaces Functional Master Plan*

Staff Recommendation

Approve the Resolution of Adoption.

Summary

Attached for your review and approval is M-NCPPC Resolution Number 18-06 to adopt the *Energized Public Spaces Functional Master Plan*. The County Council, sitting as the District Council, approved the Energized Public Spaces Functional Master Plan by Resolution Number 18-1036 on February 13, 2018. The Montgomery County Planning Board approved the adoption of the *Energized Public Spaces Functional Master Plan* by Resolution Number 18-020 on March 8, 2018.

Attachments

Attachment 1 – M-NCPPC Resolution No. 18-06; Montgomery County Planning Board Resolution No. 18-020

Attachment 2 – Montgomery County Council Resolution No. 18-1036

Attachment 3 – Energized Public Spaces Functional Master Plan, Planning Board Draft, September 2017



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC No. 18-06

MCPB No. 18-020

RESOLUTION

WHEREAS, under the Maryland Land Use Article, The Maryland-National Capital Park and Planning Commission is authorized to make, 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, under the procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on Thursday, July 27, 2017, on the Public Hearing Draft *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas*, 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; all area master and sector plans countywide previously approved as of the date of the final adoption of this Plan, to the extent that this Plan's methodology will designate additional sites that may be considered for park acquisition and facility renovation or redevelopment; all functional master plans approved as of the date of the final adoption of this Plan; and the 2017 *Montgomery County Planning Board Recreation Guidelines for Private Residential Development*; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on September 18, 2017, approved the Planning Board Draft *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas*, recommended that it be approved by the District Council, and on October 2, 2017, forwarded it the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas* and forwarded those recommendations and analysis to the District Council, and

WHEREAS, the Montgomery County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC LEGAL DEPARTMENT

a public hearing on January 16, 2018, wherein testimony was received concerning the Planning Board Draft *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas*; and

WHEREAS, the District Council, on February 13, 2018, approved the Planning Board Draft *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas* subject to the modifications and revisions set forth in County Council Resolution No. 18-1036; and

WHEREAS, the Montgomery County Planning Board, on March 8, 2018, recommended that The Maryland-National Capital Park and Planning Commission adopt the *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas* as approved by the District Council.

NOW THEREFORE BE IT RESOLVED, that in accordance with Section 21-103 of the Maryland Land Use Article, The Maryland-National Capital Park and Planning Commission does hereby adopt said *Energized Public Spaces Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas*, together with 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; all area master and sector plans countywide previously approved as of the date of the final adoption of this Plan, as amended; all functional master plans approved as of the date of the final adoption of this Plan, as amended; and as approved by the District Council in the attached Resolution No. 18-1036, including amendment of the 2017 *Montgomery County Planning Board Recreation Guidelines for Private Residential Development*; and

BE IF FURTHER RESOLVED, that copies of said Amendment must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of _____, seconded by _____, with _____ present and voting in favor of the motion at its regular meeting held on Thursday, March 8, 2018, in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board

This is to certify that the foregoing is a true and correct copy of Resolution No. _____ adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, _____, _____, _____, voting in favor of the motion, at its meeting held on Wednesday, March 21, 2018, in Silver Spring, Maryland.

**Patricia Colihan Barney
Executive Director**

Resolution No.: 18-1036
Introduced: February 13, 2018
Adopted: February 13, 2018

**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 September 2017 Energized Public Spaces Functional Master Plan

1. On October 2, 2017, the Montgomery County Planning Board transmitted to the County Executive and the County Council the September 2017 Energized Public Spaces Functional Master Plan.
2. The September 2017 Energized Public Spaces Functional Master Plan amends all area master and sector plans countywide approved as of the date of the final adoption of this Plan, to the extent that this Plan's methodology will designate additional sites that may be considered for park acquisition and facility renovation or redevelopment. It also amends the 2017 Recreation Guidelines for Private Residential Development and other functional master plans.
3. On January 16, 2018, the County Council held a public hearing on the September 2017 Energized Public Spaces Functional Master Plan. The Master Plan was referred to the Council's Planning, Housing, and Economic Development Committee for review and recommendations.
4. On January 29, 2018, the Planning, Housing, and Economic Development Committee held a worksession to review the issues raised in connection with the September 2017 Planning Board Draft Energized Public Spaces Functional Master Plan.
5. On February 13, 2018, the County Council reviewed the September 2017 Planning Board Draft Energized Public Spaces Functional Master Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

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 Energized Public Spaces Functional Master Plan, dated September 2017, is approved with revisions. County Council revisions to the Planning Board Draft Energized Public Spaces Functional Master Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the September 2017 Planning Board Draft Energized Public Spaces Functional Master Plan.

Page 15: Add two new paragraphs after the second paragraph under “Today’s Challenges” as follows:

The comprehensive integration of parks and open space into the built environment is also key to supporting the County’s efforts to address global climate change. The Montgomery County Council recently passed Resolution 18-974, Emergency Climate Mobilization, setting an ambitious target of reducing greenhouse gas emissions by 80% by 2027. Climate resiliency and greenhouse gas reductions are addressed in area master/sector plans, development review recommendations, and park plans and projects through recommendations that include site context, landscaping, waste reduction/management, building materials, renewable energy, heating and cooling, and other means to reduce climate impact.

Parks and open space can play an important role in reducing climate impact, since their many benefits to local environmental quality also provide a larger benefit to the global climate. Adding more green spaces and tree canopy provides shade and comfortable places for people to relax and play, while also absorbing more carbon and heat than an impervious surface open space. By increasing the ease with which residents can walk or bicycle to parks, the subsequently fewer auto trips reduce particulate pollution and carbon emissions. By providing green spaces that help to cool the urban heat island effect, parks and open space contribute to a decrease in the energy necessary to make building interiors comfortable, thus reducing greenhouse gas emissions from energy producers. Future studies may be conducted to identify the best ways to site, build, and operate parks and open space so that these spaces contribute as much as possible to addressing the climate crisis. The creation of these open spaces as a part of sustainable and resilient communities plays a role in benefiting our country and the globe, not just Montgomery County.

Page 55: Add a new paragraph before subheading “Proposed CIP Funding” as follows:

Implementation of the strategies and opportunities identified through this plan will require additional funding and other resources. As described throughout this Plan, a variety of implementation tools will be pursued to stretch the public dollar and bring new resources to the table. Increasing efficiencies in designing and operating new public parks will be a key element of this process. The Parks Department also will explore opportunities for alternative funding sources to support new and upgraded public parks. However, to achieve the Plan goals regarding certain significant new public parks and upgrading existing urban parks, some additional public funds will be required.

Page 59: Amend the third paragraph under “Application to Pilot Area: Silver Spring CBD” as follows:

When a property is developed in Montgomery County, the zoning ordinance and applicable master and sector plans may require that a certain portion of the property is used for public open space or recreational [space] amenities without changing the ownership of the property. This functional plan does not increase the amount of open space or recreational space otherwise required for a property’s development, nor is it intended to modify requirements for the operation and maintenance of privately owned public spaces established through existing regulatory approvals. However, if land identified through the EPS method is subsequently developed for private use, this plan and the EPS method may provide recommendations on the type of open space or recreational amenities that would be beneficial to the community through the *2017 Recreation Guidelines for Private Residential Development*.

Page 76: Amend the description for Whole Foods Parking Lot as follows:

Create open space or park during any future significant redevelopment of site to meet open space requirements of the zoning code. Provide green space and/or recreational amenities to complement Veterans Plaza.

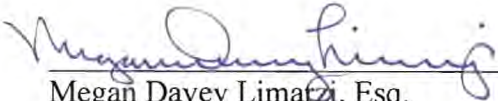
Page 77: Amend the footnote as follows:

Sites identified in the Matrix for possibly creating a new open space are preferred locations based on the quantitative and qualitative analysis; alternative locations within the vicinity of these sites may be appropriate to meet the identified needs and may substitute for the identified sites. If future analysis using the EPS methodology indicates changes to the level of service and preferred sites to meet the needs, a revised Matrix of Opportunities will be presented to the Planning Board for review and approval per the implementation process in Chapter 5.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft Energized Public Spaces Functional Master Plan (September 2017). 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.


 Megan Davey Limarzi, Esq.
 Clerk of the Council



September 18, 2017



PLANNING BOARD DRAFT ENERGIZED PUBLIC SPACES FUNCTIONAL MASTER PLAN for Mixed Use and High Density Residential Areas

Maryland-National Capital Park and Planning Commission, Department of Parks, Montgomery County

Abstract

Title	<i>Energized Public Spaces Functional Master Plan for Mixed Use and High Density Residential Areas Planning Board Draft</i>
Author	Maryland-National Capital Park and Planning Commission (M-NCPPC), Department of Parks, Park Planning and Stewardship Division - MontgomeryParks.org
Date	September 18, 2017
Agency	M-NCPPC, Department of Parks, Montgomery County, MD
Source of Copies	Website - ParkPlanning.org
	Hard copies
	The Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue, Silver Spring, MD 20910-3760
Number of Pages	88 including covers

The Maryland-National Capital Park and Planning Commission

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The Commission is charged with preparing, adopting, and amending or extending *The General Plan (On Wedges and Corridors)* for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties. The Commission operates in each county through Planning Boards appointed by the county government. The Boards are responsible for preparing all local plans, zoning amendments, subdivision regulations, and administration of parks.

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CHAPTER 1: EXECUTIVE SUMMARY

The *Energized Public Spaces Functional Master Plan (EPS FMP) for Parks in Mixed Use and Higher Density Areas (EPS FMP)* is a plan that applies an innovative methodology to identify areas with the highest need for parks and open spaces and recommend opportunities to increase the amount of parks and open space in those communities. This Plan promotes public spaces as platforms where people can share experiences and build a sense of community.

This Plan is a living document that establishes a systematic way to assess and deliver outdoor experiences to the public using a variety of implementation strategies and tools. As a Functional Master Plan, it describes a program that the Department of Parks will implement for the foreseeable future. This implementation program will strive to make better use of existing parkland, develop creative partnerships to add new parks and open space resources, and acquire new parkland to provide the park experiences necessary to support our growing communities.

Cultures and climates differ all over the world, but people are the same. They'll gather in public if you give them a good place for it.

- Jan Gehl, *Architect and Urban Designer*

WHY? THE NEED FOR THIS PLAN

Around 80% of Americans live in cities (2010 Census). Montgomery County is a suburban community located in one of the major metropolitan areas of the United States, the Washington, D.C.

metropolitan area. Our rural and suburban roots are reflected in the County's current development pattern. However, decades of planning efforts, combined with national and international trends and economic forces, have succeeded in focusing recent population growth in areas that are well served by transportation and other infrastructure. The growth forecast for the County (2010-2045) shows the highest levels of growth concentrated along I-270 in an area representing only 14% of the County's land but 72% of the population and 82% of employment. This concentration of population results in more efficient provision of public infrastructure and other benefits to support residents, but it also creates increasing and unique needs for certain public amenities including parks and open space.

Public spaces are key elements of individual and social well-being, the places of a community's collective life, expressions of the diversity of their common natural and cultural richness and a foundation of their identity.

- 2013 *Charter of Public Space, UN Habitat*

With the increase in density in the growing areas of the County, public parks and open space have become essential to creating livable and healthy communities. The recent trend in real estate development in these areas is to replace lower density residential or commercial development with higher density residential and mixed use buildings where economically feasible and allowed by zoning. This significant increase in density makes parks and open space areas the "outdoor living rooms" for many of these communities. Without space for large

private backyards, public parks and open spaces play an increasingly important role in improving public health and promoting social interaction and social equity. Access to urban parks is a critical and necessary element of achieving one of the primary County's goals, to promote community welfare and quality of life.

Without public space, we simply don't have cities and towns. We have mere collections of buildings and vehicles.

- Joan Clos, Secretary-General of Habitat III, as cited by Michael Mehaffy, CNU Public Square

The Catch-22 of these trends is that a growing population creates increased demand for parks and open space, but that population also increases competition for land and thus creates a shortage of space to meet the park needs of that same expanding urban population. Over time, continuing growth will only exacerbate the lack of urban open spaces, giving an urgency to efforts to address the shortfall. The challenge that this Plan and its innovative, adaptive methodology are designed to solve is how to identify where the highest needs are located for parks and open space and how to use multiple strategies to fill those needs.

Vision

An innovative and creative countywide park plan for stronger, healthier and happier communities in the County. In the places where we have the most people, everyone can walk to a public space to enjoy the outdoors.

Purpose and Scope

The main purpose of the *EPS FMP* is to create outdoor spaces where people of all ages, ethnicity, incomes, and tenures can meet, play, relax, exercise and enjoy nature in areas where more people live and work. These parks and open spaces will integrate the public network of streets, transit and other infrastructure, creating a framework around which sustainable future development can occur.

In summary, the overarching goals of the *Energized Public Space FMP* are to:

- Identify where parks and open space are needed most to serve dense populations within walking distance.
- Prioritize parks and open spaces for implementation using social equity and other factors.
- Propose innovative tools and new funding sources to activate and connect parks, renovate and repurpose existing facilities, develop new facilities, and create new parks and open spaces.

To reach these goals, an innovative GIS-based methodology will be used to identify areas with low levels of service for parks and open space and to remedy the shortages in a systematic way. This methodology will be employed to prioritize and distribute parks and open spaces equitably across the EPS Study Area.

WHERE? EPS STUDY AREA

This plan will consider a range of parks and public spaces to serve the portions of Montgomery County with higher intensity mixed uses and with high density residential. The EPS Study Area was determined using data from the Planning Department’s Round 9.0 Forecast and other geographically linked data on population and employment levels (Figure 1). The EPS Study Area includes the highest residential and mixed use density in the County, covering approximately 17% of the County’s land area but including over 40% of the County’s residents and over 60% of its jobs. As this functional master plan is implemented, the entire EPS Study Area will be evaluated using this new methodology to identify where parks and open space are most needed and prioritize where to focus implementation efforts.

To provide a glimpse into some of the factors that make the EPS Study Area appropriate for examining for park needs, we can look at a few pieces of data. Residents of the EPS Study Area reported the following information as compared to residents in the rest of the County in the 2017 PROS Plan Statistically Valid Survey (January 2017):

- More EPS Study Area residents live in high-rise multi-family units: 11% of EPS Study Area residents compared to 1.4% of those outside the EPS Study Area.
- EPS residents are more likely to have a low household income: 8% of EPS residents have an annual income under \$30,000 compared to 4.3% outside.

- EPS residents are more reliant upon public transit to access parks and recreation: 18.5% of EPS residents use public transit to travel to parks, trails and recreation facilities, compared to 10.5% outside.

Another differentiation between the EPS Study Area and areas of the County outside of the Study Area is the amount of parkland in proportion to population. The EPS Study Area has 13.4 acres per thousand residents of M-NCPPC parkland, compared to 57.4 acres per thousand residents outside the Study Area. When considering all public parkland (M-NCPPC, municipal and federal), the EPS Study Area has an even greater shortfall: 16.5 acres per thousand residents compared to 96.7 acres per thousand residents. This Plan does not set a target for the amount of parkland per resident, but instead uses a more sophisticated method to prioritize areas with higher parks and open space needs.

To test the new methodology proposed in this Plan, the Silver Spring Central Business District (CBD) was chosen as a Pilot Area within the larger EPS Study Area (see Appendix). The Silver Spring CBD met many of the Pilot Area selection criteria, including high demographic diversity, significant economic activity, good transit connectivity, and the lack of a recent area master plan. In addition, other recent reports (including the *Silver Spring CBD Green Space Guidelines (2010)* and *2017 PROS*) indicated a high need for parks and open spaces in this CBD. The rest of the EPS Study Area will be analyzed using the EPS methodology during the implementation phase of this Plan.

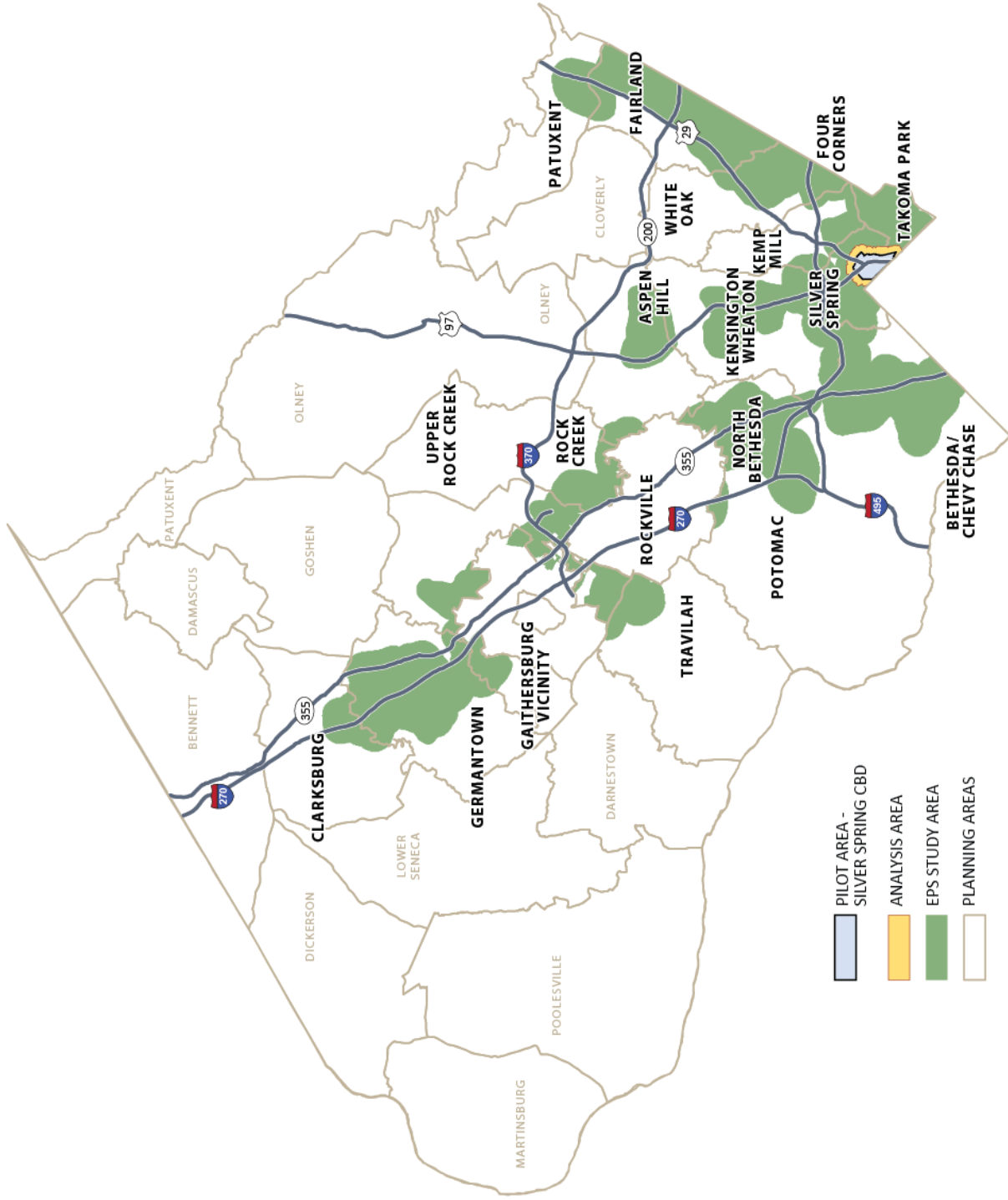


Figure 1 - Energized Public Spaces Study Area and Pilot Area map

HOW? METHODOLOGY AND NEW TOOLS

Methodology Summary

The methodology will identify areas within the EPS Study Area that have relatively low levels of parks and open space within walking distance, and then will propose opportunities to raise service in these locations. The major steps in applying this methodology are summarized below.

For more details see *Chapters 3 - 5*.

Analysis – Chapter 3

- Collect Data
- Analyze Data: Identify Level of Service
- Analyze Data: Identify Opportunity Sites

Results – Chapter 4

- Organize by Strategies
- Screen for Feasibility
- Prioritize by Social Equity

Implementation – Chapter 5

- Apply Methodology to EPS Study Area
- Implement Recommendations
- Provide Funding Sources
- Align Operations, Maintenance, and Policing
- Assess Progress

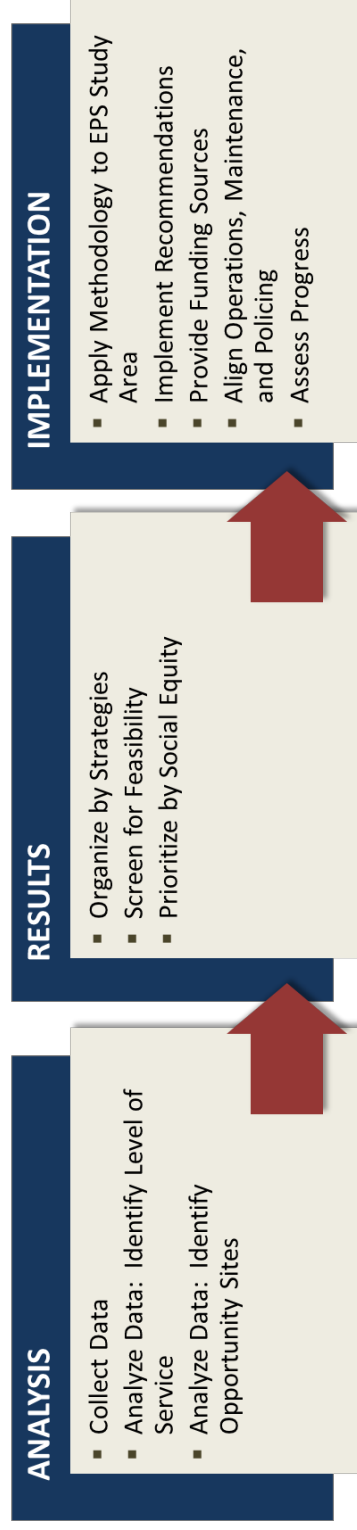


Figure 2 - The EPS FMP Methodology Process

New Data Gathering and Analysis Tools

As part of the development of the methodology, a series of new analysis tools and resources were created for this Plan. These tools allowed Parks to collect, analyze and evaluate various data in a more systematic and reproducible manner, resulting in a more robust and valid methodology overall. As the Plan gets implemented, these tools will be updated to keep up with advances in technology and the planning process.

Broaden Public Outreach Techniques

Montgomery Parks launched a multi-pronged outreach strategy in October 2016 to engage diverse communities for input about the future of parks and recreation. The initiative, titled *Parks and Recreation of the Future*, was aimed at soliciting public input to inform three separate but related park programs: the *2017 Parks, Recreation and Open Space Plan*, the *Capital Improvement Program*, and the *Energized Public Spaces Functional Master Plan*. The outreach efforts targeted a vast array of audiences including but not limited to ethnically diverse communities, senior populations and people with disabilities. Outreach methods included a statistically valid survey, outreach surveys in three foreign languages, focus groups with traditionally underserved communities, and online comment and survey tools.

The outreach for this Plan also included a Public Meeting with an open house demonstration of an innovative online mapping survey tool using interactive monitors. Finally, the EPS Working Group, consisting of selected representatives from the public and private sectors, provided critical plan support and input through monthly meetings since January 2017. A list of the EPS Working Group members is located inside the back cover of this Plan.

Identify Experiences in Parks

This new portion of the EPS methodology evaluates the supply of public spaces based on how each facility within the open space network provides for three outdoor experiences:

- **Active Experiences**
 - Play sports or games; run, walk, or bicycle; climb or mountain bike; do other outdoor exercise.
 - Use trails, athletic fields, open spaces/lawns, sport courts, playgrounds, interactive elements, natural areas.
- **Contemplative Experiences**
 - Enjoy nature, read a book, or learn something; relax/meditate/reflect; escape chaos.
 - Use natural areas, historic sites, benches, shade trees, community open spaces, gardens, small green spaces, or trails.
- **Social Gathering Experiences**
 - Attend community festivals, concerts, outdoor movies, parades; visit farmer's markets, historic sites; meet friends, have a picnic, see your neighbors.
 - Use plazas with seating, small sport courts, amphitheaters/stages, picnic tables, large community open spaces, dog parks.

Individual facilities within a public or private open space are scored by how much benefit of each experience type the facility can provide to potential users. Facilities that score higher are open to a larger number of people, and facilities that score lower are not open to all or require specific skills, equipment, or are limited by age. See *Chapter 3* for more information.

Map Walkable Networks of Parks and Open Space

Another tool this Plan brings to the site analysis process is the creation of a walkable network Geographic Information Systems (GIS) tool. This GIS tool includes a map layer with digital information on neighborhood roads, trail systems, park, school, and private retail walkways, and any road with a sidewalk within the County. This GIS tool is used to calculate accurate walksheds from a given point; in this case, all parks and open spaces within a 10-minute walk of any given point in the EPS Study Area. The consideration of highways, railroad tracks and other impassable barriers in the walkshed analysis brings a reality check in the accessibility of our public spaces network from the pedestrian experience level compared to prior analysis tools.

Use GIS to Analyze Park Service Levels

The methodology for the EPS Plan includes a new and more sophisticated tool to find and prioritize areas with low levels of access to parks within walking distance. The application of this quantitative analysis tool is an important step in the process to optimize the use and distribution of open space resources among different communities. At its root, this tool is a supply versus demand calculator for parks and open space. This data-driven approach will support both government and private decision-making with detailed information on where we need more parks and open spaces to meet what experience needs.

Apply New Planning Framework to Identify Opportunities

This Plan establishes a comprehensive approach to identifying opportunities to increase the amount of parks and open space in an area. The EPS Planning Framework expands upon traditional urban design analysis to select preferred sites for additional parks and public spaces. There are two main parts of the EPS Planning Framework:

- A Hierarchy of Park Types
- Urban Parks and Open Space Design Guidelines

The Hierarchy of Park Types has been used since the 2012 PROS Plan to ensure a balance of the right urban park types across the various neighborhoods and blocks of an urban sector plan. The *EPS FMP* improves upon this urban design tool by introducing a set of Urban Parks and Open Space Design Guidelines. These guidelines provide more detailed information about the parameters that will make each type of park and open space more complete and functional. These Guidelines will help Montgomery Parks and its existing and future partners deliver public spaces that are flexible and accommodate a variety of experiences within the network of public spaces. These Guidelines will be in a companion document to the *EPS FMP*.

WHAT? RESULTS

Use of these new data-driven tools combined with increased public outreach and a unique approach to urban design analysis results in recommendations that provide a range of opportunities to increase the level of parks and open space service. These opportunities are categorized into five implementation strategies that can increase the level of service for parks and open spaces in the Pilot Area:

- **Activate** - Provide programming and community events to bring more people into parks, as an interim solution in parks and open spaces awaiting renovation, and to test community interest in potential future amenities.
- **Connect** - Improve connections between public spaces and an integrated network of streets, sidewalks and trails.
- **Renovate and Repurpose** - Rebuild or replace existing park facilities to increase service and usage.
- **Develop** - Build new parks and new facilities on existing parkland.
- **Create** - Create new parks and open space through dedication, purchase, and creation of privately owned public space (POPS) through the development process.

For all five implementation strategies, Parks will seek opportunities for collaborating with partners and alternate providers to improve service levels for parks and open space.

WHAT NEXT? IMPLEMENTATION

As a Functional Master Plan, this Plan defines the parameters of an ongoing program that will strive to meet the park and recreation needs of the County’s most dense and mixed use communities. The implementation of this Plan by the Department of Parks will take place over many years, even decades, to reach the overall goal of walkable access to a variety of park experiences for all residents.

The Energized Public Spaces Program does not replace existing policies and programs that create new parks and open spaces, but supplements those programs with a new sophisticated analysis tool for guiding park and open space decisions in the highly populated areas of the County. The recommendations that result from this Plan will integrate with guidance from existing area master plans and the *PROS Plan* and *Vision 2030*. Results from this plan will supplement the existing park acquisition programs (State Program Open Space-funded and the Legacy Open Space programs) and help to prioritize the CIP program to target critical locations for park improvements. The Department of Parks will lead a collaborative effort with the Planning Department, other public agencies, property owners and the public to make these critical parks and open spaces a reality.

The most important next steps to implement this Plan are to:

- **Apply the Methodology to the entire EPS Study Area**
 - Prioritize locations to study next by Social Equity and other factors
 - Find low level of service areas and opportunities to increase service in those areas

- Receive Planning Board approval of opportunity sites
- Prioritize areas by Social Equity for implementation efforts

▪ **Implement Recommendations**

- Use the five implementation strategies to create more parks and open space service in areas of highest need: Activate, Connect, Renovate and Repurpose, Develop, and Create
- Use partnerships, innovative zoning, alternative ownership options, and other tools to expand pool of options for increasing park service

▪ **Provide Funding Resources**

- Propose CIP Funding for acquisition, design, and construction
- Pursue alternative funding strategies

▪ **Align Operations, Maintenance and Policing**

- Develop new Urban Park Standards for Operations, Maintenance and Policing
- Create the necessary support infrastructure for Urban Parks, including satellite facilities and the right transportation and equipment
- Add staff and operating resources to meet the increased need for maintenance, daily operations, and security

▪ **Assess Progress and Report to Planning Board and County Council on a Regular Basis**

- Provide progress reports to the Planning Board on a biennial basis
- Provide updates to the County Council as needed through the Planning Board’s semi-annual report to the Council

To make this plan a reality, one key focus of the implementation program will be to expand the pool of open space options by pursuing partnerships with other public agencies, non-profit organizations, community groups, the private sector, and universities and other institutions.

The *Energized Public Spaces Functional Master Plan* will result in a more systematic, data-driven approach to identifying the locations where walk-to parks and open space are most in need, and will result in prioritized and implemented recommendations through a collaborative process to meet the changing needs of communities across Montgomery County.

APPLICATION OF METHODOLOGY TO PILOT AREA

The EPS FMP methodology will be applied across the EPS Study Area during the implementation of this Plan over the coming decades. To validate and illustrate the methodology analysis and results, it was tested in the Silver Spring Central Business District (CBD) as a Pilot Area. The methodology resulted in a menu of opportunities that provide many potential ways to add more park and open space services to the central areas of the Silver Spring CBD that currently have the lowest levels of service. These recommendations are the basis for proceeding with implementation of the Functional Master Plan over the coming years.

Figure 3 depicts the results of the quantitative analysis highlighting the location of lower level of services and of the qualitative analysis showing the opportunity sites.

Figure 4 is an illustration of the recommendations for the Pilot Area from the application of this new methodology. For a description of the Pilot Area analysis and results, see the *Appendix*.

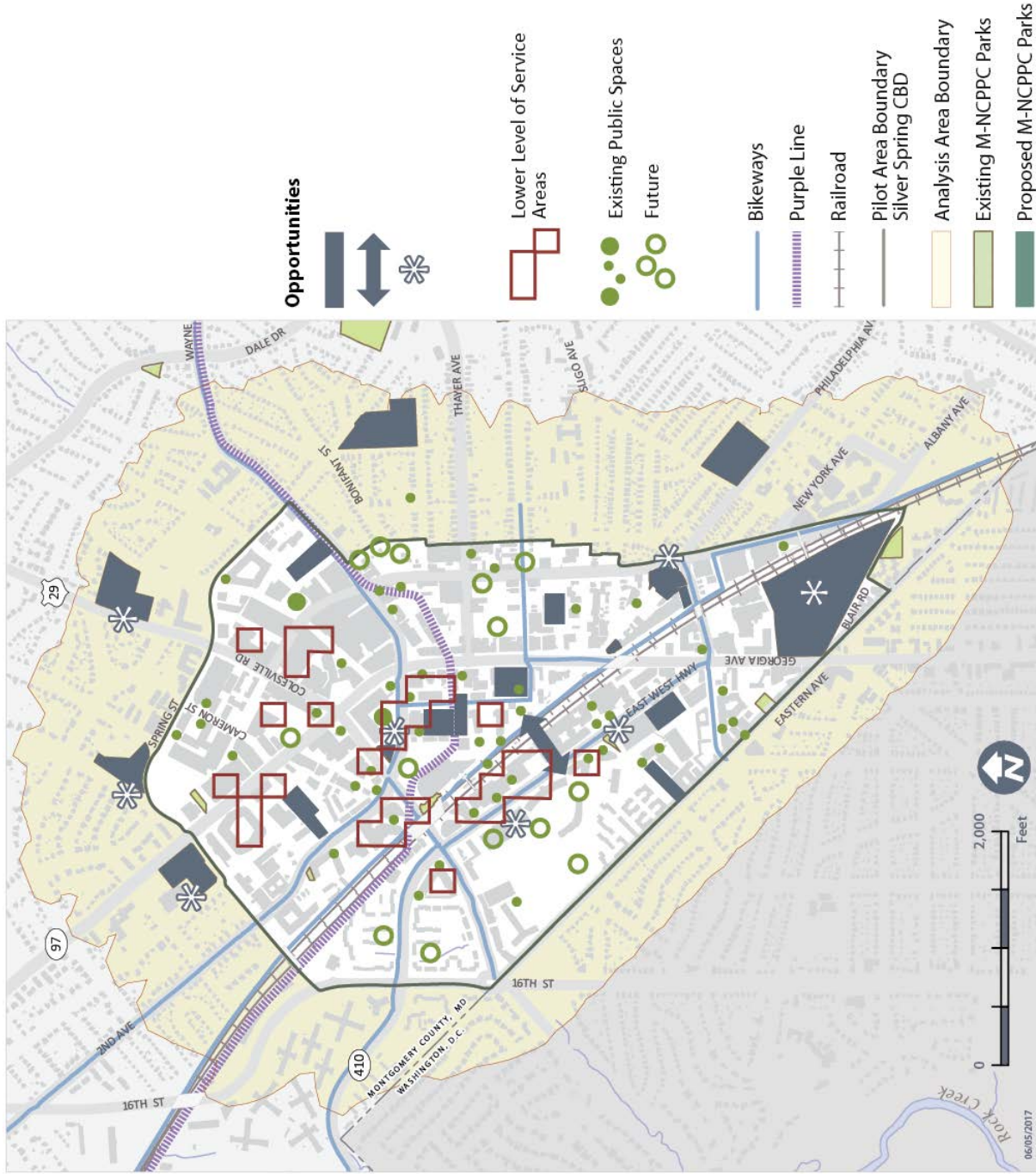


Figure 3 - Opportunity Sites for Increasing Level of Service for Parks and Open Space, Pilot Area

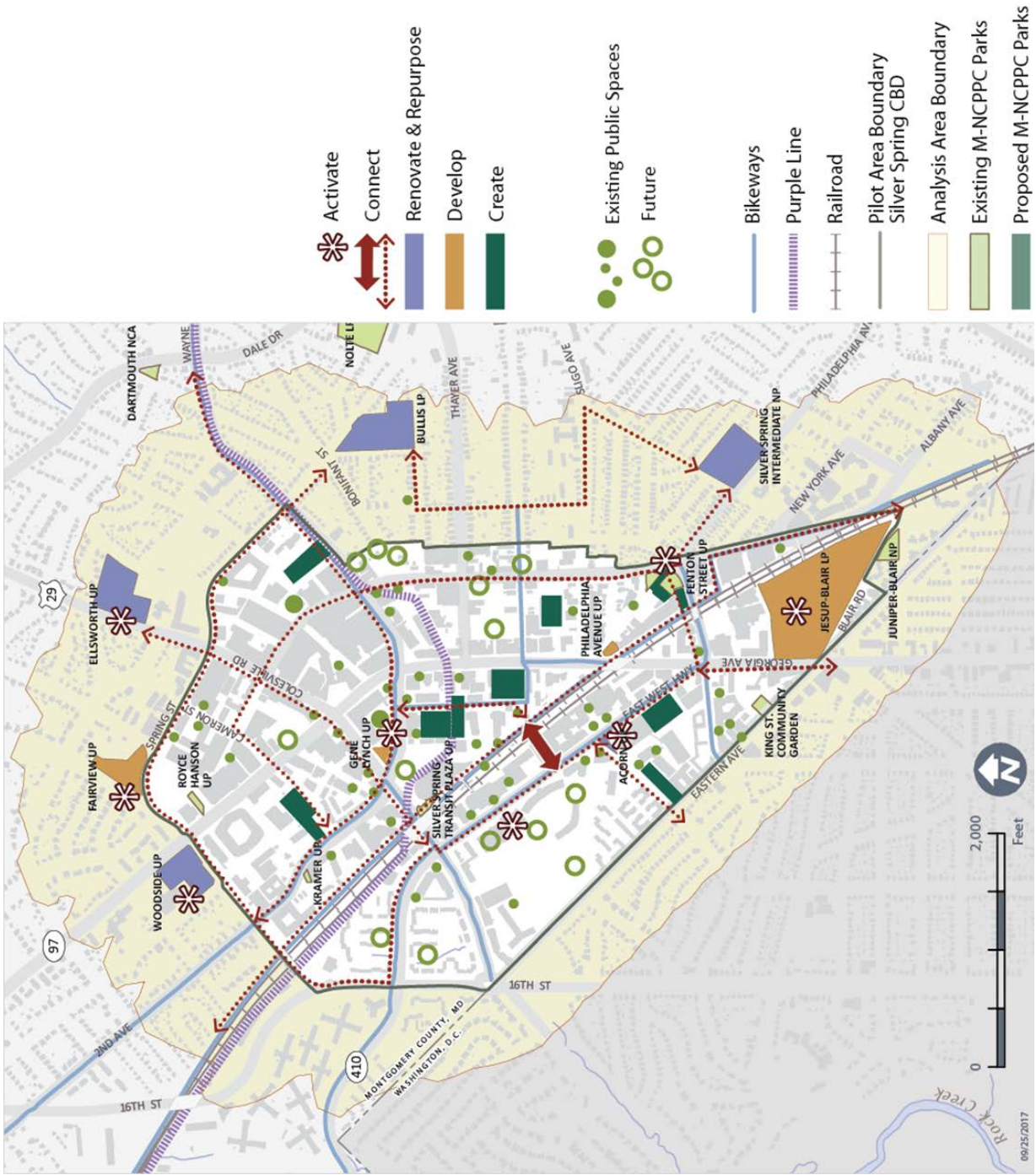


Figure 4 - Matrix of Opportunities Summary Map, Silver Spring Pilot Area

CHAPTER 2: POLICY OVERVIEW

This Chapter includes an overview of the background and policies that guide the *Energized Public Spaces Functional Master Plan*. The *EPS FMP* aligns with the policies included in the *2017 PROS Plan* and considers the global, national and local perspectives that affect parks and open space planning.

NATIONAL AND GLOBAL PERSPECTIVE

Urban Parks as Economic Incubators

The importance of public spaces in urban areas in our country and abroad is rapidly increasing. Some parks and open spaces are key destinations not only for the local community but also as an attraction for tourists (nationally and internationally), many serving as the “face” of cities. Urban parks also can serve an important role as incubators that can spark other public investment and private redevelopment projects in a community. Recent examples of park development serving as an incubator include the High Line Park in New York City and Yards Park in Washington, D.C.

In the case of the High Line Park, located in a former industrial area of the Chelsea neighborhood, this now-famous park along a former elevated railroad bed offers not only a park experience of walking along green areas with native vegetation and wildlife, but also unique views of the city. The High Line is a prime example of developing a park on an underutilized resource that then spurs economic rejuvenation and community redevelopment in adjacent areas. The surrounding neighborhood has undergone significant redevelopment and investment in the years since the High Line was constructed.

The Yards Park in Washington, D.C., located on the Anacostia River near the Washington Nationals’ stadium, is known as a place for community festivals and events gathering big crowds of people to the waterfront area. The early implementation of this urban park, prior to most of the commercial and residential development in the area, served to spur redevelopment and investment activity. These two examples of urban parks involved significant planning and partnerships among developers, government, non-profit organizations and the community. The key ingredient from these and other examples is to understand people’s desire for unique and great public spaces in high density areas.

Draw of Urban Neighborhoods

Walkable mixed-use centers with public transit and an efficient street network are among the most desirable places to live, especially for the demographic groups of Millennials and Baby-Boomers that are two growing populations in Montgomery County. These demographic groups have shown a strong interest in being near public infrastructure and other resources within walking distance. Having a higher density of people and employees concentrated in one location is a great way to encourage economic development in certain areas. But this desirability also drives real estate prices higher making parkland acquisition a challenge.

Land located within livable and walkable neighborhoods is highly desirable, so competition increases land values to a premium. This scenario raises social equity challenges in our major urban areas as economic development of these areas can exclude affordable housing and parks and open spaces. Commercial or high-end residential developments that offer a short-term return on investment for developers and government can appear more desirable in such areas.

As more people move to downtown areas, a long-term investment mindset for public infrastructure needs to be adopted to provide and maintain quality of life.

The more people, more diversity, and more cultures mixed in the same location, the higher the chances of having face-to-face encounters within our community. Public spaces become the most welcoming places to meet people - a key component in this long-term scenario of community building approach. This functional master plan is bringing a new methodology to assess areas with highest needs for walkable access to many park experiences and its relationship to the concentration of people. In this way, new investment can be prioritized within a systematic approach.

The topic of public spaces was a key element of the discussion in the “New Urban Agenda” at the 2016 United Nation’s Habitat III Conference. The quote below summarizes the importance of having these places in the quality of our lives.

Increasingly, it appears that the healthy growth of economies will depend on well-connected networks of public space, accessible to all. It is critical, in this age of rapid urbanization, that we continue to curate and nurture this vital urban common, and continue to develop and disseminate the tools and strategies to do so.... There is much in the New Urban Agenda ...[to] applaud, including an emphasis on mixed use, walkable street networks, diversity, transportation choices - and the central importance of public space systems.

- Michael Mehaffy, Author and Consultant in Strategic Urban Development

COUNTY PERSPECTIVE

The Park System’s Response to Societal Changes

Since its inception, Montgomery County’s park system has been responding to the needs of its community with a variety of park experiences and services. Each phase of the development of the park system over time reflects the needs, lifestyle and predominant development pattern at that time. When the park system was created in the 1920’s and 1930’s the emphasis was on water supply protection. After World War II and into the 1950’s, organized recreation in park activity buildings, ballfields, and tennis courts were the priorities. The 1960’s and 1970’s brought a suburban growth pattern of larger lots of single-family homes with backyards grouped by residents with similar income and social structure. This development pattern encouraged the use and dependency on car to access any destination.

In the late 60’s and 70’s, environmental policy started taking shape with a better understanding of the impact of suburban sprawl. Growth management policies started emerging. The *On Wedges and Corridors (1964) Plan* took place, concentrating development along corridors and centers in and around the Beltway (I-495). The introduction of the Agricultural Reserve as a land conservation policy preserved our farmland, and encouraged the shift toward “growing smarter”, and preserving access to farmland and open spaces.

Initially, urban parks were created as buffers to protect suburban residential development from commercial areas. Now that people are moving to the commercial centers, parks and open spaces are needed

inside the more urban areas so that people have nearby places to gather, play, or be in touch with the outdoors.

Today's Challenges

As housing moves inside the commercial centers, the biggest challenge is to provide adequate parks and open spaces where land is already developed and very expensive. The need to focus on urban parks in these growing areas was established in the *Vision 2030* and *2012 PROS* plans.

With the increase in competition for land, our parks and open spaces should accommodate multiple needs. Integrating parks and recreation areas with other services can reduce costs by providing local amenities within walking distance, reducing impervious surfaces, and recharging groundwater supply, and removing pollutants from water. Sustainability requires integration of efforts and preventive measures to avoid waste of resources. This is especially critical in urban areas where high density puts a strain on failing infrastructure. The comprehensive integration of land uses, including parkland, will require a level of coordination among the different agencies including alignment of objectives, development schedules, and dedicated funds.

In areas with more people and jobs, parks are now much more than a leisure amenity - they provide a platform for a diversity of community experiences. Urban parks provide many direct and indirect benefits to the lifestyle of residents, employees, and visitors.

PUBLIC PURPOSE

Montgomery Parks Mission, Vision and Values

Montgomery Parks is one department within the Maryland-National Capital Park and Planning Commission (M-NCPPC), a bi-county agency created by the General Assembly of Maryland in 1927.

MISSION

Protect and interpret our valuable natural and cultural resources; balance demand for recreation with the need for conservation; offer various enjoyable recreational activities that encourage healthy lifestyles; and provide clean, safe, and accessible places.

VISION

An enjoyable, accessible, safe, and green park system that promotes community through shared spaces and treasured experiences.

VALUES

- **Stewardship:** Manage the county park system to meet needs of current and future generations.
- **Recreation:** Offer leisure activities that strengthen the body, sharpen the mind, and renew the spirit.
- **Excellence:** Deliver high quality products, services, and experiences.
- **Integrity:** Operate with an honest and balanced perspective.
- **Service:** Be courteous, helpful, and accessible internally and externally.
- **Education:** Promote learning opportunities.
- **Collaboration:** Work with residents, communities, public and private organizations, and policymakers.

- **Diversity:** Support and embrace cultural differences and offer suitable programs, activities, and services.
- **Dedication:** Commit to getting the job done the right way, no matter what it takes.

Social Equity

The National Recreation and Park Association (NRPA) has as its core mission to impact communities through three pillars of Conservation, Health and Wellness, and Social Equity (more information online at: <https://www.nrpa.org/our-work/Three-Pillars/>). These overarching themes are important in guiding the priorities of Montgomery Parks. Social Equity, defined by NRPA as “ensuring all people have access to the benefits of local parks and recreation,” is especially aligned with the public purpose of this functional master plan.

True to the very philosophy of public parks and recreation is the idea that all people - no matter the color of their skin, age, income level or ability - have access to programs, facilities, places and spaces that make their lives and communities great.

Parks and recreation truly build communities - communities for all. – NRPA

program, which gathered community input to the *2017 PROS Plan*, the next CIP program, and this functional master plan, focused on populations in the County who have not traditionally participated in planning processes.

The *2017 PROS Plan* includes an analysis of Park Proximity and Park Equity as required by the State of Maryland for the first time (see *2017 PROS Plan*, Appendix 4, Park Proximity and Park Equity Analysis). The State defines park equity much as the NRPA defines social equity. The analysis required by the State is intended to “aid in identification of areas where underserved populations do not have easy access to parks close to home.” Montgomery Parks’ analysis of Park Equity in PROS identified lower park equity based on high concentrations of lower income households with low walkable access to park entrances and trailheads. The *2017 PROS Plan* also adds Park Equity to the prioritization criteria for the Capital Improvements Program (CIP), thus elevating the issue of social equity to influence some of the most important Parks spending decisions.

Throughout the *Energized Public Spaces Functional Master Plan*, measures of Social Equity are used to identify communities needing study to determine park needs, to prioritize Plan recommendations, and to determine where to focus implementation efforts.

Montgomery Parks supports Social Equity in several ways. The *Vision 2030 Strategic Plan (2010)* recommends that the Department of Parks address social equity by “proactively respond[ing] to changing demographics, needs and trends” to create park experiences that are accessible to all neighborhoods and socio-economic groups within the County. The Parks and Recreation of the Future combined outreach

Alignment with Montgomery Parks Values

This Plan aligns with the Values of Montgomery Parks and the Three Pillars of NRPA, in particular the Social Equity pillar, by providing a unique way to identify and prioritize the provision of urban parks. Parks in areas of high density can be incubators for health - physical, mental, and social. All public spaces provide some level of community benefit. Parks and open space are no longer only an amenity, but an essential element of what makes a community desirable, healthy, and wealthy in the broadest sense of the term. They become a platform for a diversity of community experiences. These places bring a list of many direct and indirect benefits to our community:

- Health and Wellness
- Happiness
- Connectivity
- Economic Development
- Increased Neighborhood Value
- Green Infrastructure
- Air Quality
- Nature or Historical Preservation and Access

Urban Parks especially provide opportunities to promote many of the values and strategies of the Department of Parks, including:

Healthy Living - Physical activity reduces and can prevent chronic health conditions such as heart disease, diabetes and obesity while reducing anxiety and depression. Having a system of parks within mixed use centers encourages people use parks more frequently for exercise. With a well-designed system of trails and sidewalks, people will tend to walk and bike rather than drive.

Stewardship and Recreation - with many families choosing to live in urban areas, the first contact with nature and outdoor play for many children is through their neighborhood parks. Urban Parks can help

plant the seed for stewardship of nature for those who live in higher density developments with no backyards.

Natural, Historical and Archaeological Resources - Although much of the County’s inventory of natural, historical, and archaeological resources are outside urban areas, urban parks can provide “pilot” places to experience and appreciate them.

Economic Competitiveness - Healthier communities attract businesses and residents, and access to parks is one critical element of a healthy community. Parks increase adjacent property values from 5% to 20%. Parks also lower the cost of infrastructure by managing stormwater and preventing flooding. By promoting walking to parks and maintaining a healthy weight, communities can save \$1,500 per person in healthcare costs a year.

Social Equity - Access to parks is critical to healthy living. In areas of higher density with little open space, proximity to parks is especially important. In lower income areas where residents depend on public transit to access park facilities, the public sector should prioritize parks within walking distance. Currently, one third of the County’s population is foreign-born. This diversity should guide the services and facilities so that the parks provide public space that is inviting to all.

The balance between the built and unbuilt environments is important to our social and economic good health. The future wellbeing of Montgomery County citizens depends upon maintaining the quality and availability of parks and open space, especially in our most dense communities. This Functional Master Plan recognizes the important linkage between conservation, quality of life, economic vitality, and social equity. Adequate parks and open space to serve the residents of the County are essential to enrich the lives of current residents and to pass along to future generations.

Relationship to Master and Sector Plans

The *Energized Public Spaces Functional Master Plan (EPS FMP)* amends all area master and sector plans countywide approved as of the date of the final adoption of this plan to the extent that this Plan's methodology will designate additional sites that may be considered for park acquisition and facility renovation or redevelopment. This Plan does not alter zoning or other land use recommendations found in area master plans, and does not alter any zoning requirements for open space or other development elements. Specifically, this Plan does not increase the requirement for open space or recreation areas under the zoning ordinance or other master plans. All future sector and master plans will utilize the new methodology established in this plan to determine the priority areas with low levels of park and open space services and to recommend facilities and parkland to improve the level of service.

This Plan also amends the *2017 Recreation Guidelines for Private Residential Development* and other functional master plans. Opportunities to increase parks and open spaces identified through application of the EPS methodology may be added to the *Facilities Incentive List*. Private residential developments that implement these recommendations are eligible for recreation supply incentive bonuses.

Sites identified as opportunities for new or renovated parks from application of the EPS methodology across the EPS Study Area are not guaranteed to receive funds or to be fully acquired or implemented through the *EPS FMP*. The methodology established in this Plan will identify preferred opportunity sites to address areas of the County with a relatively low level of park service by adding appropriate park and open space facilities. Implementation of these recommendations over the course of the Functional Plan will be flexible, allowing for the consideration of opportunity acquisition sites, unforeseen partnerships, and other new implementation tools to fill the identified service needs of each community.

As a functional master plan approved by the Planning Board and County Council, this Plan also will provide the ability to study priority areas of the County and make new park recommendations without being tied to the land use master plan schedule. In addition, this functional plan can be implemented using a wide variety of policy and regulatory tools, including dedication through the development process and the land acquisition process.

POLICY FRAMEWORK

Park Planning Policy

Several plans have guided the formation of the *Energized Public Spaces FMP* including the *Vision 2030 Strategic Plan for Parks and Recreation (Vision 2030, June 2011)* and the *2017 Parks, Recreation and Open Space Plan (PROS)*. *Vision 2030* confirmed that the highest needs for parks are now and will continue to be in areas of highest population density.

The *Park, Recreation, and Open Space (PROS) Plan* serves as the primary planning policy for parks and recreation in Montgomery County to the year 2030 and beyond. It assesses needs and recommends strategies for the delivery of park and recreation facilities, protection of natural resource areas, and preservation of historic/cultural areas and agricultural lands, and is required by the State of Maryland every five years to be eligible for Program Open Space funding. The *2017 PROS Plan* includes a new chapter on parks to serve mixed use and higher density residential areas, providing policy guidance for the development of this Plan.

In addition to *Vision 2030* and *2017 PROS Plan*, other existing County policies, guidelines, and plans for open spaces, parks, and urban areas have guided the *EPS FMP*.

- *General Plan Refinement of the Goals and Objectives for Montgomery County (1993)*
- *Countywide Park Trails Plan (2016)*
- *2017 Recreation Guidelines for Private Residential Development*
- *Legacy Open Space (LOS) Functional Master Plan (2001)*
- *Silver Spring Central Business District Green Space Guidelines (2010)*

Over the past two decades, the adopted policies in these documents regarding urban parks have evolved to follow the many national and international trends in park planning. In June of 2010, the Planning Board approved objectives for *Urban Park Guidelines*. The goal of the *Urban Park Guidelines* was to re-examine and re-define the role of urban parks in community life. Building on this goal, the *2012* and *2017 PROS Plans* each developed more sophisticated approaches to urban park planning, resulting in the following two primary developments.

Expanded Classification System for Urban Parks

Prior to the *2012 PROS Plan*, all parks next to urban areas in the County were classified as Urban Buffer Parks, indicating their importance to separating residential and commercial zones. In response to the 2010 *Urban Park Guidelines*, the *2012 PROS Plan* added six types of urban parks to the Park Classification System. The new categories and subcategories and their descriptions supported the vision and role of urban parks to serve mixed-use, densely developing communities. Several of these park types are found in all sector plans approved since 2012.

In the *2017 PROS Plan*, two new classifications of urban parks are added and one removed, resulting in a total of seven urban park types. The

recently updated PROS plan amended the urban parks typology to address distinctly different roles for certain park types.

The Plaza is a new type of Countywide Urban Park, aligning with and complementing the Civic Green park type. The Plaza generally will be allocated to areas with higher pedestrian traffic and flow usually associated with adjacency to transit stops and commercial building frontages and with higher concentration of paved surfaces. In contrast, the Civic Green will provide a larger amount of green space area inclusive of a lawn area for social gatherings.

The Pocket Green is proposed as a new type of Community Use Urban Park. Pocket Greens will play an important role in the network of public spaces that is encouraged in each sector or district. The presence of these smaller park types will allow for “pauses” in a landscaped setting along the route between major and larger open spaces within the network. Pocket Greens may include a variety of green elements, including trees, landscaping, and lawn areas, depending on the specific location. These spaces are particularly important in busy commercial areas allowing workers to enjoy lunch or a coffee break in a contemplative environment. Research has suggested that smaller breaks during the work schedule increases productivity and health, especially mental health.

The final recent change to the classification system is the removal of the Urban Buffer Park from the Community Use category. The Parks system includes many parks that were originally created to serve as buffers between the commercial centers and residential communities. However, today such parks are seen as places to bring people together from both mixed use and residential communities, not to separate these communities. As such, this park type no longer fits within the modern urban park paradigm.

Implementing a Hierarchy of Park Types

Since 2010, adopted policy is that the amount of parkland alone will not guarantee “the right parks in the right places” in our urban areas.

Urban park recommendations since 2012 have been based primarily on creating the right pattern and type of parks and open spaces for each master or sector plan area, rather than setting a target for the amount of parkland. In order to distribute parkland appropriately within an urban area, the recommendations for parks should meet needs identified in the 2012 PROS Plan, including creating a hierarchy of parks and open spaces to serve everything from an entire sector plan down to a single block. The hierarchy concept includes trying to provide new urban park facilities such as event spaces, skate spots, etc., and create a walkable open space system, using a standard maximum walking distance from residences and transit stops to parks.

Building on these policies, urban park classifications and the hierarchy of parks, the *EPS FMP* creates a methodology to focus the distribution of facilities and resources in the areas of highest population density. This Plan’s implementation strategies will guide the Department of Parks, partner agencies, and private entities to locate the right parks and open spaces in the right places, thus creating a network of public spaces to serve residents and employees. The Department of Parks will continue to play a major role in shaping Montgomery County’s high quality of life, but it will not be doing so alone: partnerships with a diverse group of stakeholders will be key to implementing this Plan and promoting community identity and civic engagement.

Figure 5 -Parks Classification System, 2017 PROS Plan (Figure 7)

COUNTYWIDE PARKS - Parks in this category serve all residents of Montgomery County			
- Recreational Oriented Parks			
PARK TYPE	PARK TYPE DESCRIPTION	TYPICAL FACILITIES*	APPROX. SIZE
REGIONAL PARKS	Large Parks that provide a wide range of recreational opportunities but retain 2/3 of the acreage as conservation areas.	Picnic / playground areas, tennis courts, athletic fields, golf course, campgrounds, and water-oriented recreation areas.	200 ACRES OR MORE
RECREATIONAL PARKS	Parks larger than 50 acres in size that are more intensively developed than Regional Parks, but may also contain natural areas.	Athletic fields, tennis courts, multi-use courts, picnic/playground areas, golf course, trails, and natural areas.	50 ACRES OR MORE
SPECIAL PARKS	These parks include areas that contain features of historic and cultural significance.	Vary, but may include agricultural centers, garden, small conference centers, and historic structures, etc.	VARIES
- Countywide Urban Parks			
PARK TYPE	PARK TYPE DESCRIPTION	TYPICAL FACILITIES*	APPROX. SIZE
CIVIC GREENS	Formally planned, flexible, programmable open spaces that serve as places for informal gathering, quiet contemplation, or large special event gatherings. Depending on size, they may support activities including open air markets, concerts, festivals, and special events but are not often used for programmed recreational purposes.	A central lawn is often the main focus with adjacent spaces providing complementary uses. May include gardens, water features and shade structures.	1/2 ACRE MINIMUM 1.5 ACRE IDEAL
PLAZAS	Formally planned, predominantly landscaped open spaces for pedestrian traffic from nearby transit stops and commercial and higher density residential uses. Depending on size, they may support activities including open air markets, concerts, festivals, and special events, but are not often used for active recreational purposes. Consider access to sunlight and connection to the network of public spaces, and protection from the wind, traffic and noise.	Central landscaped gathering area with public art/water feature as focal point. May include special lighting, shaded areas, and benches and tables. Consider temporary closure of local streets to enlarge the size of the plaza for special events. Playful and interactive elements are encouraged.	1/2 ACRE MINIMUM 1 ACRE IDEAL
URBAN RECREATIONAL PARKS	Oriented to the recreational needs of a densely populated neighborhood and business district. They provide space for many activities.	May include athletic fields, playing courts, picnicking, dog parks, sitting areas and flexible grassy open space. Programming can include farmer’s markets, outdoor exercise classes, and community yard sales. There is space for a safe drop-off area and nearby accessible parking for those who cannot walk to the park.	VARIES
URBAN GREENWAYS	Linear parks that provide trails or wide landscaped walkways and bikeways and may include other recreational and natural amenities. May occur along road rights of way or “paper” streets.	Trails, walkways and bikeways, with extra space for vegetative ground cover and trees. Should link other green spaces, trails and natural systems.	VARIES

- Conservation Oriented Parks		PARK TYPE DESCRIPTION	TYPICAL FACILITIES*	APPROX. SIZE
PARK TYPE	STREAM VALLEY PARKS	Interconnected linear parks along major stream valleys providing conservation and recreation areas.	Hiker-biker trails, fishing, picnicking, playground areas.	VARIES
CONSERVATION AREA PARKS	Large natural areas acquired to preserve specific natural archaeological or historic features. They also provide opportunities of compatible recreation activities.	Trails, fishing areas, nature study areas, and informal picnic areas.	VARIES	
COMMUNITY USE PARKS - Parks in this category serve residents of surrounding communities				
- Community Use Urban Parks				
PARK TYPE	NEIGHBORHOOD GREENS	Serve the residents and workers from the surrounding neighborhood or district, but may be designed for more activity than an urban buffer park. These formally planned, flexible open spaces serve as places for informal gathering, lunchtime relaxation, or small special event gatherings.	Lawn area, shaded seating and pathways. May include a play area, a skate spot, a community garden, or similar neighborhood facilities.	1/4 ACRE MINIMUM
POCKET GREENS	Serve residents and workers from nearby area, designed for relaxation, lunch breaks, small games, play area for children, and outdoor eating. Consider access to sunlight, important view corridors, connection to the network of public spaces, and protection from the wind, traffic and noise.	Program and design should reflect the demographics and culture of its surrounding users. Sunlit small gathering areas, shaded seating, small children play areas. May include movable furniture, focal point public art, and small-scale green areas and trees.	1/10-1/4 ACRE	
URBAN RECREATIONAL PARKLETS	These parks serve the residents and workers from the surrounding neighborhood or district, and are designed for more active recreation than an urban buffer park or a neighborhood green.	Sport courts, skate spots, and may include lawn areas, playgrounds or similar neighborhood recreation facilities.	1/10 ACRE MINIMUM	
NEIGHBORHOOD PARKS	Small parks providing informal recreation in residential areas.	Play equipment, play field, sitting area, shelter, tennis and Multi-use courts. (Do not include regulation size ballfields).	2.5 ACRE	
LOCAL PARKS	Larger parks that provide ballfields and both programmed and un-programmed recreation facilities.	Ballfields, play equipment, tennis and multi-use courts, sitting/picnic area, shelters, buildings and other facilities.	15 ACRE	
NEIGHBORHOOD CONSERVATION AREAS	Small parcels of conservation oriented parkland in residential areas, generally dedicated at the time of subdivision.	Generally undeveloped, may include a stormwater management pond and related facilities.	VARIES	

CHAPTER 3: METHODOLOGY

This Plan presents a data-driven methodology for evaluating park needs that can be employed systematically to prioritize and distribute parks and open spaces across the higher population and mixed-use areas of the County, identified here as the EPS Study Area (see *Figure 8*). The Plan’s methodology will identify priorities for activation, connection, renovation and repurposing of facilities within existing parks, recommendations for creation and development of new parks, and opportunities for collaborating with other entities and stakeholders to provide open space and outdoor experiences. Further, this innovative, geographically based method will allow us to evaluate the relative supply and demand for parks and open spaces, test the sensitivity of the open space network to new facilities and new park users, and to prioritize the areas with the most urgent needs for additional open space in a measurable, equitable way.

To test the new methodology proposed in this Plan, a Pilot Area was selected from within the larger EPS Study Area - the Silver Spring Central Business District (CBD) (see results in the *Appendix*). The remainder of the EPS Study Area will be analyzed during the implementation phase of this Plan (see *Chapter 5*).

The EPS methodology identifies low levels of service for parks and open space and proposes opportunities to raise the service in those areas. The major steps in applying this methodology are described below:

Analysis – Chapter 3

- Collect Data
- Analyze Data: Identify Level of Service
- Analyze Data: Identify Opportunity Sites

Results – Chapter 4

- Organize by Strategies
- Screen for Feasibility
- Prioritize by Social Equity

Implementation – Chapter 5

- Apply Methodology to EPS Study Area
- Implement Recommendations
- Provide Funding Sources
- Align Operations, Maintenance, and Policing
- Assess Progress

The analysis method is described in this chapter, the results are explained in *Chapter 4*, and implementation steps are discussed in *Chapter 5*.

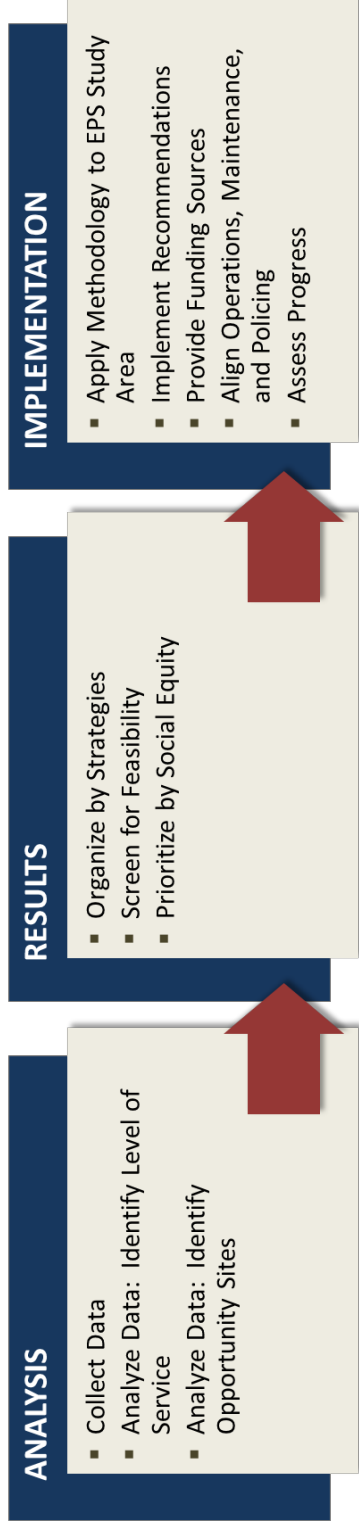


Figure 6 -The EPS FMP Methodology Process

THE EPS STUDY AREA

To identify a focused area upon which to apply the new methodology, portions of the County were selected that fall into two categories: higher intensity mixed use and high density residential. Data from the Planning Department's Round 9.0 Forecast was used to create the EPS Study Area and includes current (2010) and future (2045) conditions.

Higher-Intensity Mixed Use: Commercial and Residential

Areas that are "higher-intensity mixed use" are defined as being areas with both moderate residential density and that are also employment centers. These areas have a both a residential population density of 5,000 people per square mile and a ratio of employees to residents that is 1:1 or higher.

High Density Residential

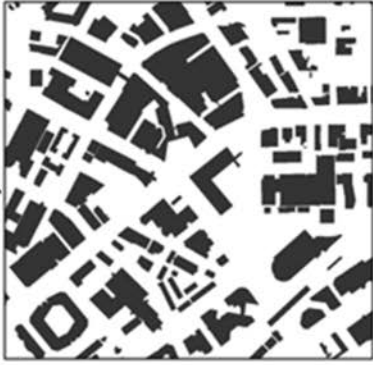
To also provide greater service to areas in the County with the highest residential density, areas with over 10,000 residents per square mile were added to the Study Area.

In addition, the EPS Study Area also aligns with on-going regional and local planning efforts areas: activity centers as defined by the Metropolitan Washington Council of Governments, public transit routes and stations (existing and proposed), and recent master and sector plans completed by the Planning Department.

Higher intensity mixed-use*
(commercial and residential)



Example: Silver Spring



Example: White Oak

High Density Residential*



Figure 7 – Typical Development Patterns for Higher Intensity Mixed-use and High Density Residential Areas

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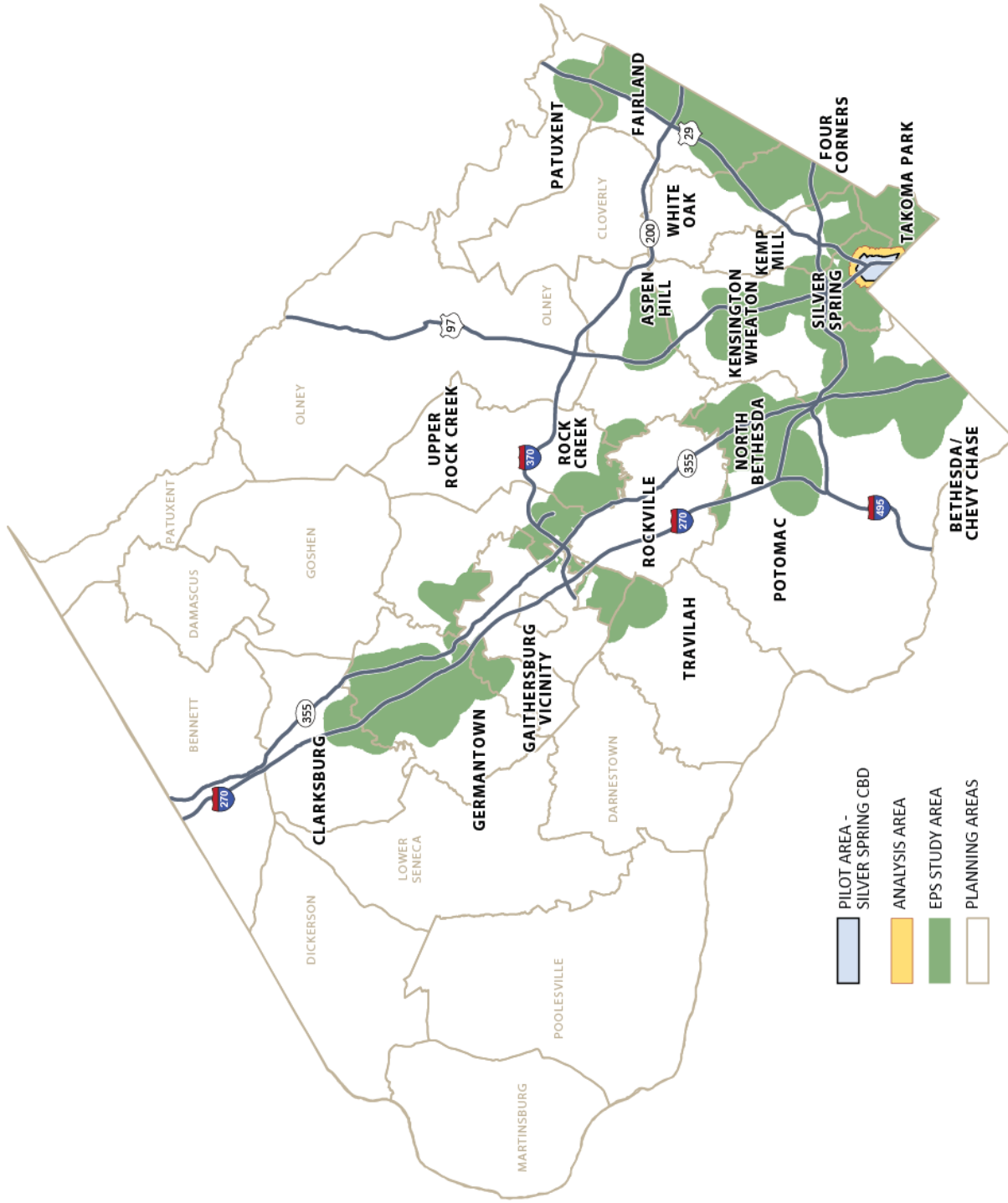


Figure 8 - Energized Public Space Study Area and Pilot Area map

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ANALYZE SUPPLY AND DEMAND

To identify and prioritize opportunities to meet the park and recreation needs of County residents in the EPS Study Area, a significant amount of new data must be collected and analyzed using both innovative and traditional tools.

Collect Data

In this phase of the methodology, a significant amount of data is collected and sorted. Parameters on how to collect and analyze the data were critical to ensure the systematic approach this methodology will bring to future project areas. Data necessary for the analysis phase focuses on identifying the supply of park facilities and the demand for park and open space use in the area under study.

Community Input and Demographic Data

During the development of the *Vision 2030 Strategic Plan* in 2010, the Department of Parks and the Montgomery County Recreation Department pledged to “engage a diverse community and proactively respond to changing demographics, needs, and trends”. Montgomery County demographic trends that influenced the outreach methods for the *EPS FMP* include:

- Increasing racial and ethnic diversity, with a projected growth in minority groups from 55 percent of the population in 2015 to 68 percent of the population in 2040
- Projected growth in the population of people over age 65 from 12 percent of the population in 2010 to 20 percent in 2040
- A large and widely diverse foreign-born population speaking a multitude of languages and varying English speaking proficiencies

To gather input from our diverse community, a great deal of input was collected through a variety of methods including the Parks and Recreation of the Future campaign and surveys, interviews and focus groups conducted by a team of consultants. The process and results of these tools were reported in the *Montgomery County Parks and Recreation Needs Assessment Report (April 2017)*.

Community input indicates a strong desire for providing parks and open spaces in high density and mixed-use areas of the County. One theme that arose from stakeholder focus groups is the desire for community gathering spaces. The Needs Assessment Report indicates that people want to “utilize parks as meeting points and vehicles for community building and gatherings. The parks should function as a place for building community through social gatherings so that people can meet each other. Work in partnership with the community, through nonprofits to accomplish more cultural programming. Parks should be utilized as centers to promote cultural understanding and learning particularly through more ethnic programming and events.” These findings helped inform the development of the EPS Plan methodology that places increased importance on parks and open spaces as places to gather and interact with members of one’s community.

A second major finding of community outreach was that people highly value areas of natural character and beauty and want Parks to increase amounts of these spaces and the care of these areas. This is particularly important where the most people live and where there is the least amount of green space today, that is the EPS Study Area. This finding indicates community support for the research recommendations to increase access of all residents to green, natural spaces. As the implementation of the Energized Public Space program proceeds, amenities that provide green spaces and small natural areas within our most highly developed communities will be promoted.

Supply of Publicly Accessible Facilities

Determining the supply of park and open spaces that a given person can access within a reasonable walking distance is the critical first step in this Plan's methodology. The supply of facilities will be quantified by taking inventory of all open spaces, then evaluating the park experiences that can occur on those open spaces, and finally measuring how many of those experiences are accessible by walking to the area under study. In this methodology, Supply means access to available open space experiences, not a measure of current park usage.

Inventory All Open Spaces and Parks

Understanding that real estate within the EPS Study Area comes at a premium, this Plan expands its scope and inventory of resources to look beyond Montgomery Parks properties. It will consider integrating the network of all publicly accessible open spaces and parks, independent of ownership. This collaboration and partnership with a diverse group of stakeholders will ultimately provide outdoor experiences delivered to the community in a more efficient and expedited way.

To include all publicly accessible open spaces within this methodology, such spaces need to be documented in GIS layers. In addition to existing Montgomery Parks sites, public spaces to be catalogued include other types of government land: County, public schools, municipal and federal. All Privately-Owned Public Spaces are also included in this inventory. Privately-Owned Public Spaces, or POPS, are created via the development review process for private residential or commercial buildings according to the *2017 Recreation Guidelines for Private Residential Development*.

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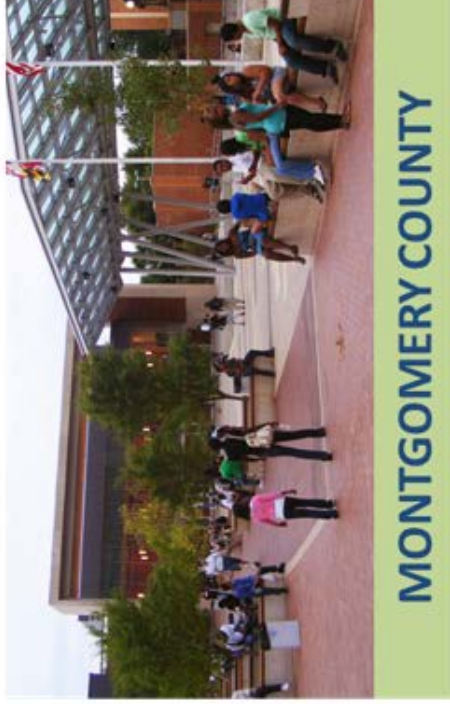
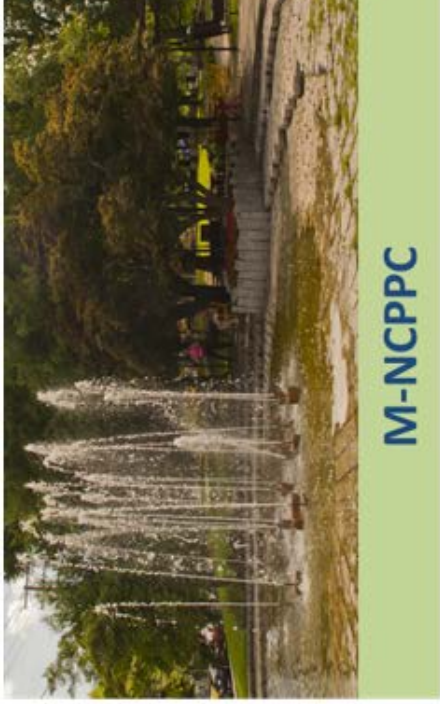
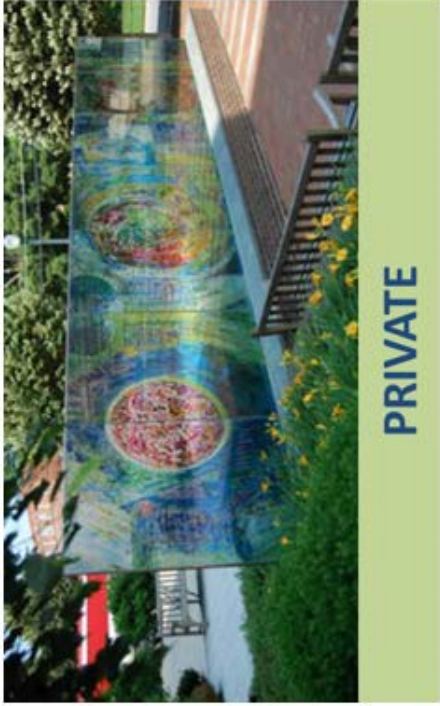


Figure 9 - Examples of Public Spaces in Different Ownership

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Evaluate Park Experiences

Why do people go to parks and open spaces? The short answer is to experience the outdoors. This Plan recognizes the importance of a balance in these experiences so facilities can be responsive to a wider demographic range of residents and employees. Public spaces are about people gathering and sharing a common place. As such, each space needs to provide experiences that will attract people to it. This Plan classifies outdoor experiences into three types that are not necessarily exclusive of each other:

Active Experiences

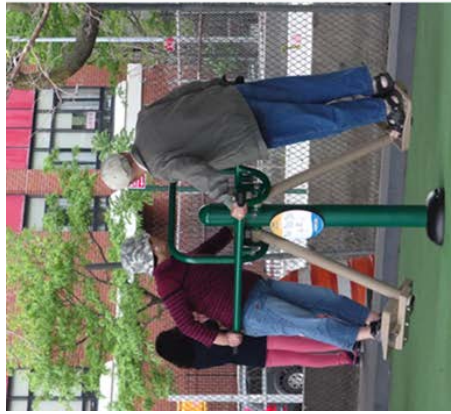
- Play sports or games; run, walk, or bicycle; climb or mountain bike; other outdoor exercise.
- Use trails, athletic fields, open spaces/lawns, sport courts, playgrounds, interactive elements, natural areas.

Contemplative Experiences

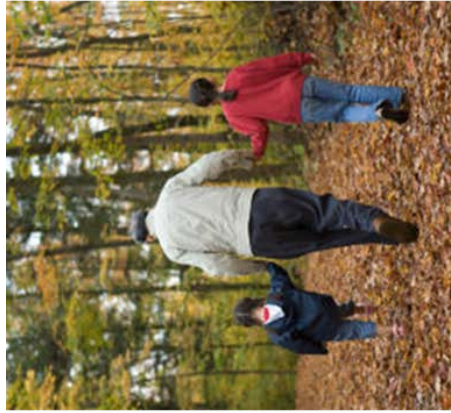
- Enjoy nature, read a book, or learn something; relax/meditate/reflect; escape chaos.
- Use natural areas, historic sites, benches, shade trees, community open spaces, gardens, small green spaces, or trails.

Social Gathering Experiences

- Attend community festivals, concerts, outdoor movies, parades; visit farmer’s markets, historic sites; meet friends, have a picnic, see your neighbors.
- Use plazas with seating, small sport courts, amphitheaters/stages, picnic tables, large community open spaces, dog parks.



ACTIVE



CONTEMPLATIVE



SOCIAL GATHERING

Figure 10 - Outdoor Experiences Classification: Active, Contemplative and Social Gathering

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Each facility within the inventoried park and open space system is scored based on how well it provides active, contemplative, and social gathering experiences.

The first step in evaluating the supply of park experiences is to determine whether a given facility provides each experience type. This step is a binary (yes/no) determination (see *Figure 11*). For example, a playground provides for both active recreation and social gathering, but not contemplative experiences.

The second step in evaluating park experiences is to determine how much benefit each facility provides for each experience type. Each facility gets a score depending on how well it provides each of the experiences to potential users of that park facility. The scoring criteria give a higher score to a facility that is open and welcoming to the most people (see *Figure 12*).



Figure 11 - Sample Evaluation of Experiences Provided by a Park Facility – Playground

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Figure 12 - Facility Supply Scoring Criteria for Each Experience Type

EXPERIENCE BENEFIT LEVEL	DESCRIPTION	SUPPLY SCORE
Most Community Benefit	Facilities that serve the community as a whole	3
Individual and Community Benefit	Facilities that provide a balances benefit to individuals and larger groups	2
Mostly Individual Benefit	Facilities that provide benefit mostly to individuals and small groups	1
Minimal Benefit		0

For example, a playground has a higher score than a tennis court for the active recreation experience because it serves a larger number of people at one time and there are no specialized skills required to use a playground (see Figure 13). Trails get an even higher score than playgrounds for active recreation since they serve a larger demographic audience than playgrounds. However, for the social gathering

experience, playgrounds score higher than trails since trails are narrow, linear facilities that mostly serve to move users from one location to another, not providing for significant levels of social gathering. Plazas and Civic Greens, on the other hand, accommodate large events and community festivals that are open to all and thus have high social gathering scores.

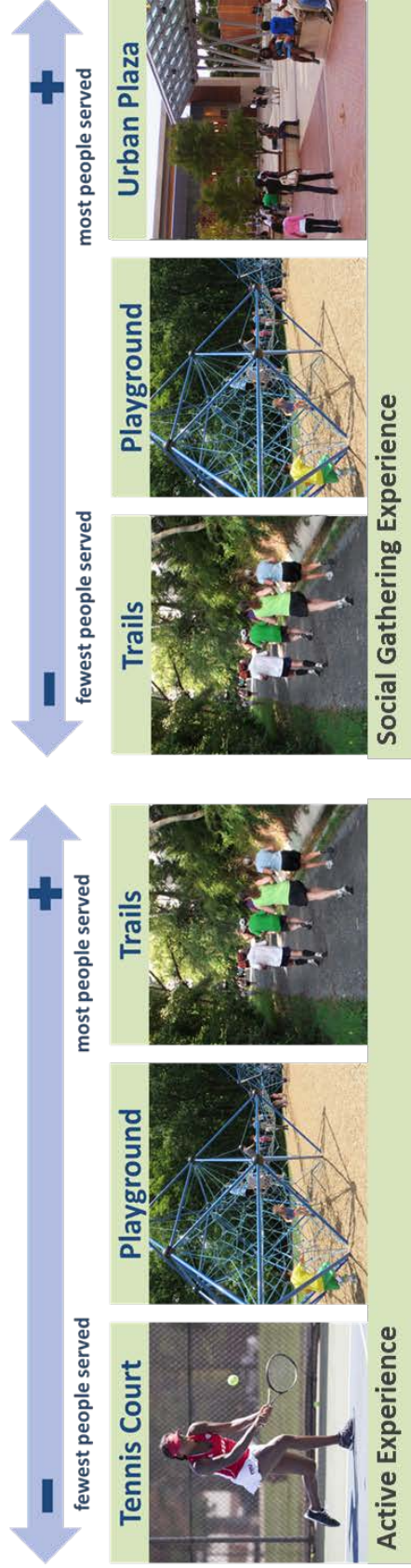


Figure 13 – Supply Scoring Illustration for Selected Park Facilities

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Each facility type also receives a total supply score by adding the three experience scores together. In the case of a playground, supply scores are assigned for Active and Social Gathering experiences with no score for Contemplative (see *Figure 13*).

Apply Walkable Network Model

A GIS-based model was created to calculate “walksheds” for the parks and open space within a 10-minute walk of all residents and employees. This Walkable Network Model considers neighborhood roads, trail systems and parks, walkways on schools and commercial land, and any road with a sidewalk within the County to calculate parks within walking distance. The ability to consider barriers such as highways and elevated rail tracks in the walkshed analysis brings a reality check in the accessibility to our public spaces network from the pedestrian experience.

In the final step of the supply analysis, this walkable network model is applied to calculate the supply of park experiences for each location within an analysis area. The area under study is divided into a grid of one-acre squares. Each square in the grid is assigned supply scores based on the park experiences within the walkshed of that square, including the total score and the component active, contemplative, and social gathering scores (see *Figure 14*).

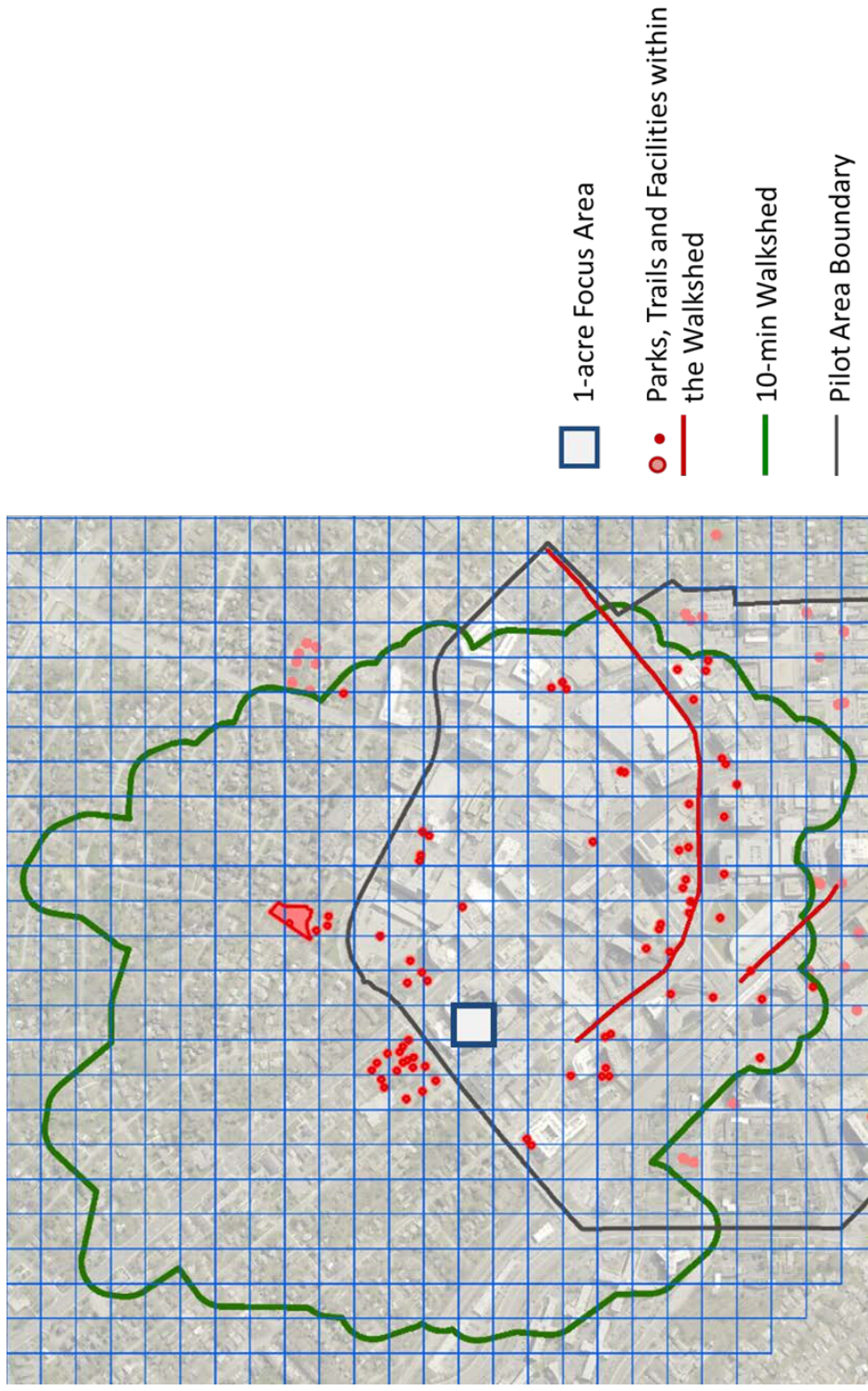


Figure 14 - Sample 10-minute Walkshed and Supply of Facilities

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The GIS model then aggregates the scoring results for all the individual grid squares to create a map of the supply of park experiences available to residents, employees and visitors to an area. Sample supply maps for each experience type and a combined total supply output map are located in the *Appendix, Figure 23* and *Figure 24*.

Demand for Parks and Open Spaces

The demand for park and open space facilities is calculated based on the number of residents and daytime users (employees, visitors, shoppers, etc.) in an analysis area. Demand data for this Plan's methodology was gathered from a variety of sources, including U.S. Census data and future population projections, and Planning Department, State and County data on property parcels and the size of commercial and residential buildings. The demand data is a sum of single-family residents, multi-family residents and daytime population estimates within each grid square.

Calculate Demand

Residential demand data is calculated based on population estimates per square foot of residential space (for multi-family units) or by population per single family unit (either attached or detached). The numbers of residents are assigned to either a point on a single-family unit, or to the parcel that contains a multi-family unit.

For daytime users, estimates of employees, visitors and shoppers are calculated using square feet to jobs conversion factors. This methodology uses the accepted conversion factors that are used in transportation planning. Same as for residential demand, the daytime users are assigned to the property parcels that contain a given office or commercial building.

Assign Demand to Model Grid

Just as for supply, demand numbers are assigned to each acre square within an analysis area. The model apportions number of jobs and

housing population based on the percentage of the grid square that overlaps parcels. This illustration (*Figure 15*) shows how the demand was calculated for one square that covers a portion of a multi-family apartment building and a smaller portion of an office building. The demand for this square consists of 18 jobs and 436 residents, for a total demand score of 454. The Total Demand Score is calculated from the combined demand sources. For a sample total demand score map, see the *Appendix, Figure 25*.

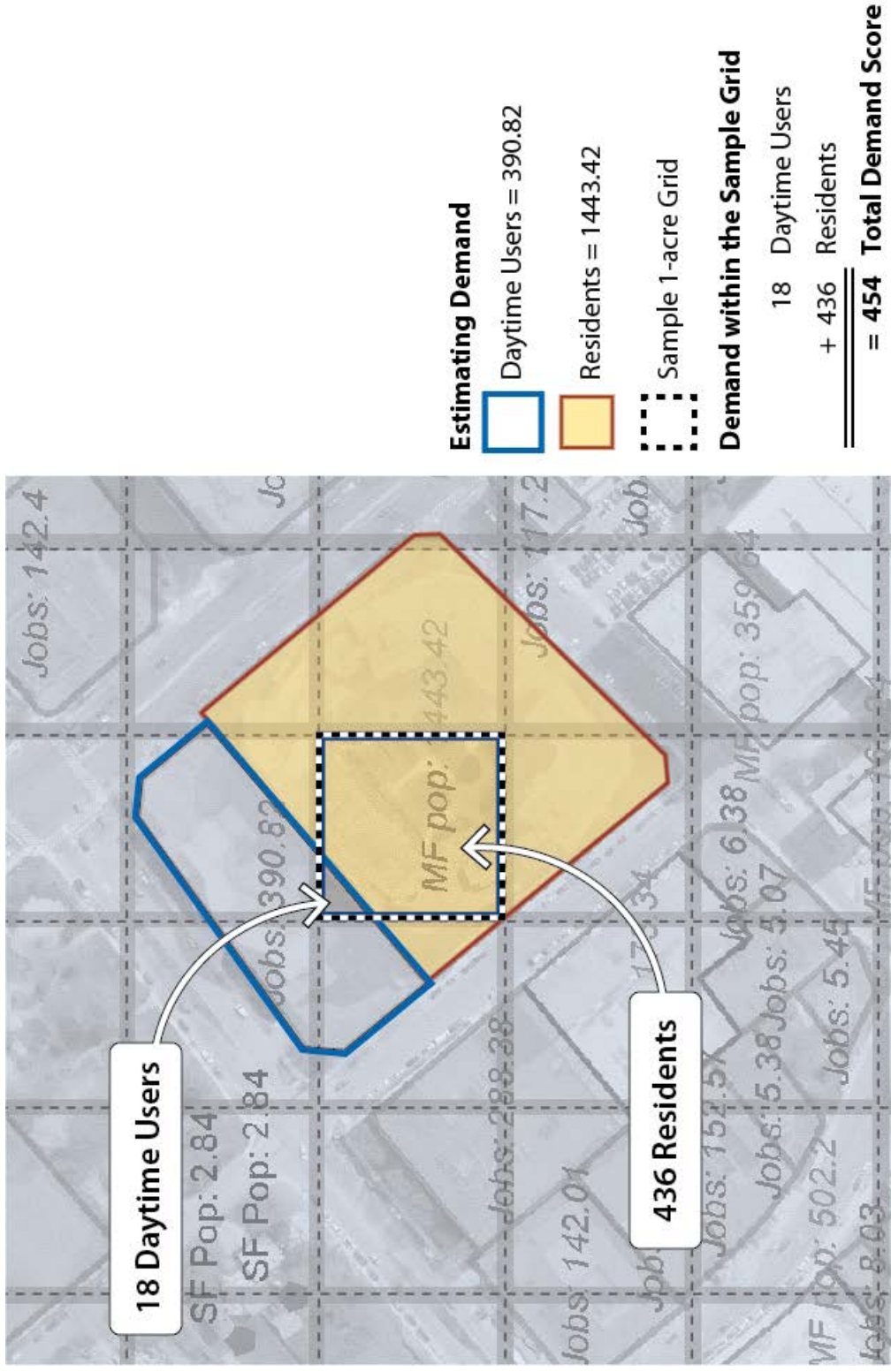


Figure 15 – Sample Demand Score Calculation

Analyze Data: Identify Level of Service

Once the supply and demand data necessary has been collected and entered in the GIS model, we can conduct a supply and demand analysis to identify the relative level of service for each type of open space experience. This first major element of the data analysis is a primarily quantitative analysis to determine the location of areas with the lowest level of service parks and open space.

Combine Supply and Demand Data

The first step is to combine the data sets so that each grid square has assigned supply and demand scores. The sample illustration in *Figure 16* shows the combination of supply and demand scores assigned to each grid square.

In this example, the highlighted grid shown has a Total Supply Score of 188 and a Total Demand Score of 454.

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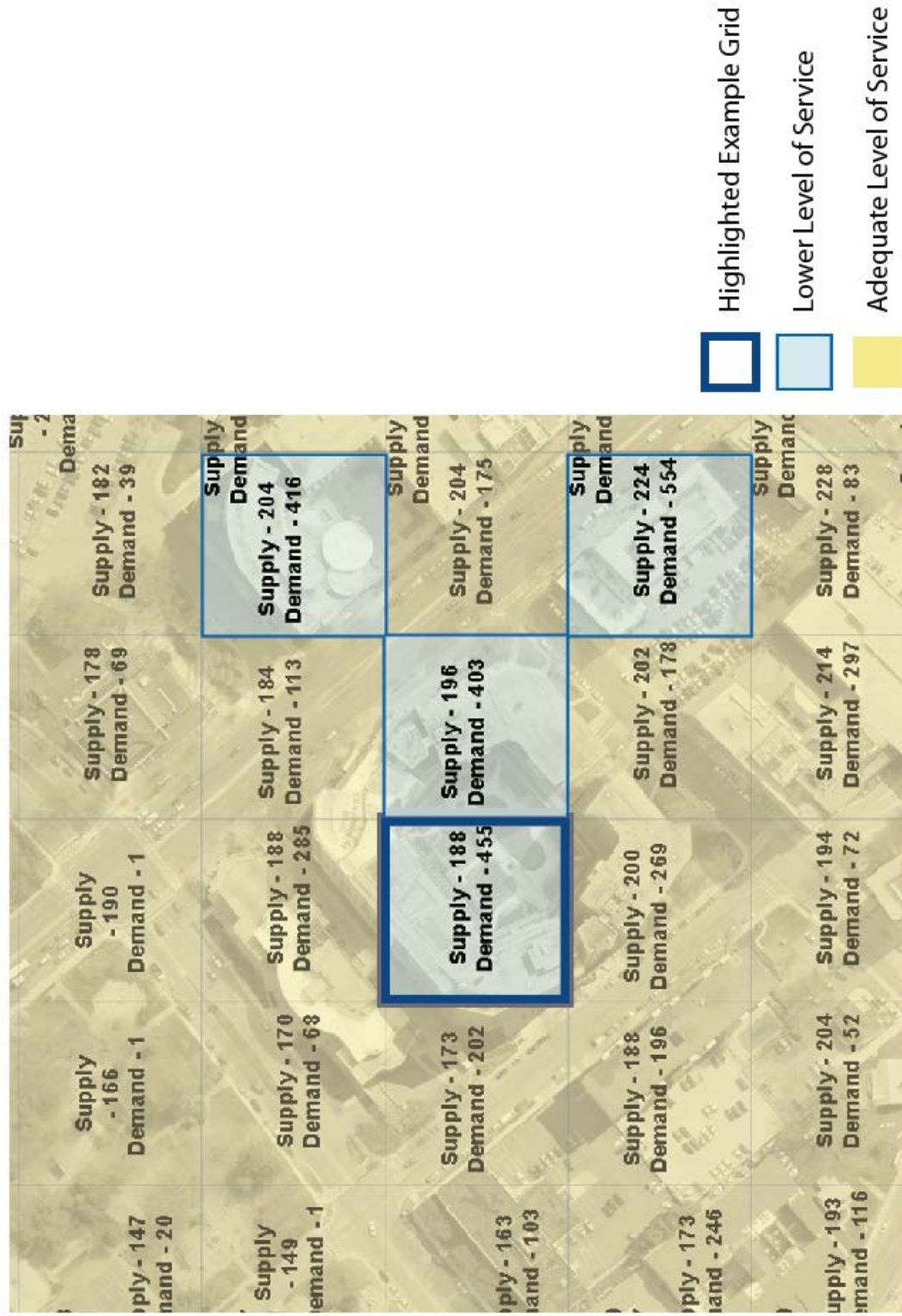


Figure 16 – Sample Relationship between Supply and Demand Scores

Determine Supply/Demand Comparison Factor

After each square is assigned a total supply score and a total demand, the final step is to compare the supply and demand across an area and determine the relative service surplus or shortfall. The critical element of this step in the methodology is that the Supply and Demand values are compared using a ratio called the Supply/Demand Comparison Factor. Since the Supply and Demand scores were calculated from different inputs - a point scale of relative access to park experiences versus estimated numbers of residents plus employees - they are not directly comparable at a 1:1 ratio. The Supply/Demand Comparison Factor will allow the model to set a threshold that will result in identifying areas with low levels of service within a given analysis area, and to compare the relative lack of service across large areas of the County.

In the implementation phase of this Plan, the first step will be to apply this methodology to the rest of the EPS Study Area. At that time, adjustments to the factor can be made to prioritize low service areas among different communities within the EPS Study Area. The Supply/Demand Comparison Factor allows for sensitivity analysis to be conducted on either the entire EPS Study Area or selected areas to identify the highest priority low-service areas in various formulations, thus providing data to support the decision-making process during the implementation phase of the *EPS FMP*.

Outcome: Level of Service Maps

The supply versus demand analysis will determine the relative level of service for the analysis area. *Figure 17* illustrates the concept of the methodology in identifying areas with less need and greater need for parks and open space. This level of service can then be mapped (see the *Appendix, Figure 26* for a sample Level of Service Map). The grid squares where Total Demand outstrips Total Supply can be highlighted

in these level of service maps, indicating the location of the lowest level of service for parks and open space.

By systematically identifying areas with a low level of service for parks and open space, Level of Service Maps such as this will provide critical information to the decision-making process for determining where and what type of parks and open space should be provided.

Analyze Data: Identify Opportunity Sites

Parallel to the level of service mapping using the quantitative method described above, a more traditional site analysis will take place to determine the best opportunity sites to apply a variety of implementation strategies to increase the level of service. This qualitative analysis will apply the principles of urban design and site assessment through a planning framework. The EPS Planning Framework includes two steps - first applying a Hierarchy of Park Types, then implementing the Urban Parks and Open Space Design Guidelines - to create the desired system of parks and open space to reduce service shortfalls in the EPS Study Area.

The type and pattern of parks and open spaces best suited to urban populations is different from the suburban model of large tracts of land filled with fixed, single-use facilities. PROS Plans in the past projected recreational needs by broad planning areas, rather than by small sub-areas such as the new transit oriented neighborhoods being created in Montgomery County. The *2017 PROS Plan* recognizes that we need to provide, build, and manage park and recreation resources differently in urban areas. There are distinct challenges as well as unique opportunities in creating a system of parks for mixed use and higher density residential areas.

This qualitative analysis of all the land, infrastructure, and properties within an area under analysis will provide the on-the-ground reality

check of the level of service results from the quantitative analysis. Further, this analysis will identify candidate opportunities to provide additional park and open space amenities to meet the needs of residents and daytime users of a study area. A sample output map showing candidate opportunities to increase open space and park service through application of this qualitative analysis is in the *Appendix, Figure 27.*

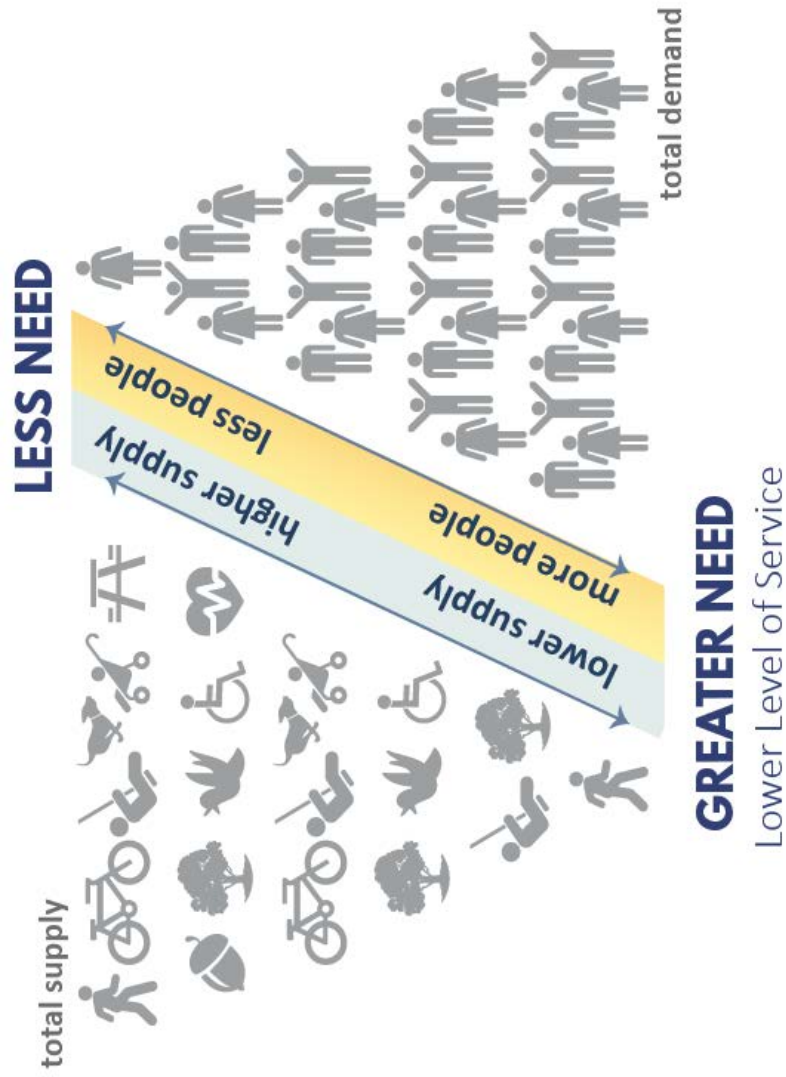


Figure 17 - Level of Service Methodology Concept Diagram

Park Hierarchy

The 2012 *PROS Plan* recommended that for each urban area, a unique open space system should be planned to serve the projected demographics of residents, workers, and visitors through a combination of public and private efforts. The urban design vision developed during the master plan or sector plan process for the area helped guide the amount, pattern, location, siting, and design of open spaces. This way of approaching park recommendations will be applied throughout the EPS Study Area.

The new open space system should support a vibrant and sustainable community by including open spaces that will be comfortable, attractive, easily accessible, safe, and provide a range of experiences, up to and including festival and outdoor event spaces. Those open spaces that rise to the level of serving as a focal point of community life for the planning area are typically recommended to be publicly owned and managed parks, while those open spaces serving a smaller district, neighborhood, or block are often recommended as public use spaces owned or managed by the private sector. The character, amount and size of open spaces within the EPS Study Area will vary from one community to the next based on density and existing community factors.

The following park and open space hierarchy and associated park types should be applied to each analysis area in the EPS Study Area. See *Figure 18* for a sample application of the Hierarchy to the Bethesda Downtown Plan.

For each Urban Sector/Master Plan Area

- Active Recreation Destinations
- Central Civic Green
- Interconnected System of Sidewalks and Trails
- Wooded Areas

For each Urban Neighborhood

- Neighborhood greens
- Walk-to recreational amenities

For each Urban Block

- Space for urban square, plaza, or green area

For each Building

- Space for outdoor recreation

For each Residence

- Private outdoor space

An example of an applied hierarchy for parks and open spaces from the approved and adopted *White Flint Sector Plan (2010)* is shown in *Figure 18*.

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Figure 18 – Sample Parks and Open Space Hierarchy, Bethesda Downtown Plan Design Guidelines, July 2017

Urban Parks and Open Space Design Guidelines

In addition to the hierarchy of park types, the *EPS FMP* introduces a set of design guidelines to help Montgomery Parks and its partners deliver public spaces that are flexible and accommodate a variety of experiences within its network of outdoor spaces.

These guidelines are intended to provide developers and the public with a sense of the types of open spaces that the Planning Board might look for when reviewing projects in the EPS Countywide Study Area. The Plan considered three approved documents as references for the development of these guidelines: *Silver Spring CBD Green Space Guidelines (2010)*; *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space (2013, Prince George’s County)*; and the *Bethesda Downtown Plan Design Guidelines* (approved July 2017).

The Urban Parks and Open Space Design Guidelines give more detailed guidance than the Park Classification System in PROS. These design guidelines will be published as a separate companion document to this Functional Master Plan to allow them to be revised and improved as the state of the art changes for urban parks design. The guidelines will include information on the following main design elements that should be considered in the creation of new or renovated public open space to maximize the public benefits of each site.

Intent, Key Features and Size

These basic elements of a proposed park are described in the Park Classification System Chart from the *2017 PROS Plan* (see *Figure 5*).

Experiences and Mix of Uses

Public spaces should be great public destinations that are lively, secure, and distinct in character. The best city public spaces are multi-use destinations that can be catalysts for community development. Public spaces are about people gathering and sharing a common place. As such, each space is associated with experiences that will attract people

to it. These design guidelines classify the outdoor experiences into three types as described earlier in this chapter: Active, Contemplative and Social Gathering.

Relationship to Adjacent Uses

The primary task of urban architecture and landscape design is the physical definition of streets and public spaces of shared use. The land use and physical form of architecture and landscape surrounding each urban park is a critical element to its character, function and success. The scale and program of adjacent ground floors or spaces need to provide an active and welcoming pedestrian-scale relationship. Urban Parks must be viewed as framed figural spaces within neighborhoods or communities, much like a living room is the figural public space of a house. Location of park and building entrances facing the park can influence the sense of personal safety by providing “eyes on the place”.

The following design factors should be considered when creating new open spaces and parks:

- Interesting building elevations and maximization of entrances facing the park
- Walkable street frontage
- Compatibility of land uses
- Public spaces as central community focal points
- Openness/welcoming spaces
- Interesting viewsheds
- Solid and void relationships
- Clearly delineate between the public space and adjacent private realm
- Connectivity to other public spaces and transit

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Site Access and Connectivity/ Social Equity

Successful public spaces are connected and easily accessible to all in an integrated network of streets and sidewalks, mid-block connections, and proximity to transportation.

The following access, design and equity factors should be considered when creating new open spaces and parks:

- Locations that accommodate and welcome diversity
- Meet ADA requirements
- Clear entries/gateways
- Safe pedestrian access/crossings for all ages, especially children
- Trail system connections
- Street grid continuity
- Public transit and bike system connections
- Servicing access and shared parking
- Direct connection to a street network
- Grade transitions
- Access to sunlight
- Wayfinding and signage
- Accessibility
- Multi-modal access

Special Features

In addition to the location and hierarchy of open spaces within the public spaces system, there can be geographical, landscape or designed features that provide a unique setting and special identity for each public space. These features help the community to engage and learn in inviting, safe and beautiful open spaces.

The following special features should be considered when creating new open spaces and parks:

- Night lighting
- Signature main open space

- Signature element: interactive water, nature or art feature as focal point
- Defined major pedestrian path
- Signage/wayfinding, interpretative features
- Large species shade trees
- Park furniture: fixed elements and degree of flexibility
- Accessible amenities
- Cultural features that create a sense of place

Frequency of Uses

The guidelines will describe the typical frequency of use for each park type and common facilities. For example, while all parks are available for everyday use, Neighborhood Greens are more likely to be used daily or weekly by the immediate neighborhood, and Civic Greens, as regional destinations, provide additional use for special and seasonal events.

Open space design should consider supporting various frequencies of use:

- Special events
- Seasonal events
- Monthly functions
- Weekly functions
- Daily functions

Community Benefits

Parks and open spaces are critical elements to be considered in the planning of a sustainable and resilient community. The presence of parks near neighborhoods promotes key community benefits. The following community benefits should be considered during creation of new parks and open spaces:

- Health and wellness
- Happiness
- Connectivity
- Economic development and increased neighborhood value

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- Green infrastructure
- Air quality
- Access to natural areas and historic sites
- Education
- Social benefit
- Sense of Place

Operations, Maintenance, and Policing
This new element will address the issues of operations, maintenance and policing, factors that are critical to the success of new open spaces. As part of the future development of the Urban Parks Standards for Operations, Maintenance and Policing recommended in this Plan (see Chapter 5), specific guidance will be developed and incorporated into the *Urban Parks and Open Space Design Guidelines*.

CHAPTER 4: RESULTS

In the last chapter, quantitative and qualitative analyses resulted in maps of locations with low levels of parks and open space service and potential opportunity sites to increase services. Next, that information is used to develop recommendations and implementation strategies for each opportunity site. These results of the EPS Plan will guide future actions to create a world-class park and open space system to serve the County's growing population in its core.

The first step in creating actionable results from the analysis is to organize, evaluate and prioritize the identified opportunities for additional park and open space resources.

ORGANIZE BY STRATEGIES

There are five implementation strategies (Activate, Connect, Renovate and Repurpose, Develop, and Create) that can be used to increase the service provided by parks and open spaces. These strategies build on the theme of balancing renovation, development and acquisition described in the *2017 PROS Plan* that is key to providing park services in an efficient manner. The first four strategies include ways to make the most of the current supply of parkland and open spaces, while the final strategy discusses ways of creating opportunities through new spaces. Candidate opportunity sites identified in the previous step will be organized according to these five strategies.

Activate

Through activation and programming of existing parks and public spaces, residents can have access to more park experiences in a short time frame after needs are identified. Montgomery Parks has an Activating Parks Program to promote the parks as a place to relax,

recreate and foster a sense of community. This program serves to reinvigorate existing urban parks, among others, many of which are heavily used and in need of renovation and development. The current Activating Parks Program is changing the way residents are using parks and challenging antiquated park rules. Activation programs can expand residents' perceptions regarding what is possible to do in parks and open spaces.

Public spaces activation can include "pop up" events that bring temporary facilities to a site, such as a climbing wall or bicycle/skateboard pump track, or games such as corn hole and large-scale versions of scrabble, Jenga, or chess. Other activation events could include programming yoga or exercise classes, special events such as music, food or art festivals, and providing unique experiences such as outdoor movie nights. Activation events even can be scheduled year-round by including cold weather events such as evening fire circles with s'mores and hot chocolate.

Activation can serve as an interim solution for park spaces that are planned for new construction or redevelopment in the future. It plays a major role in engaging the community in a park that is awaiting improvements and helps to keep them involved as the planning and construction phases are underway. Activities and pop up features can be scheduled to promote a new use for a park, serving as a trial run for new facilities with input from actual park users. For parks where renovations and upgrades may be further off into the future, activation events encourage the community to continue using parks and allows them to discover new ways to use parks. These programs also raise awareness of the importance of public spaces through publicity for events, even with people who cannot take part in activation events.

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Connect

A critical tool to increase the service provided by a given park or open space is to improve the community's access to that site. Connectivity can be increased with upgrades to pedestrian and bicycle circulation in parks and road rights-of-way, including sidewalks, bikeways, and safe road crossings, and improvements to circulation on public spaces on private property. By improving walkable connections to the entire public space network, service levels can be increased at lower cost and in shorter time frames than necessary to renovate existing or build new parks.

Renovate and Repurpose

Existing parks can be updated and refocused to provide the needed amenities missing from a community. Some parks may not be providing the service a community wants either through out-of-date or poor condition facilities or through the wrong types of facilities. Renovation of facilities that have reached the end of their useful lifecycle is a major ongoing effort of the Department of Parks through targeting capital funding for renovation and replacement.

One way to improve services often implemented as part of renovation projects is to repurpose a facility to another use. If countywide trends and detailed usage data for a specific park indicate that a facility is underutilized, then the facility platform may be considered for additional or alternate uses. In some instances, minor changes can allow more use of an existing facility; for example, adding pickle ball striping to existing tennis courts allows for participants in two racquet sports to make use of the same facility. In other cases, a facility may be removed or rebuilt to suit a different use entirely; for example, an underutilized diamond field could be rebuilt into a more in-demand dog park or rectangular field. Repurposing opportunities also may be identified on privately held open spaces where analysis indicates an

open space with potential to provide greater service, and may be implemented through voluntary partnerships.

Develop

Developing new outdoor park amenities in existing public parkland and public open space is one key way to add significantly to the supply of park experiences. In the EPS Study Area, making efficient use of existing parkland is especially important due to the high competition for land. Some opportunities for increasing park service rely upon developing new facilities on existing parkland. These sites may include existing developed parks with available space for new facilities and park sites that have yet to be developed to meet their service intent. Opportunities to develop new open space amenities also will be identified on private open space and on non-park public lands for implementation through voluntary partnerships.

Create

If the previous four tools are not adequate to expand the supply of parks and open spaces to meet a community's needs, then creation of new open spaces must be considered to provide a platform for outdoor experiences. Properties in a preferred location for future open space are identified for potential addition to the public open space system. Identified sites can become public open space through multiple techniques. Privately-Owned Public Spaces (POPS) are often established through the development process in certain zones, creating publicly available resources that remain in private ownership.

New land is added to the public park system through two primary techniques: dedication to Parks through the land development process and direct purchase using public funds. When dedication or POPS do

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not create the needed recreation and open space facilities, purchase of parkland becomes necessary.

In the highly-developed portions of the County that make up the EPS Study Area, a third avenue to create public parkland is to consider land already owned by the public sector but used for something other than parks and open space. Some of these parcels may be the most likely candidates for creating additional parkland, especially for larger urban parks over one acre, and include surface parking lots, the roofs of underutilized parking garages and other public buildings, and unused areas of road rights-of-way, among others.

Implementation Tools

Multiple tools can be used to implement the five strategies to create new parks and open spaces. Here are just a few of the most important.

Partnerships for Operations and Activation

Partnerships between private and public entities can create significant opportunities to increase the level of service for parks and open space through joint activation and operations efforts. Partnerships can make use of private and public organizations that have staff on the ground near parks and open spaces to provide monitoring and certain maintenance tasks more efficiently. Parks staff could partner with other organizations to do joint activation efforts in both public parks and privately-owned public space.

Alternative Ownership Options: Public, Private and Partnership

This Plan analyzes the complete network of public open spaces to determine service levels, including alternate providers such as the public schools, privately-owned public spaces on development sites, and others. When seeking to implement opportunities to increase the level of service of parks and open space, alternate ownership options

will continue to be considered. Alternate providers will continue to fill in experiences that cannot be met with additional parkland. Similarly, new and upgraded public parks will fill needs that cannot be met by POPS.

Innovative ownership options can play a key role in expanding parks and open spaces in our high-density communities. Examples such as the pending park in the Chevy Chase Lake community, where a public park is being constructed on top of a privately owned, underground parking garage, provide a model for moving forward with innovative options.

Zoning, Area Master Plans, and Development Review

A variety of tools related to master plan recommendations and the development review process can be used to support the creation of more parks and open space, and they are key element of implementation efforts. There are many ways that these regulatory and policy tools can support a better open space system. A few examples include: specific recommendations in land use master plans for parks and open space; zoning recommendations that encourage assembly of large blocks of redevelopment to create larger POPS or public parks; and zoning tools that can support additional funding for parks acquisition and development such as park impact payments.

SCREEN FOR FEASIBILITY

Once the opportunities are categorized by strategy, they are evaluated to make a first pass at determining the feasibility of implementation. This initial evaluation looks at a variety of factors related to the feasibility of an opportunity coming into reality. This step may also look at potential benefits to the parks and open space system versus the potential costs.

For creation of new spaces, planning level information about a site is considered, including the current land use, zoning, and potential for future redevelopment or likelihood of availability for purchase.

Opportunities in the other implementation strategies are evaluated by other factors to estimate feasibility, including condition of existing parks and open space, current use patterns, and options for pursuing the proposed strategy.

All candidate opportunities will be given an estimated feasibility ranking of low, medium or high. Opportunities that are not deemed to have a reasonable chance of becoming reality, even during the long-term, may be screened out of the opportunity list during this step in the methodology.

PRIORITIZE BY SOCIAL EQUITY

After the results of the quantitative and qualitative analysis have been organized into strategies and screened for feasibility, they can be prioritized for implementation. This Plan proposes to use Social Equity as the primary criteria to determine which areas of the EPS Study Area should be targeted for implementation efforts. The EPS Plan methodology prioritizes the portions of the Study Area with the lowest level of service for walkable park experiences combined with neighborhoods with lower incomes. This prioritization will be used to compare opportunities across large areas of the EPS Study Area (or the entire study area) for relative needs and benefits.

As discussed in the policy overview (*Chapter 2*), national, state, and local policies support the use of equity as a key way to measure the success of park and recreation systems. The National Recreation and Parks Association (NRPA), the American Planning Association (APA), Maryland Department of Natural Resources (MD DNR) and many of other agencies and non-profits have identified social equity as a major element in developing successful communities, and equitable distribution of parks is a critical element of the overall equity issue.

CHAPTER 5: IMPLEMENTATION

As a Functional Master Plan, this Plan defines the parameters of an ongoing program that will strive to meet the park and recreation needs of the County's most dense and mixed use communities. The implementation of this Plan will take place over many years, even decades, to reach the overall goal of walkable access to a variety of park experiences for all residents. As discussed above, the *EPS FMP* does not replace existing Parks policies and programs that create new parks and open spaces (including the State Program Open Space and the Legacy Open Space acquisition programs), but supplements those programs with a new sophisticated analysis tool for guiding park and open space decisions in the high population areas of the County. The Department of Parks will lead a collaborative effort with the Planning Department, other public agencies, property owners and the public to make these critical parks and open spaces a reality. The most important next steps to implement this Plan are described in this chapter.

APPLY METHODOLOGY TO EPS STUDY AREA

Prioritize Locations to Study Next

After adoption of the *Energized Public Spaces FMP*, the entire EPS Study Area will be evaluated by the methodology over a period of time. Staff will determine the best method for doing this complete study and may analyze portions of the Study Area one at a time instead of the entire Study Area all at once.

Social Equity will be the primary criteria to prioritize which areas to analyze first. Additional criteria that will help to select the next study areas include:

- High level of identified park and open space needs in the *2017 PROS Plan*.
- Geographic parity between communities within the Study Area.
- Communities that have not recently gone through the land use master plan process.
- Areas with a low level of development activity that are not receiving privately generated open space and park amenities.
- Areas with Master Plans currently under revision, so EPS recommendations can be added directly into land use master plans.

After the first step of the methodology (supply and demand analysis) is completed across the Study Area, communities with the lowest level of service can be prioritized for full analysis and identification of opportunities to increase park service.

Staff will present to the Planning Board the work program for study priorities in coordination with the Planning Department's master plan schedule. Opportunities to create parks via development activity, public input, or new partnership options may also affect the selection of which parts of the Study Area should be analyzed first.

Find Low Levels of Service and Potential Opportunities

Park staff will apply the EPS methodology over time according to the established priorities for analysis. Once the quantitative and qualitative methodologies have been completed for one or more portions of the EPS Study Area, the recommended strategies will be vetted through

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Montgomery Parks, the Planning Department, other public agencies and relevant community groups for review and comment, prior to seeking Planning Board approval.

Planning Board Approval of Recommendations

The *Legacy Open Space Functional Master Plan* (2001), the one functional master plan that directs Parks programs currently, uses a set of criteria to evaluate sites within six categories of open space. The criteria are used to determine if new sites are significant enough to add to the *LOS Functional Master Plan* as designated LOS resources. Similarly, the *EPS FMP* uses quantitative and qualitative analysis tools to determine opportunity sites to improve parks and open space level of service through five implementation strategies.

This Plan recommends that the Planning Board review and approve the set of recommended opportunities for each portion of the Study Area to go through the complete methodology. Based on the approved method for amending the *Legacy Open Space FMP*, EPS opportunity sites that are approved by the Planning Board will be added to the *Energized Public Spaces Functional Master Plan* for implementation through the regular land acquisition, park development, land development review, and master plan processes. The County Council will have general review over these changes to the implementation phase of the *EPS FMP* through the CIP review process.

Update Quantitative and Qualitative Methodologies

As the implementation program of the EPS FMP moves forward over the next several decades, new research, data sets and GIS programs will result in improvements to the quantitative GIS analysis tools. For instance, the walkshed analysis tool may become more refined allowing for analysis of varying types of walksheds, plus bike-sheds and transit-

sheds for parks and open space may become easier to calculate and integrate into the overall analysis.

To continue to meet the stated goals of this Functional Master Plan, the specific steps outlined in this methodology may be adapted to new data and technology. By remaining flexible enough to use new data, technology, and tools for more refined analysis while remaining consistent with the priorities, policies, and goals outlined in this Functional Master Plan, this methodology can evolve to better identify areas with a relatively low level of service for parks and open space.

Incremental improvements and refinements to the quantitative methodology over time will be presented to the Planning Board for public input, review and approval and may be incorporated into any new analysis of the geographic area covered by this Plan. If substantive changes to the methodology are proposed that would deviate from the priorities, policies and goals described in this document, a master plan amendment process may be necessary to implement those major changes.

Understanding of the best urban designs for parks also will evolve over the coming decades. The *Urban Parks and Open Spaces Design Guidelines* will be a separate document that will work in tandem with this functional plan to identify opportunities for new and improved open space (see Chapter 3 – Analyze Data: Identify Opportunity Sites – Urban Parks and Open Spaces Design Guidelines). Improvements and updates for these design guidelines will be coordinated by Parks and Planning staff and brought to the Planning Board for review and approval.

Prioritize Areas for Implementation Efforts

Once service levels are quantified across the EPS Study Area, Social Equity factors will be used to prioritize locations for focused

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implementation efforts. To paraphrase the Social Equity Pillar of NRPA, the main philosophical principle behind parks and recreation is to provide adequate open space, parks and recreation opportunities to all communities and citizens regardless of race, income, age or ability. This Plan will use two primary factors to prioritize implementation efforts by Social Equity: communities with the lowest level of service for parks and open space; and communities with lower levels of household income.

First, the supply and demand analysis will provide a map of locations within the EPS Study Area with a low level of service for parks and open space. That map will be used to identify the largest and deepest areas of low supply. The second prioritization factor is to identify communities with lower income levels. The EPS methodology will use the same data source used to calculate Park Equity in the *2017 PROS Plan*: Median Household Income as a percent of Area Median Income (AMI) based on U.S. Census Data.

These two factors will provide information to the Parks Department that will allow implementation funds and staff resources to be targeted to the communities most in need of additional parks and open space opportunities within a 10-minute walk of their residences and commercial establishments.

IMPLEMENT RECOMMENDATIONS

This is a living document that establishes a systematic way to assess and deliver outdoor experiences to the public using a variety of implementation strategies and tools. As a Functional Master Plan, it describes a program that the Department of Parks will implement for the foreseeable future. This will be an ongoing implementation program to make better use of existing parkland, make creative partnerships to meet the needs, and purchase new parkland. Implementation to fill identified low service areas with solutions to increase park and open space service will take time and effort.

Activate

Increasing parks and open spaces level of service will occur through augmenting the existing Activating Parks Program for Montgomery Parks sites. Programs and activities will be developed for four seasons to promote park use year-round. The new Activating Parks Program Coordinator has initiated the development of these activities and implementation, and the results have been significant in terms of increasing use of targeted parks during the activation events. The ongoing Activating Parks Program will continue to develop new programs and assess their effectiveness at increasing users in the parks, both during and long after events have concluded.

A key element of activating parks and open spaces is to partner with providers of other public open space to do joint activation events on both public and privately-owned public spaces. Joint activation efforts will require appropriate staff and funding to implement with the private sector and non-profit entities.

Connect

Since most connections between communities and parks are not on parkland, most proposed connections need to be implemented through interagency and public-private collaboration. Montgomery County Department of Transportation and Maryland State Highway Administration are critical partners to achieve improvements to pedestrian and bicycle connectivity in road rights-of-way, including sidewalks, bikeways, and safe road crossings. Private property owners can partner with Parks and other agencies to provide connections from commercial and residential communities to privately and publicly-owned spaces. And, the Parks Department will evaluate park trails, paths and community connectors to determine if changes to internal pedestrian circulation can expand the service watershed of existing park facilities.

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Renovate and Repurpose

Park sites identified for renovation and repurposing efforts will be evaluated and prioritized for implementation through the Capital Improvements Program (CIP) process every two years. A large number of park assets, including those in the EPS Study Area, have a planned lifecycle where renovation becomes necessary at regular intervals. Limits on available capital funding creates the need to prioritize which parks and assets should be renovated first among a list of many that are end of their lifecycle. The use of the EPS methodology will be a useful tool to identify the most needed parks and facilities in prioritizing renovation and repurposing projects.

Develop

Parks

Just as for renovation and repurposing, parks identified for development of new facilities will be evaluated and prioritized for implementation through the Capital Improvements Program (CIP) process every two years. Park design is funded through two Facility Planning PDFs, and park construction is funded through either a stand-alone PDF for a large park project or through several level-of-effort PDFs for smaller new projects. The use of the EPS methodology will be a key tool to identify the most needed new parks and new facilities within parks during the CIP prioritization process.

Non-Parks

The EPS recommendations for facility development can also be implemented on non-Park property. Additional amenities could be provided on POPS (privately-owned public spaces) required as a condition of land development and could be pursued either during the development review process or negotiated during a later phase in the life of a development project on a voluntary basis. New amenities to

provide active, contemplative, or social gathering spaces can also be developed on existing public lands where appropriate, such as road rights-of-way, schools, or other public agency spaces.

Create

To increase the likelihood of creating new open spaces and receiving parks in dedication, innovative zoning tools are being developed in area master plans currently underway. These zoning tools provide incentives for property assembly, density transfer, and other means of creating park dedication. The development review process in higher density zones also results in many privately owned public spaces (POPS) with a variety of active, contemplative, and social gathering benefits.

Innovative methods of creating parks can also be implemented during the development process on a case-by-case basis. Public parks can be created through easements and other legal agreements in unique locations, such as on top of underground or above ground parking garages. The first example of this innovative way to meet public and private needs is a new park to be constructed on top of an underground garage in the Chevy Chase Lakes development.

Opportunities to increase park level of service that are identified as potential acquisition sites will be added to the GIS database for parks as a proposed park location, just as for recommended parks in other master plans. Following this standard master plan implementation procedure will ensure that future planners and development reviewers, property owners, and community members will have access to the recommendations when researching land use.

For the highest priority sites that need to be purchased for public parkland, every effort will be made to acquire the sites using available tools and innovative options. The *2017 PROS Plan* describes the funding and tools available to the Department of Parks to implement the direct

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acquisition of necessary parkland. For the most challenging proposed parks where alternative locations are not available, acquisition tools such as mediation and condemnation may be used to ensure the provision of the parks necessary for our growing communities.

Implementation Tools

Each of the five strategies to increase the level of service for parks can be approached with innovative ideas and tools. Some of the most important are identified here.

Partnerships for Operations and Activation

Partnerships can be pursued by the Department of Parks with private and non-profit entities to provide activation programs throughout the EPS Study Area. Partnerships may be appropriate with local non-profits, urban districts, and property owners. Additional partnerships may be appropriate to address some operations, maintenance and security services on parks and open spaces. Both of these types of partnerships will be developed to target increase service to the community in the most efficient manner possible and will be negotiated with willing partners

Alternative Ownership Options

As described in *Chapter 4*, different ownership patterns for parks and open space can provide a path to creating additional open space in land-constrained communities. New ownership tools include leasing underutilized space, adding parks above underground parking, and other alternatives.

Zoning, Area Master Plans, and Development Review

Recommendations to increase the level of service in the EPS Study Area can be supported in many ways through zoning, master plan recommendations, and the development review process, as summarized in *Chapter 4*. The Department of Parks will play an active

role in recommending innovative new zoning and master plan tools to increase the amount of park and open space provided through development review. Parks will partner with the Planning Department and other agencies to move these new tools forward wherever feasible.

PROVIDE FUNDING RESOURCES

Proposed CIP Funding

New funding will be necessary to successfully implement the recommendations of this Plan via the five strategies. The Department of Parks will submit requests for additional funding in the *Capital Improvement Program (CIP)* review process for the FY19-24 CIP. Funds will be requested to support new parkland acquisition and design, engineering, and construction costs. This Plan recommends that additional funds be requested in several of the following five existing CIP projects (Project Description Forms, or PDFs) to provide the mix of funds necessary for the EPS program.

- **Acquisition: Local** - purchase of community use parkland
- **Acquisition: Non-Local** - purchase of countywide use parkland
- **Facility Planning: Local** - design and engineering for renovation, repurposing and new development on community use parks
- **Facility Planning: Non-Local** - design and engineering for renovation, repurposing and new development on countywide use parks
- **Urban Park Elements** - design and construction of quick-to-implement new facilities in urban areas

Acquisition funds are the most critical and largest amount necessary to implement the *EPS FMP*. To acquire necessary parkland in many of the most expensive areas of the County, additional acquisition funding

dedicated to this purpose will be necessary to implement the goals of this new FMP. Since the *EPS FMP* is not replacing existing park acquisition programs but supplementing them, it is critical to fund this program while also maintaining existing acquisition CIP funds to meet the goals of the other park acquisition programs (Program Open Space and Legacy Open Space).

Staff will use a variety of means to make expensive acquisitions more feasible, such as negotiating installment contracts to stretch current funding, seeking additional funding sources (see below), and requesting supplemental appropriations when necessary for significant acquisitions in the EPS Study Area.

Final design and construction funds for major park renovations and new construction of these important parks will be requested through the CIP as the design and initial engineering phases are completed, as is done for other major park projects.

Alternate Funding Strategies

Innovative and alternative funding strategies will be pursued throughout the implementation phase of the Functional Master Plan. New strategies may be developed via the zoning code during new master and sector plan development. For example, an overlay zone is proposed for the *Bethesda DOWNTOWN Plan* that uses an innovative approach to funding parks through the process for allocating bonus density to development projects. Special taxing districts, fee-in-lieu payments from development projects, and increasing the required percentage of open space on development in certain zones may also be appropriate in certain areas of the EPS Study Area. The Department of Parks will collaborate with the Planning Department and other government agencies to develop any of these or other options that may work to support developing communities with the parks they need.

ALIGN OPERATIONS, MAINTENANCE, AND POLICING

To successfully implement the vision of this Plan, Parks operations, maintenance, and policing need to be aligned with the new types and locations of parks being added to the Park system. Many of the recommendations from this Plan will result in additional open space that will be taken care of by private or non-profit entities. However, some of the most important public spaces will be the signature public parks in the County's most dense mixed use neighborhoods, and they will require a higher level of operations, maintenance, and policing effort than the more suburban model parks in the rest of the County. The following three recommendations should be pursued in a timely manner to create the parks and open space network of the future in Montgomery County.

Develop Urban Park Standards for Operations, Maintenance and Policing

Usage levels will be high for many parks within the EPS Study Area, thus these parks need to be provided with consistent, high quality maintenance standards and service delivery. Ensuring these standards and delivery is one of the primary goals of park management, as they are essential for protecting the long-term capital investment in these highly used spaces.

This Plan recommends that standards be developed for park operations, equipment and facility maintenance, and policing and security needs for the seven types of urban parks classified in the *2017 PROS Plan*. As the inventory of urban parks within the County grows, the increased usage, expanded hours, and new facility types in these parks results in a very different kind of park from the point of view of operations and safety. The current standards for operations, maintenance and policing are

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based largely on a suburban park model and need to be updated for the new paradigm of parks being provided to the County.

A key element to consider in developing these park standards is to address how the standards of care directly affect the operating and capital budgets and influence citizen perceptions of safety and use patterns. For example, a maintenance plan in which all tasks are carried out at or above recommended best maintenance practices may create a pristine landscape but may ultimately prove to be unsustainable due to cost. Alternatively, a maintenance plan in which tasks and repairs are carried out at minimal levels may reduce annual budgets, but will likely result in high capital costs required for replacement or repairs that could have been prevented with regular care. Low standards of care can also create an unsafe environment for users, thus reducing usage rates and causing increased monitoring and policing needs.

These new park standards should include a method for park management to regularly evaluate and track trends in the condition of these parks. Report cards could be created for each urban park type and for specific amenities that can be used during routine inspections. The standards should also address the issues of seasons of use to assist with creating the right structure for park maintenance work programs. Hours of usage in the most urban, mixed use areas also need to be addressed in the new standards, since that will have a significant impact on park operations and policing requirements.

Create Necessary Support Infrastructure

Two elements are necessary to support existing and new urban parks: the right facilities and the right equipment to efficiently work in the most dense communities in the County.

Plan and Develop Satellite Facilities for Staging, Maintenance and Police Operations

This Plan recommends creating a Program of Requirements (POR) for satellite maintenance facilities and then identifying potential locations based on recommendations for new and renovated urban parks through implementation of this Plan. Significant efficiencies can be had by eliminating the need for large trucks and equipment to drive long distances from regional maintenance yards through the most congested areas of the County. Recommendations for the design specifications and potential locations small, efficient satellite maintenance yards could include storage areas at individual park locations or to serve small clusters of parks.

New Equipment for Smaller Urban Parks

The second element of the necessary support infrastructure is to have the correct equipment for transportation and park maintenance. Different types of transportation should be considered to reach hard to access spaces due to lack of parking or other site limitations. Options can include smaller trucks, trailers, and various forms of utility carts, as are used in many urban park settings such as the National Mall in Washington, D.C. In addition to new transportation options, appropriately-sized equipment should be provided in close proximity to the parks they service, including smaller mowers, trash-hauling vehicles, and other equipment.

Add Staff and Operating Resources

Every one of the five implementation strategies to increase parks level of service will increase demands on the operating budget to keep parks clean, safe, and available to the community. Operating Budget Impact (OBI) will increase not just for new parks and facilities, but for activation, renovation, repurposing and developing new amenities.

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There are four main reasons OBI will increase as these efforts are implemented. First, as facilities are updated or changed, new maintenance standards apply that occasionally reduce maintenance needs but more often increase the maintenance needs of the particular facility. Second, new and improved facilities attract more users, thus creating significantly more demand for regular maintenance. For example, when a new dog park is built, then overall park usage increases measurably and thus the maintenance need increases from twice per week to daily or even twice daily visits. Third, urban parks often have extended service hours, perhaps even 24 hours, compared to the traditional suburban model parks that operate from sunrise to sunset. These extended hours where park activity continues into the evenings on a daily basis have a much larger need for policing for safety and maintenance support. And finally, park activation programs require dedicated staff to implement.

Intensity of use and programming are key factors that impact the maintenance budget. In general, the greater number of visitors a park receives, the greater the maintenance load. Directly related is the fact that the level of maintenance impacts park use. Simply stated, a well-maintained park attracts visitors whereas a poorly maintained site discourages positive park visitation and often invites misuse and vandalism. Given this relationship between maintenance and use, it is important to ensure that the level of maintenance is adequate for the level of use and programming that is envisioned. Operations, maintenance and policing needs will adjust over time as the *EPS FMP* is implemented, and corresponding funds to pay for increased OBI will be requested through the annual operating budget process.

ASSESS PROGRESS

The Department of Parks will assess progress toward the implementation steps in this Chapter and report to the Planning Board on a biennial basis. In addition to these comprehensive progress reports every two years, progress updates may be prepared for the Planning Board's semi-annual report to the County Council on work of the Planning and Parks Departments.

Over time as more of the EPS Study Area is evaluated using the methodology in this Plan, the cumulative body of information will be more complete and valuable. For instance, the supply and demand analysis can be used to evaluate improvements or reductions in the level of park and open space service to a community over time. The methodology will also allow for the prediction of future service levels after development and park and open space projects in the pipeline are completed.

One key element of assessing progress will be to continually update the GIS data necessary to track level of service. The changing status of public parks, facilities, and POPS as strategies are implemented need to be tracked, along with changes in demographics, housing and commercial uses, to ensure that the model will continue to provide valid and useful data to decision-makers regarding providing the right parks and open spaces in the right places.

Appendix

APPLICATION TO PILOT AREA: SILVER SPRING CBD

The application of the EPS methodology to a real-world example is a critical step in the creation of this Functional Master Plan. It is necessary to test this proposed new method for using GIS technology and data and an innovative approach to urban design analysis to determine if the results of the method are appropriate for use in making recommendations to increase the level of service for parks and open space.

This new methodology will be used as part of future land use master and sector plans to better identify areas with relatively low levels of parks and open space compared to population, and to recommend ways to increase service in those areas, as described in Chapters 3 – 5. The methodology will also be used as a stand-alone analysis tool for areas of the EPS Study Area that are not likely to go through a Master Plan process in the near future, such as areas with high residential density that are not identified for significant increases in commercial and residential density in the General Plan. The EPS methodology must be tested prior to either use to confirm the methodology provides valid and useful results. Equally important, the Pilot Area analysis illustrates the intent of the methodology and its possible outcomes to decision-makers, property owners, and citizens.

When a property is developed in Montgomery County, the zoning ordinance and applicable master and sector plans may require that a certain portion of the property is used for public open or recreational space. This functional plan does not increase the amount of open or recreational space otherwise required for a property's development. However, if land identified through the EPS method is developed for private use, this plan and the EPS method may provide

recommendations on the type of open space or recreational amenities that would be beneficial to the community through the *2017 Recreation Guidelines for Private Residential Development*.

Pilot Area Selection

To test and refine the new methodology proposed in this Plan, the Silver Spring Central Business District (CBD) was selected for a pilot application of the methodology. The rest of the EPS Study Area will be analyzed during the implementation phase of this Plan as described in *Chapter 5*. The criteria used to select the Pilot Area include the following:

- **Demographic Diversity**
 - Presence of lower income Census Blocks (<62.2% Average Median Income, or AMI)
- **Significant Economic Activity Center**
 - Mixed commercial and residential land uses
 - Current zoning leaves room for future economic growth
- **Transit Connectivity**
 - Important bus and rail station that serves commuters from large portion of County
 - Major stops along future BRT routes and Purple Line light rail
- **Lack of Recent Area Master Plan**
 - Most recent sector plan completed in 2000

■ **Existing planning reports indicating need for parks and open spaces**

- *Silver Spring CBD Green Space Guidelines (2010)*
- *Silver Spring Placemaking (2014)*

Downtown Silver Spring is an area that has a remarkable confluence of factors that meet these criteria, and thus was selected as the Pilot Area for the *Energized Public Spaces FMP*. The Silver Spring CBD is an ideal location to test this new methodology in an area with a diversity of challenges and opportunities.

Collect Data

The Pilot Area follows the boundary of the Silver Spring CBD. To analyze the parks and open spaces necessary to serve the residents and employees in the Pilot Area, the analysis area includes the CBD plus areas that are located within a 5-minute walking distance outside the

CBD boundary (see *Figure 19*). Supply and demand information was gathered according to the methodology described in *Chapter 3*.

Supply of Publicly Accessible Facilities

As described in *Chapter 3*, the supply of open space available within a 10-minute walk of each location within the Pilot Area was identified using four steps. First, all existing public open spaces were inventoried in GIS, including public parkland, other public open spaces such as schools and civic centers, and privately owned public spaces (POPS). *Figure 19* shows all current public open spaces in the Silver Spring CBD.

Second, as part of the inventory process, the individual facilities on each site also were identified and mapped. The location of the parks and open spaces that include facilities which supply each experience type (Active, Contemplative, and Social Gathering) in the Pilot Area are shown in *Figure 20*, *Figure 21*, and *Figure 22*.



Figure 19 - Pilot Area with Existing Parks and Public Spaces



Figure 20 - Active Experiences Supply Location Map, Pilot Area

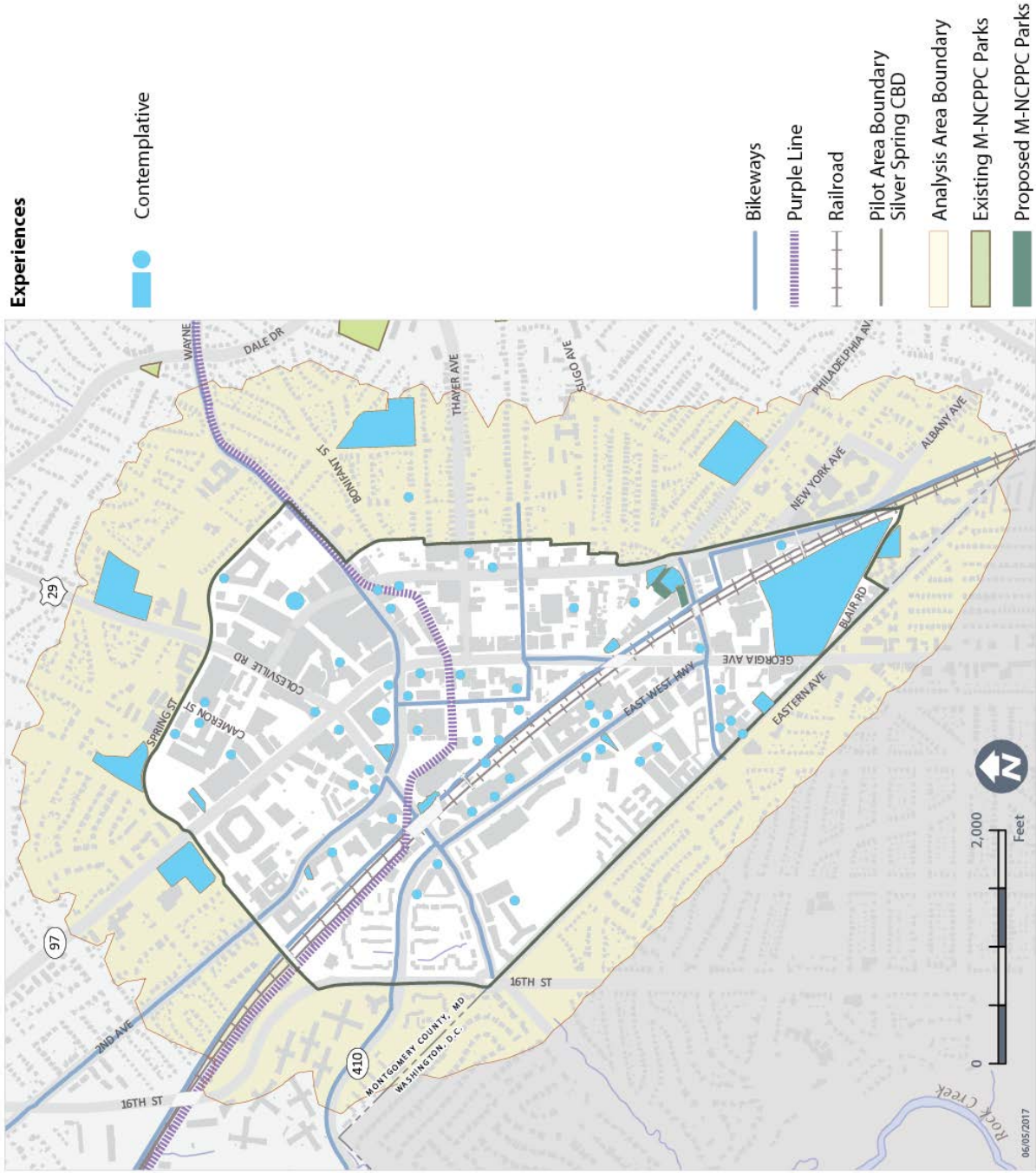


Figure 21 - Contemplative Experiences Supply Location Map, Pilot Area

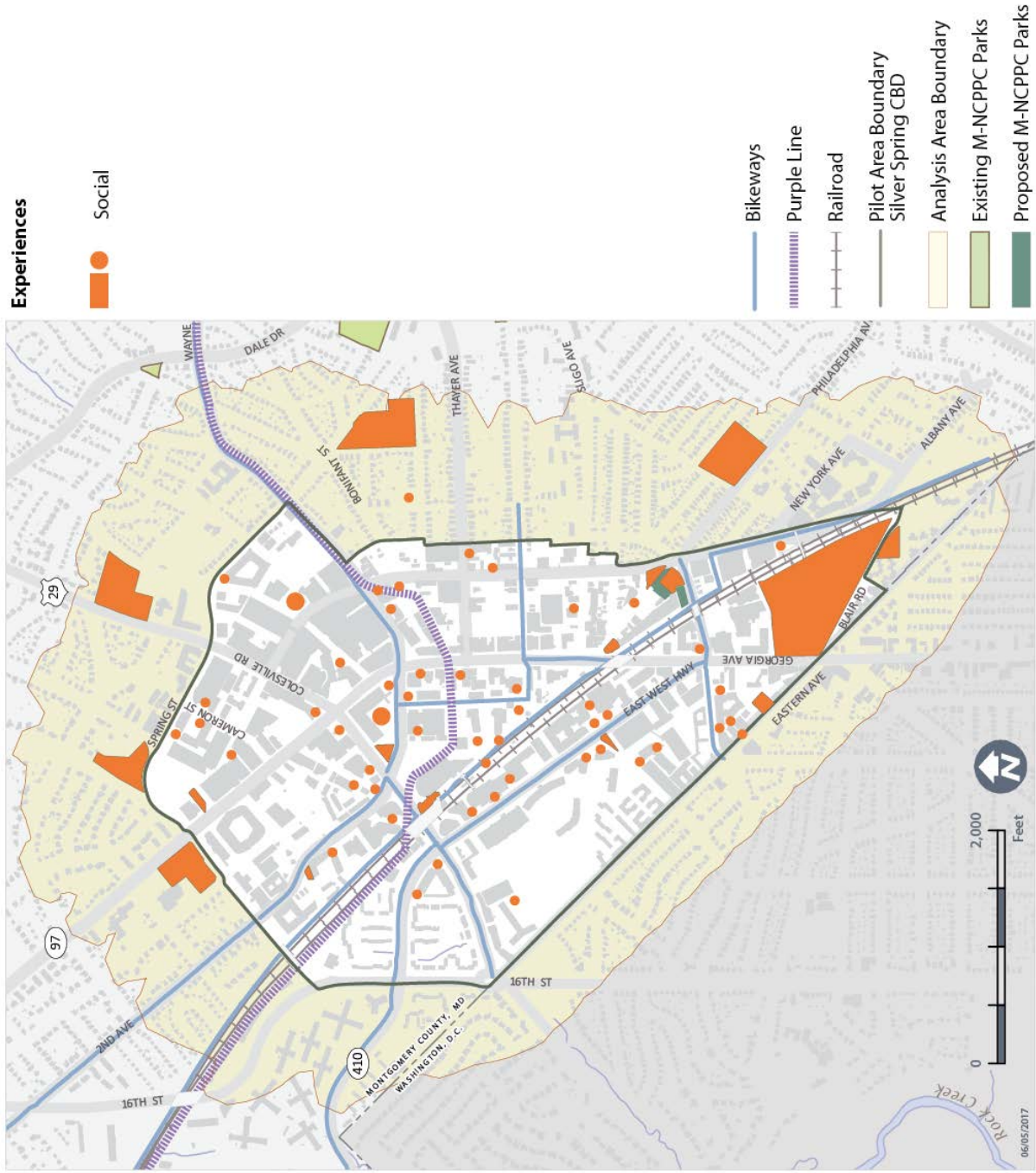


Figure 22 - Social Gathering Experiences Supply Location Map, Pilot Area

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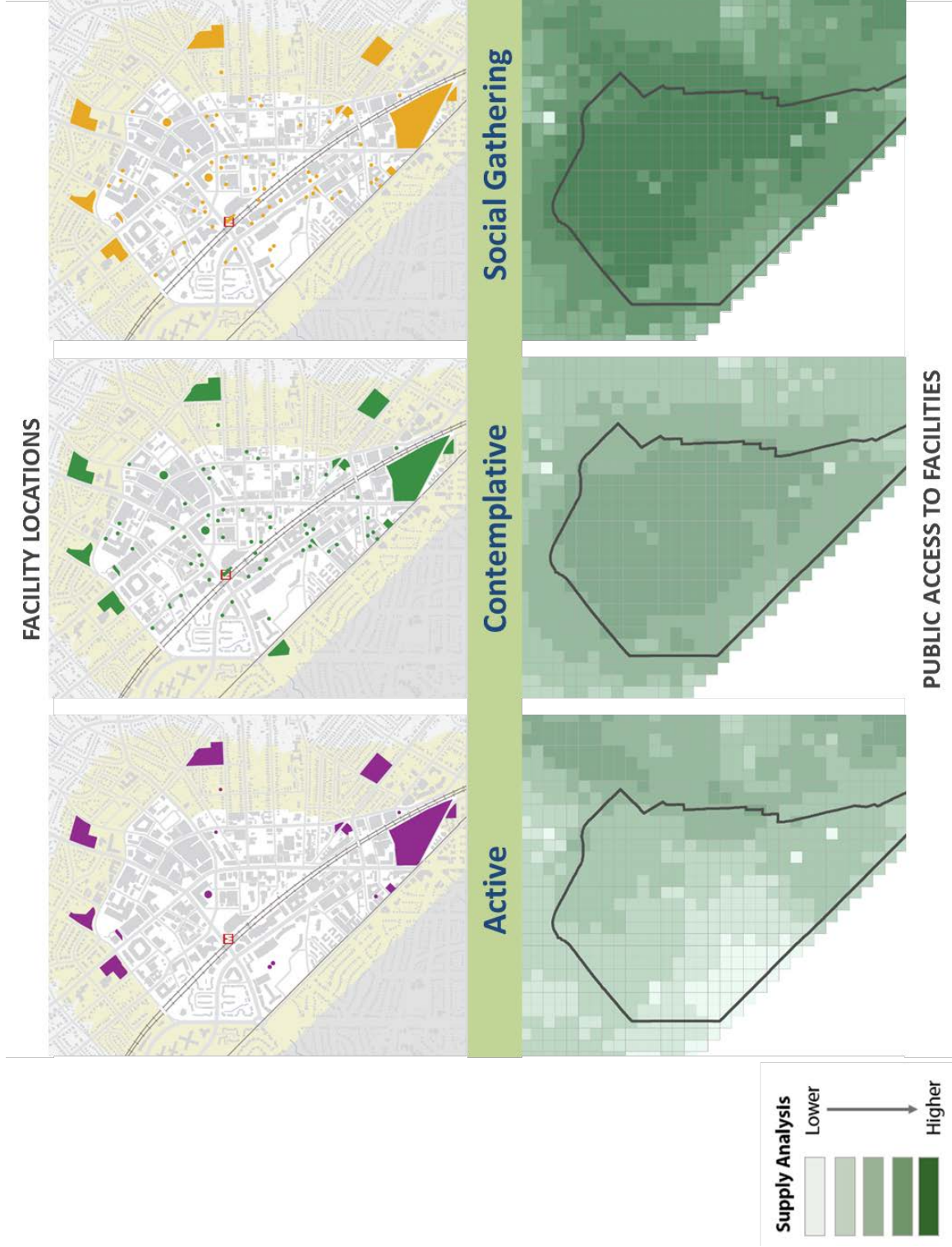


Figure 23 - Supply Score Maps for Active, Contemplative and Social Gathering Experiences, Pilot Area

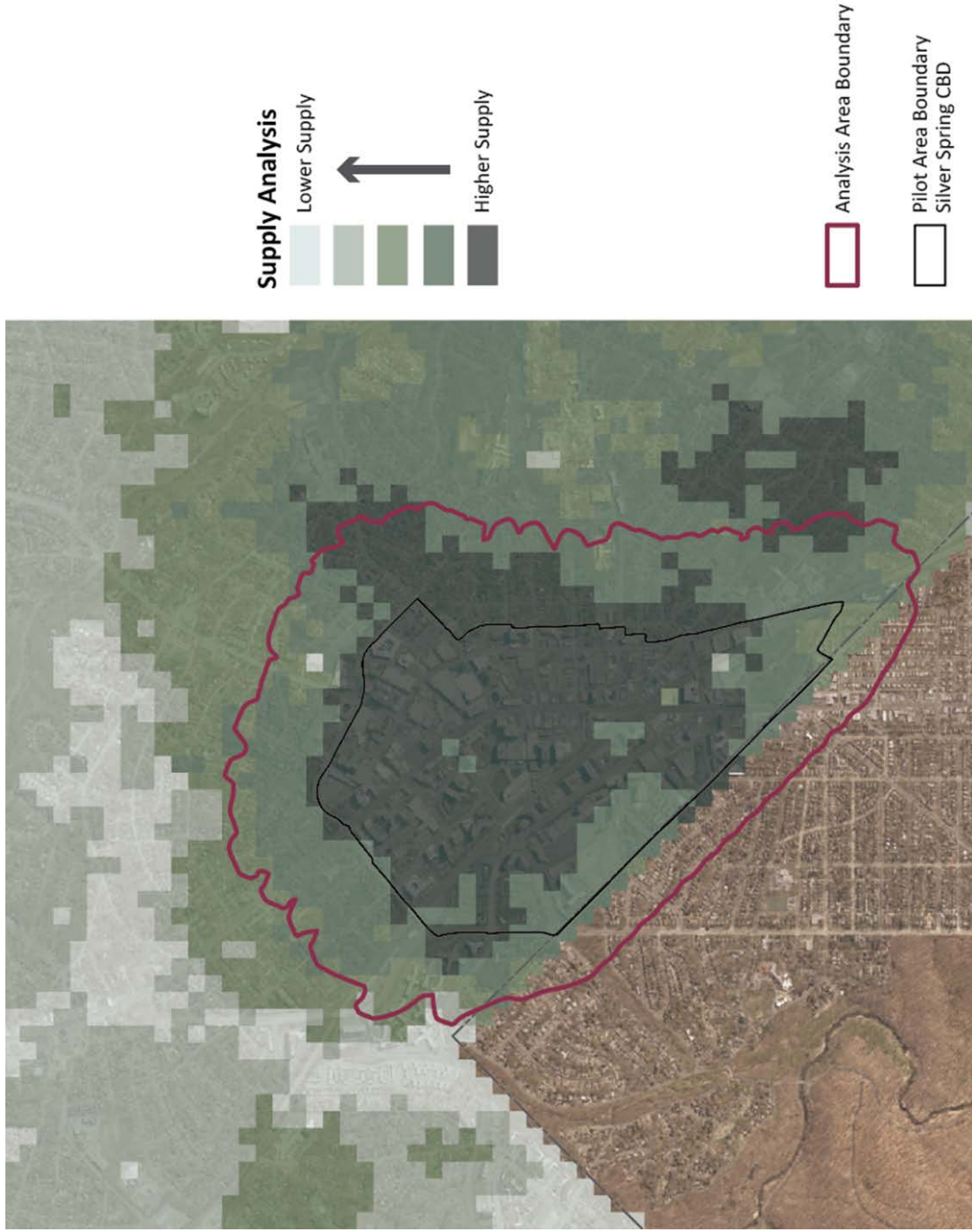


Figure 24 - Total Supply Score Map, Pilot Area

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Third, each facility within the inventoried park and open space system was scored based on how well it provides active, contemplative, and social gathering experiences. Fourth and finally, the Walkable Network Model was run to create maps indicating the level of access to park experiences across the Silver Spring CBD.

The relative supply of active, contemplative and social gathering experiences varies across the Silver Spring CBD and between the different types of experiences (*Figure 23*). The Total Supply Score map (*Figure 24*) shows the amount of all types of park and open space experiences that are within a 10-minute walk of each location within the Silver Spring CBD. These four graphics together lead to several conclusions about the supply of parks and open spaces across the Pilot Area.

- All areas of the CBD have some access to parks and open space within a reasonable walking distance, but the level varies significantly.
- The CBD contains a large number of small social gathering spaces, but has no large site for events within the center of the CBD.
- The center and western portions of the Pilot Area have a low supply of active recreation amenities, the most significant shortfall among the three experience types.

Demand for Parks and Open Spaces

For the Pilot Area, the demand for park and open space facilities was calculated based on the number of residents and daytime users (employees, visitors, shoppers, etc.) in an analysis area, as described in *Chapter 3*. The demand data is a sum of single-family residents, multi-family residents and daytime population estimates within each grid square in the Silver Spring CBD.

The demand data for the Pilot Area is mapped in *Figure 25*.

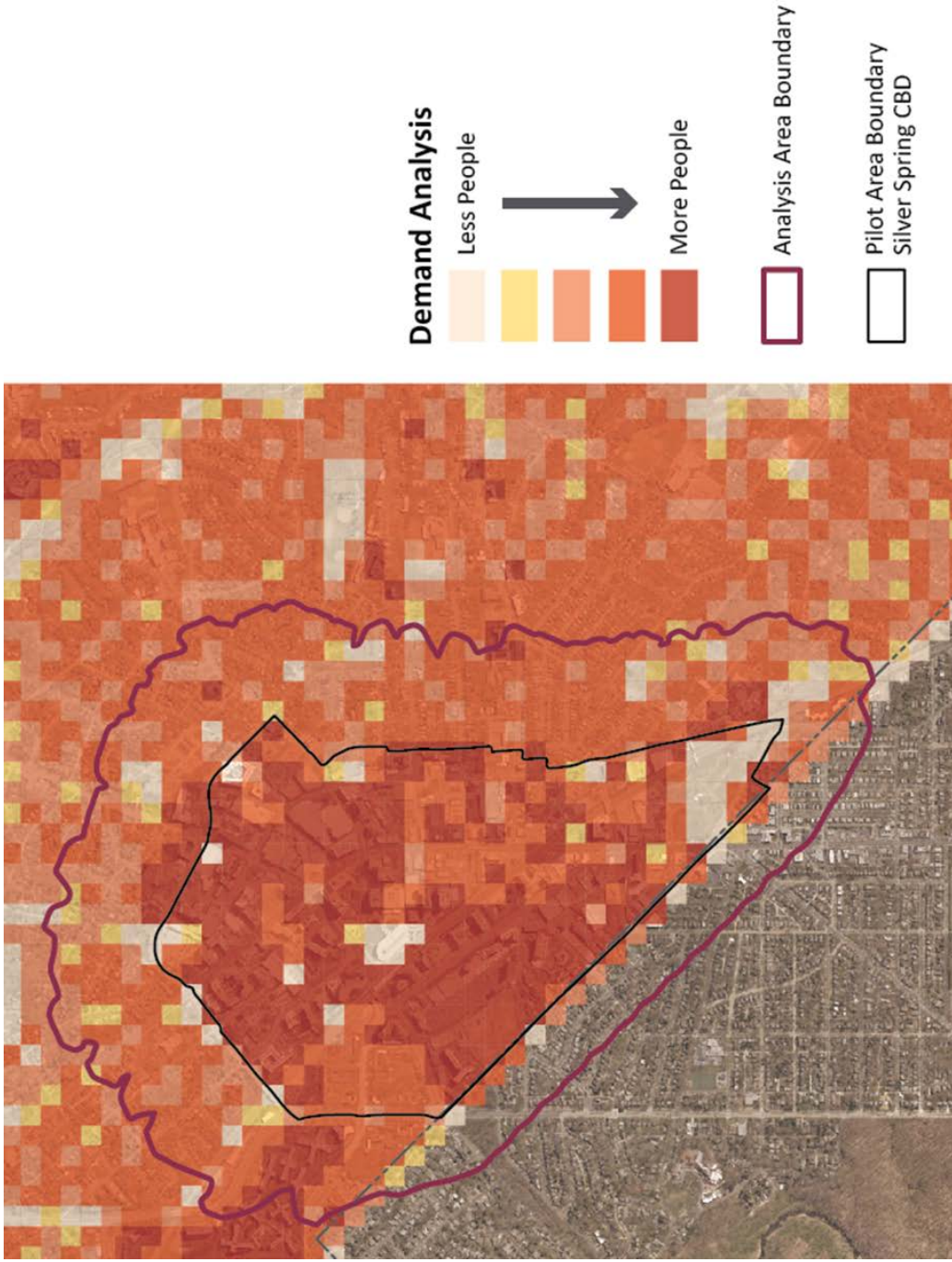


Figure 25 – Total Demand Score Map, Pilot Area

Analyze Data: Identify Level of Service

Combine and Analyze Supply and Demand Data

The first step in the analysis of the collected data as described in *Chapter 3* is to combine the supply and demand data sets so that each grid square in the Silver Spring Pilot Area has assigned supply and demand scores.

The next step is to determine the Supply/Demand Comparison Factor. Based on the analysis of the inventory of public spaces and the demand numbers in Silver Spring, the Supply/Demand Comparison Factor was established for the Pilot Area as a ratio of 2:1 Supply to Demand. The factor sets a threshold for where the supply is adequate to meet the demand. For this Pilot Area analysis, wherever the demand score exceeds twice the supply score, it is considered a lower level of service.

Outcome: Level of Service Map for Pilot Area

The results of the supply versus demand level of service analysis for the Pilot Area are shown below in *Figure 26*. The grid squares where Total Demand outstrips Total Supply are highlighted, indicating the location of the lowest level of service for parks and open space within the Silver Spring CBD.

This analysis indicates pockets of low service in many areas of the CBD, but all are concentrated near the core, not near the edges. This result is not unexpected due to the presence of so much supply of parks and open space at the edges of the CBD from the traditionally-located buffer parks. This Level of Service Map provides critical information for the next steps in the methodology to determine ideal locations for future open spaces.

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Figure 26 - Low Level of Service Areas, Pilot Area

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Analyze Data: Identify Opportunity Sites**Apply EPS Planning Framework to Pilot Area**

After completion of the quantitative analysis that resulted in the Level of Service Map for the Silver Spring CBD, the EPS Planning Framework was applied to the Pilot Area. As described in *Chapter 3*, the EPS Planning Framework is composed of two new approaches to traditional urban design analysis: the Hierarchy of Park Types and the Urban Parks and Open Space Design Guidelines. The Department of Parks reviewed the Hierarchy of Park Types to identify needs for new public and private open spaces of various types in the Silver Spring CBD. The Urban Parks and Open Space Design Guidelines were also used to identify potential opportunities to increase level of service for open space and parks in the most needed areas of the CBD.

Open Space Findings

Applying the EPS Planning Framework to the Silver Spring Pilot Area resulted in the findings described below. These findings assist in identifying and prioritizing opportunities to raise the level of service in the Silver Spring CBD.

Missing Central Civic Green

The Silver Spring CBD has a large amount of paved open spaces, both public and private. It has a civic plaza in the northeast quadrant in the Veteran's Plaza. However, it does not have a central Civic Green to serve the unique functions that such a space provides.

Missing Active Recreation

The central and western portions of the CBD are significantly lacking in active recreation opportunities. This lack of service needs to be addressed through implementation efforts.

Lack of Green Space and Natural Areas

The analysis indicates many small, largely paved contemplative spaces that appear to provide adequate supply of contemplative experiences throughout the CBD. However, the value of these spaces is lower than it could be due to the lack of natural landscape features such as trees, plants, flowers or lawn, that are integral to a high quality contemplative experience. Through the Pilot Area, there is a lack of green and nature-oriented spaces except on boundary of the CBD. The provision of additional green space within small POPS, larger parks, and new green parks and open spaces in the center of the CBD is key to adding to the health benefits of the open space network in the CBD.

Fragmented Public Space Network

The Pilot Area includes many small POPS (privately-owned public spaces), but very few larger parks or POPS exist other than on the perimeter of the CBD to provide for events and active recreation.

Major Connectivity Hub in Center of CBD

The new Silver Spring transit center and the future Purple Line Station adjacent creates a significant hub of bus, auto, and transit connectivity. This core area is currently served by one large POPS (Discovery Green), two small public parks (one existing and one in design), and a future POPS in front of the Purple Line station, but there may be additional ways to increase service to the many commuters, residents, employees, and visitors to commercial establishments in this central location.

Barrier to Connectivity Across CBD

The elevated railroad and Metro tracks create a significant barrier between the southwest area and the rest of the CBD. This barrier slices across the pedestrian connectivity of the CBD with only two crossing points in the middle of the CBD (Georgia Avenue and Colesville Road).

Identify Opportunity Sites

To identify potential opportunities to increase service to the Pilot Area and to address these findings, a planning level analysis was conducted by building upon the assessment done for the *2010 Silver Spring CBD Green Space Guidelines*. Sites identified in the 2010 plan along with additional sites based on current conditions and the findings from the quantitative and qualitative EPS methodologies were combined to create the initial list of opportunities for the Pilot Area.

The outcome of this two-stage analysis is a graphic illustration of the results of the quantitative level of service analysis combined with the results of the qualitative opportunity site analysis. *Figure 27* shows the combined outcome of the analysis portion of the EPS methodology (low levels of service) on the same graphic with these potential sites to increase the level of service (opportunities) for the Pilot Area. This information is now ready to be evaluated and implemented in the next steps of the methodology.

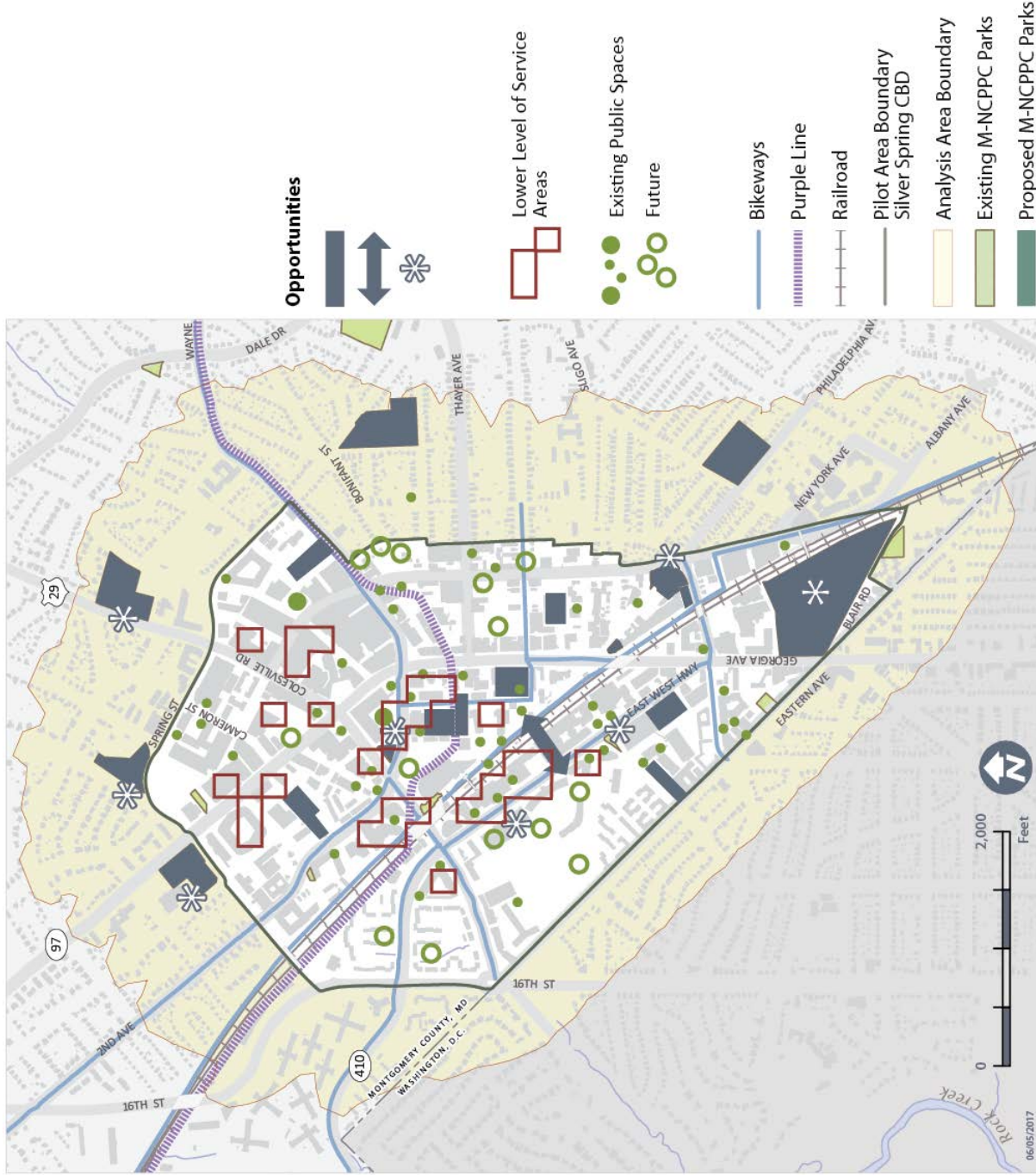


Figure 27- Opportunity Sites for Increasing Level of Service for Parks and Open Space, Pilot Area

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Pilot Area Results

Once the level of service calculations and the EPS Planning Framework analysis have been completed, then areas with a low level of service and potential opportunity sites are mapped for the Pilot Area. That information was used to select specific opportunities for additional open space and parks and to develop recommendations and implementation strategies for each opportunity site, as described in *Chapter 4*.

To create actionable results from the analysis, the potential opportunity sites in the Pilot Area were organized into the five implementation strategies (Activate, Connect, Renovate and Repurpose, Develop, and Acquire). The potential opportunities were then screened for feasibility, as described in *Chapter 4*. The results of the application of the EPS methodology to the Silver Spring Pilot Area are summarized in the following matrix (*Figure 28*).

Since the Pilot Area covers a small portion of the entire EPS Study Area, these results have not been prioritized yet by Social Equity. The methodology has not been applied to other areas of the EPS Study Area so there is nothing to which the Silver Spring results can be compared. As additional portions of the EPS Study Area are evaluated with the methodology, the results from the Silver Spring pilot analysis will be compared and prioritized.

This matrix serves as a menu of options that can increase the amount of active, contemplative, and social gathering experiences in the Silver Spring CBD through the EPS implementation program. Many of these opportunities to increase parks and open space service build upon prior recommendations for parks and open spaces from earlier planning efforts, including the *Silver Spring CBD Green Space Guidelines (2010)* and the *Silver Spring CBD Sector Plan (2000)*. Other options include new opportunities to increase park service that have been identified by

looking closely at the on-the-ground conditions within the low service areas, and by considering the broad range of implementation strategies being used in this Plan. The recommended opportunity sites are illustrated in *Figure 29* showing the range of strategies spread across the Pilot Area, including key recommendations to add service to the core of the Silver Spring CBD.

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Figure 28 – Matrix of Opportunities to Increase Parks and Open Space Level of Service in the Pilot Area

SITE	STRATEGY	DESCRIPTION	PREFERRED CREATION TECHNIQUE	PRIMARY EXPERIENCE BENEFITS	PROPOSED PARK NAME AND/OR TYPE	FEASIBILITY ESTIMATE
WOODSIDE URBAN PARK	Activate	Activate existing public park as part of comprehensive, year-round park activation program	-	Active, Social Gathering	Urban Recreational	High
FAIRVIEW LOCAL PARK	Activate	Activate existing public park as part of comprehensive, year-round park activation program	-	Active, Social Gathering	Neighborhood Park	High
ELLSWORTH URBAN PARK	Activate	Activate existing public park as part of comprehensive, year-round park activation program	-	Active, Social Gathering	Urban Recreational	High
GENE LYNCH URBAN PARK	Activate	Activate public park, possibly in partnership with nearby POPS	-	Active Social Gathering	Urban Plaza	Medium
ACORN URBAN PARK	Activate	Activate public park, possibly in partnership with nearby POPS	-	Active Social Gathering	Pocket Green	Medium
FENTON STREET URBAN PARK	Activate	Activate existing public park as part of comprehensive, year-round park activation program	-	Active Social Gathering	Fenton Village Neighborhood Green	High
JESUP BLAIR LOCAL PARK	Activate	Activate existing public park as part of comprehensive, year-round park activation program	-	Active Social Gathering	-	High
NEW RAILROAD ROW CROSSING	Connect	Create new connection across major pedestrian/bicycle barrier to increase access to all open spaces on both sides of tracks. Locate between Colesville Road and Georgia Avenue crossings.	-	Active, Contemplative, Social Gathering	-	Medium
OTHER CONNECTIVITY IMPROVEMENTS	Connect	Improve connections to access public space network.	-	Active, Contemplative, Social Gathering	-	Medium
WOODSIDE URBAN PARK	Renovate/ Repurpose	Major renovation underway. Construction to begin Summer 2017, estimated completion in 2019.	-	Active, Social Gathering	-	High
ELLSWORTH URBAN PARK	Renovate/ Repurpose	Renovate reclaimed space from brick house. Urban dog park recently added, successfully increasing park usage.	-	Active, Social Gathering	-	High

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SITE	STRATEGY	DESCRIPTION	PREFERRED CREATION TECHNIQUE	PRIMARY EXPERIENCE BENEFITS	PROPOSED PARK NAME AND/OR TYPE	FEASIBILITY ESTIMATE
SILVER SPRING INTERMEDIATE NEIGHBORHOOD PARK	Renovate/ Repurpose	Improve service through renovation of current facilities.	-	Active, Contemplative	-	High
BULLIS LOCAL PARK	Renovate/ Repurpose	Improve service through renovation of current facilities.	-	Active, Contemplative	-	High
ACORN URBAN PARK	Renovate/ Repurpose	Renovation design underway to preserve and interpret historic resources and provide new open space and play amenities.	-	Active, Contemplative, Social Gathering	-	High
FAIRVIEW LOCAL PARK	Develop	Add new facilities to underutilized space to provide more service. Preserve or expand Urban Wooded Area to reinforce natural, contemplative setting.	-	Active, Contemplative, Social Gathering	-	High
GENE LYNCH URBAN PARK	Develop	Develop new park on former road ROW at heart of Silver Spring CBD. Currently in Facility Design phase.	-	Social Gathering	-	High
PHILADELPHIA AVENUE URBAN PARK	Develop	Owned by Parks, but currently used for 14 public parking spaces (PLD Lot #18). Develop into an Urban Pocket Green.	-	Contemplative, Social Gathering	Pocket Green	High
JESUP BLAIR LOCAL PARK	Develop	Consider adding park amenities to underutilized space to provide more service. Respect historic setting and existing active uses.	-	Active, Contemplative, Social Gathering	-	High
CAMERON-SECOND GARAGE #7, SILVER SPRING PARKING LOT DISTRICT (PLD) *	Create	Create park space on roof in current state, or create open space or a park during redevelopment of site.	Partnership, Dedication, or Privately-Owned Public Space (POPS)	Active, Social Gathering	Countywide Urban Recreational	Low
WHOLE FOODS PARKING LOT *	Create	Create open space or park during redevelopment of site. Provide green space and/or recreational amenities to complement Veterans Plaza.	POPS or Dedication	Active, Social Gathering	POPS, Neighborhood Green, or Urban Recreational Parklet	Low
BONIFANT-DIXON GARAGE #5, SILVER SPRING PLD *	Create	Create park space on roof in current state, or create park during redevelopment of site. Site proposed for future arena to serve County needs.	Partnership, Dedication, or POPS	Active, Social Gathering	Countywide Urban Recreational	Low

PLANNING BOARD DRAFT - ENERGIZED PUBLIC SPACES FUNCTIONAL MASTER PLAN

SITE	STRATEGY	DESCRIPTION	PREFERRED CREATION TECHNIQUE	PRIMARY EXPERIENCE BENEFITS	PROPOSED PARK NAME AND/OR TYPE	FEASIBILITY ESTIMATE
RIPLEY DISTRICT CIVIC GREEN *	Create	Create core Civic Green to serve southern portion of Silver Spring CBD. Priority Site in SS CBD Green Space Guidelines.	Dedication, POPS, or Purchase	Active, Contemplative, Social Gathering	Civic Green	Medium
FENTON STREET VILLAGE GARAGE #4, SILVER SPRING PLD *	Create	Create open space during redevelopment of site.	POPS	Active, Contemplative, Social Gathering	POPS or Neighborhood Green	Medium
NEWELL STREET SELF-STORAGE *	Create	Create a linear park connecting to existing POPS at Newell and Kennett Streets and Acorn Urban Park. Priority site in SS CBD Green Space Guidelines. Opportunity for significant recreational amenities.	Dedication, POPS, or Purchase	Active, Contemplative, Social Gathering	Countywide Urban Recreational	Medium
LOTS BETWEEN KENNETT STREET AND EAST-WEST HIGHWAY *	Create	Create park to serve multiple needs. Priority site in SS CBD Green Space Guidelines. Opportunity for significant recreational amenities.	Dedication, POPS, or Purchase	Active, Contemplative, Social Gathering	Countywide Urban Recreational	Medium
FENTON STREET URBAN PARK EXPANSION *	Create	Purchase additional properties to complete the envisioned Park as identified in prior sector plan.	Purchase	Active, Contemplative, Social Gathering	Fenton Village Neighborhood Green	Medium

* Sites identified in the Matrix for creating new open space are preferred locations based on the quantitative and qualitative analysis; alternative locations within the vicinity of these sites may be appropriate to meet the identified needs and may substitute for the identified sites.

PLANNING BOARD DRAFT - ENERGIZED PUBLIC SPACES FUNCTIONAL MASTER PLAN

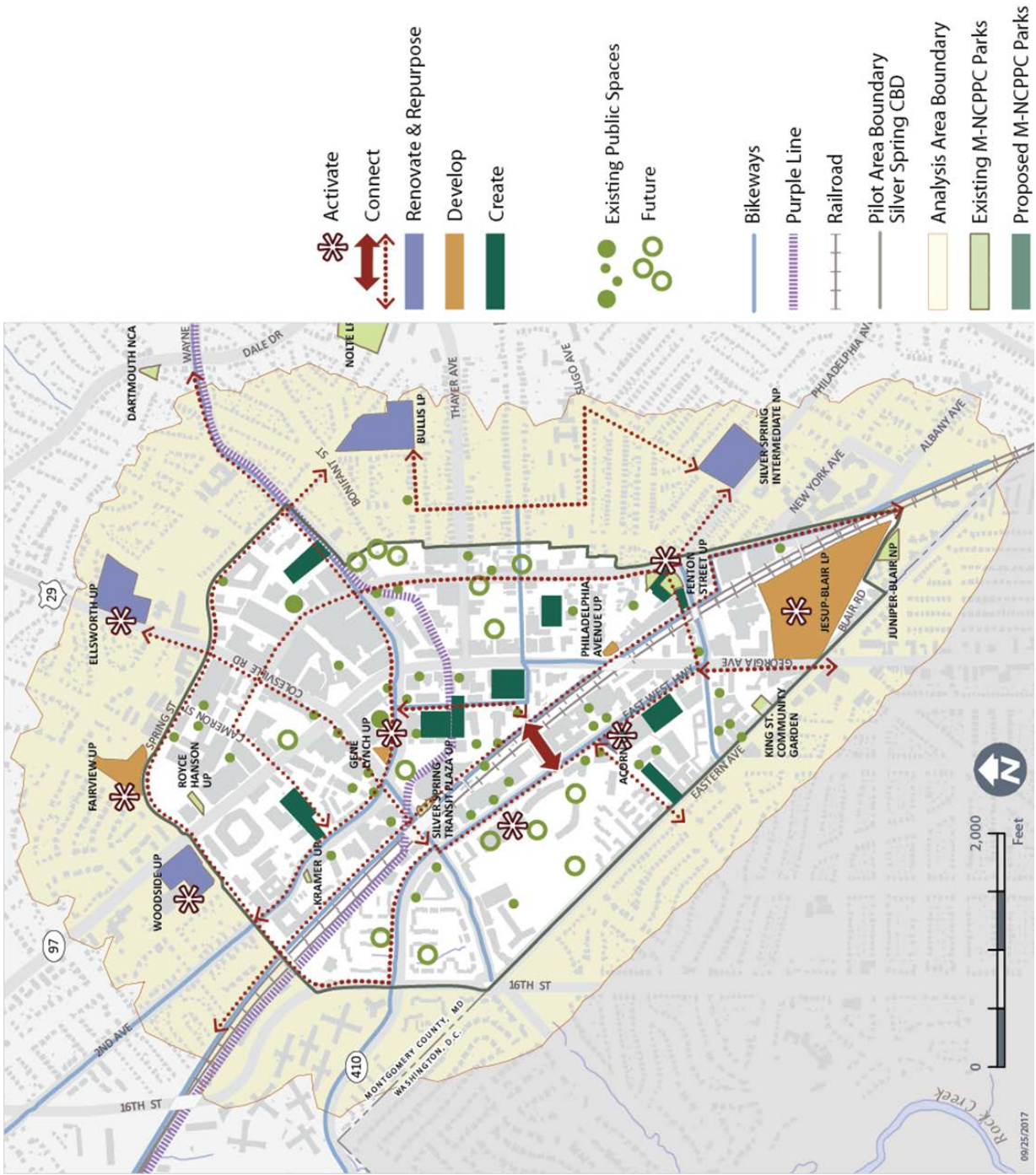


Figure 29 - Matrix of Opportunities Summary Map, Silver Spring Pilot Area

PLANNING BOARD DRAFT - ENERGIZED PUBLIC SPACES FUNCTIONAL MASTER PLAN

Pilot Area Implementation

Turning potential opportunities into reality in the Silver Spring CBD will take place through implementation of the Energized Public Spaces program as described in *Chapter 5*. As a Functional Master Plan, this Plan describes the parameters of the EPS program that will function over many years using many tools to reach the goals of increased walkable access to parks and open spaces to serve the residents in the County's most dense communities.

Since the population, amount of parks and open space, zoning, and other variables will change over the implementation phase of this Functional Master Plan, the quantitative and qualitative methodology can be applied again to determine if different or alternative opportunities should be identified. Such re-analysis in the future may also result in the removal of opportunities from the list if the site is no longer needed to increase the level of service in the Silver Spring CBD. Any revisions to the Matrix of Opportunities will be taken to the Planning Board for approval to update the *EPS FMP* program, as described in Chapter 5. Such approval may be obtained via review and approval of a report including new analysis and recommendations, or during a future master or sector plan process.

As noted in *Chapter 2*, each identified opportunity for new or improved open spaces and parks in the Pilot Area is not guaranteed to result in additional public open space through implementation of the *EPS FMP*. The Matrix of Opportunities (*Figure 28*) serves as a menu of options that can increase the amount of active, contemplative, and social gathering experiences to which residents and employees of the Silver Spring CBD have access. For opportunities in the Create strategy, suggested implementation techniques are identified in the Matrix of Opportunities, including partnerships, POPS, dedication of parkland, and/or purchase of parkland. For the sites where Purchase is one of the

potential tools, the site will be evaluated for potential acquisition following the standard park acquisition process.

Limitations on funding for acquisition, development and operation of parks; the level of interest of businesses, agencies and non-profits in pursuing partnerships; and the timing of private and public development projects will be major factors in the implementation of selected opportunities from the matrix. Implementation of these recommendations over the course of the Functional Plan will be flexible, allowing for the consideration of opportunity acquisition sites in additional appropriate locations, pursuing unforeseen partnerships with interested organizations, and using new implementation tools to meet the identified service needs of each community.

Acknowledgements

Staff

M-NCPPC Montgomery Parks

Director's Office

Michael F. Riley, Director
 Mitra Pedoeem, Deputy Director, Administration
 John Nissel, Deputy Director, Operations

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 Cristina Sasaki, Planner Coordinator, Project Manager
 Rachel Newhouse, Planner Coordinator
 Susanne Paul, Planner Coordinator
 Barbara Lerch, Senior Graphic Designer

Legacy Open Space Program

Brenda Sandberg, Manager Program

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Joe Calaway, Director of Operations, Wheaton Urban District

Andrew Fisher, Silver Spring Urban District

Aida Flores; Non-profit sector consultant

Mary Flynn, Founder, Coalition of Bethesda Area Residents (CBAR); Mayor, Town of Chevy Chase

Evan Goldman, Vice President Land Acquisition/Development, EYA

Eric Grosse, Friends of White Flint

Jack McLaurin, Vice President Planning/Design, EYA

Jill Ortman-Fouse, Member, Montgomery County Board of Education

Chris Ruhlen, Land Use Attorney, Lerch, Early and Brewer; ULI member

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Nicholas Dumais, Associate General Counsel

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John Marcolin, Planner Coordinator

Planning Area 2

Nancy Sturgeon, Master Planner/Supervisor

Planning Area 3

Marybeth O'Quinn, Planner Coordinator

Information Technology & Innovation, Division

Chris McGovern, Supervisor,

Research & Special Projects

Pamela Zorich, Planner Coordinator

Elected and Appointed Officials

County Council

Roger Berliner, President
Hans Riemer, Vice President
Marc Elrich
Nancy Floreen
Tom Hucker
Sidney Katz
George Leventhal
Nancy Navarro
Craig Rice

County Executive

Isiah Leggett

The Maryland-National Capital Park and Planning Commission

Elizabeth M. Hewlett, Chair
Casey Anderson, Vice Chair

Commissioners

Montgomery County Planning Board

Casey Anderson, Chair
Norman Dreyfuss, Vice Chair
Gerald R. Cichy
Natali Fani-Gonzalez
Tina Patterson

Prince George's County Planning Board

Elizabeth M. Hewlett, Chair
Dorothy F. Bailey, Vice Chair
William M. Doerner
Manuel R. Geraldo
A. Shuanise Washington

September 18, 2017

PLANNING BOARD DRAFT
ENERGIZED PUBLIC SPACES FUNCTIONAL MASTER PLAN
for Mixed Use and High Density Residential Areas

Maryland-National Capital Park and Planning Commission
Department of Parks, Montgomery County

MEMORANDUM



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>

BOARD OF TRUSTEES

Chairman Elizabeth M. Hewlett
 Vice Chairman Gerald R. Cichy

Andrea L. Rose
 Administrator

Khalid Afzal	Patricia Colihan Barney, CPA
Howard Brown	Pamela F. Gogol
Dr. Alicia Hart	Amy Millar
Sheila Morgan-Johnson	Barbara Walsh
Joseph C. Zimmerman, CPA	

To: The Commission Date: March 6, 2018

Via: Elizabeth M. Hewlett, Chairman *[Signature]*

From: Andrea L. Rose, Administrator *[Signature]*

Subject: Acknowledge Rick Liu as the Montgomery County Open Trustee to the Board of Trustees for the remainder of the term ending June 30, 2018 and the three-year term ending June 30, 2021

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 Rick Liu as the Montgomery County Open Trustee for the remainder of the term ending June 30, 2018 and the three-year term ending June 30, 2021.

BACKGROUND

In January 2018, Khalid Afzal, resigned after more than 16 years on the Board. Montgomery County Merit System employees were invited to apply for the Montgomery County Open Trustee seat. Rick Liu was the only candidate to apply by the February 23, 2018 deadline and is determined to have won by acclamation. At its March 6, 2018 meeting, the Board Acknowledged Rick Liu as the Montgomery County Open Trustee.

Mr. Liu has been with the Commission since 2014. Mr. Liu is an Economic Specialist in the Montgomery County Planning Department and provides financial and economic analysis on planning and zoning decisions. Mr. Liu has a high degree of fluency with how capital markets operate and how investment decisions are considered, not only within real estate but across all asset classes (equities, bonds, and other investment vehicles). Mr. Liu hopes to bring his knowledge, commitment and best efforts to ensure the ERS is financially sound for current and future members.

Thank you for your action.

MEMORANDUM



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

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BOARD OF TRUSTEES

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 Dr. Alicia Hart
 Sheila Morgan-Johnson
 Joseph C. Zimmerman, CPA

Patricia Colihan Barney, CPA
 Pamela F. Gogol
 Amy Millar
 Barbara Walsh

To: The Commission 7 Date: March 1, 2018

Via: Elizabeth M. Hewlett *BMS*
 Chairman, Board of Trustees

From: Andrea L. Rose *Andrea L. Rose*
 ERS Administrator

Subject: **Recommendation for Appointment of White Oak Global Advisors as a new Investment Manager for the Employees' Retirement System**

RECOMMENDATION

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System (ERS), I recommend the Commission approve White Oak Global Advisors as a new investment manager for the ERS.

BACKGROUND AND EVALUATION

At its December 5, 2017 meeting, the Board of Trustees approved the engagement of White Oak Global Advisors for a \$20 million middle market direct lending mandate. The mandate falls within the 7.5% Global Opportunistic Fixed Income allocation and is subject to successful negotiation of the Limited Partnership Agreement.



Middle market lending represents a potential investment opportunity in the current market environment given the imbalance between low supply of capital for middle market corporate borrowers and high demand from these companies. Securities primarily include first lien senior secured loans, but may also include term loans, asset-based lending, and equipment financing and opportunistic loans. Direct lending funds have a limited partner fund structure which includes a dollar commitment, drawdown period, investment term, leverage, and diversification across borrowers and industries. Targeted net IRR expectations are 10% net of fees which include a base management fee and performance fee.

The ERS' investment consultant, Wilshire Associates, analyzed the universe of middle market lending managers to identify managers that represent a best fit with the ERS' current portfolio and recommended the Board meet with Golub Capital, White Oak Global Advisors and Oaktree Capital Management. The Board awarded the \$40 million mandate equally to Golub Capital and White Oak Global Advisors. Golub Capital was approved as an investment manager in 2014 by the Board and Commission for a similar mandate.



March 12, 2018

To: Commissioners

From: Patricia Barney, Executive Director 
Anju A. Bennett, Chief Policy and Management Operations Division 

Re: EOB Feasibility Study Update (July 2017)

Overview and Action Requested

Last July, the EOB Feasibility Workgroup briefed the Commission on preliminary analysis regarding the long-term feasibility and costs of housing bi-county operations (Central Administrative Services (CAS)) at the Executive Office Building (EOB) in Riverdale, Maryland. The analysis was developed with guidance from Commissioners Doerner and Dreyfuss, who represent their respective Planning Board on the EOB Feasibility Work Group. The briefing presented background on the condition of the EOB, needed repairs and renovations, space shortages, and other challenges. Preliminary projections revealed that 10-year costs to renovate/operate EOB significantly exceeded market costs for housing CAS at alternate lease properties.

The Commission supported the Feasibility Workgroup’s recommendation to utilize a commercial space expert to conduct a comprehensive assessment of office space requirements, identify feasible alternatives for relocation including lease and purchase options, and provide detailed cost/benefit analysis of options.

This memo presents an update on the status of this feasibility review so the Commission may provide any direction it feels should be considered at that this time.

Status of EOB Relocation Feasibility Review

Significant progress has been made on the EOB Feasibility review.

- In fall, a detailed scope of work was developed, incorporating input from Commissioners. We also sought feedback from planning staff, project lead for the Wheaton move, Prince George’s Park Planning and Development Chief, Legal department, and Procurement office.
- Efforts were made to ensure scope of work was completed in a cost-effective manner. The procurement office was consulted to ensure project costs were competitive, and staff on the Feasibility Workgroup conducted extensive analysis and coordination of background to reduce consultant project hours.
- Commercial space expert Gensler is carrying out the scope of work with use of specialized experts to perform cost analysis/validation reviews and appraisal studies.
- The project tasks, which are outlined below, are actively underway. For time effectiveness, several tasks are being carried out concurrently.

- The project commenced January 31. At the commencement of the project, a session was held with consultant Gensler, Commissioners and staff on Feasibility Workgroup, and CAS leaders. This session reviewed project timetables and deliverables. Commissioners provided valuable feedback on project check ins and reports needed from consultants to assist the Commission in its decision making.

Project Scope

Task 1: Review the preliminary 10-year cost projections prepared by MNCPPC to house bi-county operations in current configuration.

The EOB was built in 1968, with many original systems and escalating costs to maintain the aging infrastructure. All but two CAS operations are presently housed at the EOB. The building houses the Departments of Finance, Legal, and Human Resources and Management; the Office of the Chief Information Officer (CIO); and Merit System Board. Two units (Office of the Inspector General and agency-wide Archives) are housed at offsite locations due to space challenges. The Employee's Retirement System would continue to be co-located with CAS operations due to frequent interactions with CAS departments.

Projected 10-year costs include:

- Cost to make needed improvements, critical repairs, and operate/maintain EOB.
- Cost to house two bi-county operations at offsite lease space due to space limitations at EOB. (Office of Inspector General and agency-wide Archives)

The Consultant is: Evaluating preliminary projections to ensure all relevant factors have been considered and are valid. The consultant has been asked to refine projections as needed, based on operational factors, needed improvements, and updated market data.

Status: This project task is underway with completion estimated by end of March. Preliminary cost estimates, supporting analysis and calculations were provided to consultant in February with follow up discussions in February and March.

Task 2: Conduct space needs assessment to produce a program of requirements (POR) for relocation and consolidation of all CAS operations.

The desired outcome for this study is to identify feasible, efficient, and cost-effective options for relocation of bi-county operations. To achieve this, the consultant must conduct a space needs assessment and develop a Program of Requirements that will establish parameters for relocation of CAS operations. The Program of Requirements will assume Office of the Inspector General and Archive operations will be consolidated with other bi-county operations to reduce housing costs and utilize shared spaces.

The Consultant will:

- Assess current office space, layout, and operational challenges.
- Analyze work functions and service delivery to determine office space requirements and adjacency requirements.

- Utilize best practices in workplace design to identify opportunities for improved space design, and more effective use of space.
- Consider, as applicable, office space standards approved by Planning Boards for Wheaton and Largo.

Status: This assessment is underway with completion estimated by end of April.

The consultant has been provided detailed space/floor plans, position functions and headcounts, office space allocations utilized by Wheaton/Largo, and EOB occupant surveys on facility concerns/challenges.

In February, Consultant conducted interviews with CAS leaders to learn about work functions, space challenges, space utilization, and areas that could benefit from improved layout/adjacencies. The consultant will develop Program of Requirements for offices/workstations, meeting rooms, support space, and shared spaces.

Task 3-4: Research and identify protentional options for relocation.

The consultant will analyze market to identify relocation options that meet the space needs identified in the POR, and the parameters supported by the Commission.

- Options will include purchase and lease options in Montgomery County and Prince George's County.
- Properties will be used as benchmarks to perform the cost-benefit analysis. The analysis will present estimated 10-year costs of lease versus purchase alternatives.

Status: These tasks will be carried out following the completion of Task 2. The consultant estimates completion of this phase by the end of June. However, research of properties will be completed by the end of May.

Task 5: Prepare an appraisal of the EOB to estimate the revenue that could be generated by selling the EOB.

Using market data about comparable sales or other recognized appraisal methods, EOB's site and condition, Gensler will provide an appraisal from a certified appraiser to be used in estimating revenue that may be generated from sale of the EOB on the open market.

Status: This task is underway and is slated for completion by the end of March/early April.

Task 6: Consultant will prepare final report for Commission

The Consultant will be providing updates throughout the project which will be shared with Commissioners on the Feasibility Workgroup. Commissioners Doerner and Dreyfuss will guide us on items that should be framed for input by the full Commission as we move through the review. We also will be providing regular updates to the Commission on the progress.

At the completion of the project, the consultant will provide a final report summarizing work/findings on each task, comparing costs and benefits of alternatives, including location evaluations for the sites identified in Task 3-4.

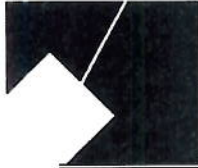
Status: The consultant estimates completion of this phase by the end of July.

At the conclusion of Task 6, we will be seeking direction from the Commission to pursue a lease or purchase option. The selected option may require additional assessments such as architectural and design services which are not covered in Tasks 1-6. Based on the Commissions direction, timing of acquisition, and projected costs, we will present recommendations to consider a budget amendment in 2019 or incorporate the relocation into our 2020 budget proposal.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF FEBRUARY 2018**


	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Jan-18	Feb-18	Jan-18	Feb-18	Jan-18	Feb-18	Jan-18	Feb-18
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	0	0	0	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	1	1	0	0	1	0	2	1
INTERNAL AUDIT	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	2	0	1	0	0	0	3	0
LEGAL DEPARTMENT	1	1	1	2	0	0	2	3
FINANCE DEPARTMENT	4	1	0	1	0	0	4	2
PRINCE GEORGE'S PLANNING	0	3	0	0	0	0	0	3
PRINCE GEORGE'S PARKS & RECREATION	8	11	3	3	2	0	13	14
MONTGOMERY COUNTY PARKS	3	3	0	2	0	0	3	5
MONTGOMERY COUNTY PLANNING	2	4	2	2	0	0	4	6
DEPARTMENT TOTAL BY DAYS LATE	21	24	7	10	3	0		
COMMISSION-WIDE TOTAL							31	34

**DEPARTMENTS WITH RATINGS MORE THAN 60 DAYS LATE HAVE BEEN CONTACTED.

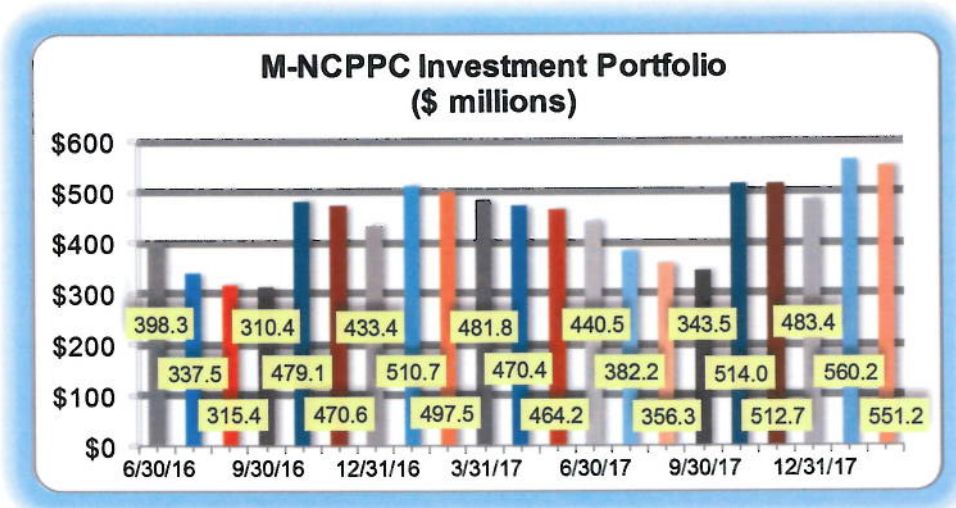


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 TREASURY OPERATIONS, FINANCE DEPARTMENT
 6611 Kenilworth Avenue, Suite 302, Riverdale, MD 20737
 Telephone (301) 454-1541 / Fax (301) 209-0413

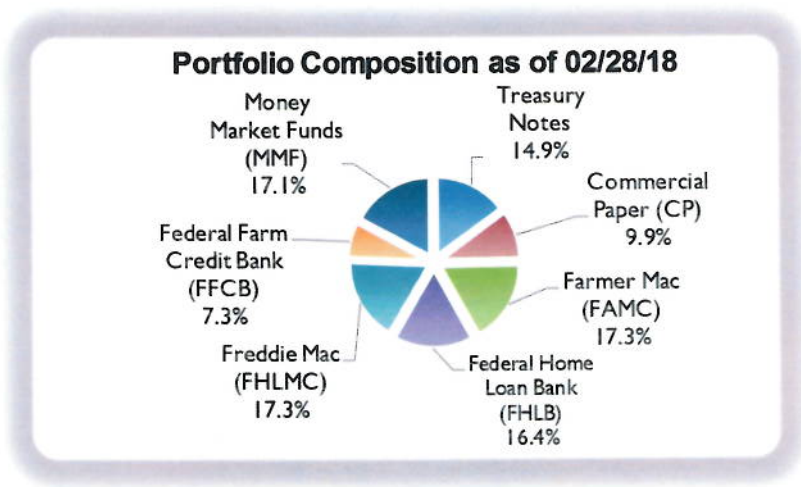
MEMO

TO: Commissioners
VIA: Joseph Zimmerman, Secretary-Treasurer
FROM: Abbey Rodman, Investment & Treasury Operations Manager 
DATE: 3/8/2018
SUBJECT: Investment Report – February 2018

The Commission’s pooled cash investment portfolio totaled \$551.2 million as of February 28, 2018, with a 1.6% decrease from January 31, 2018. Details are as follows:

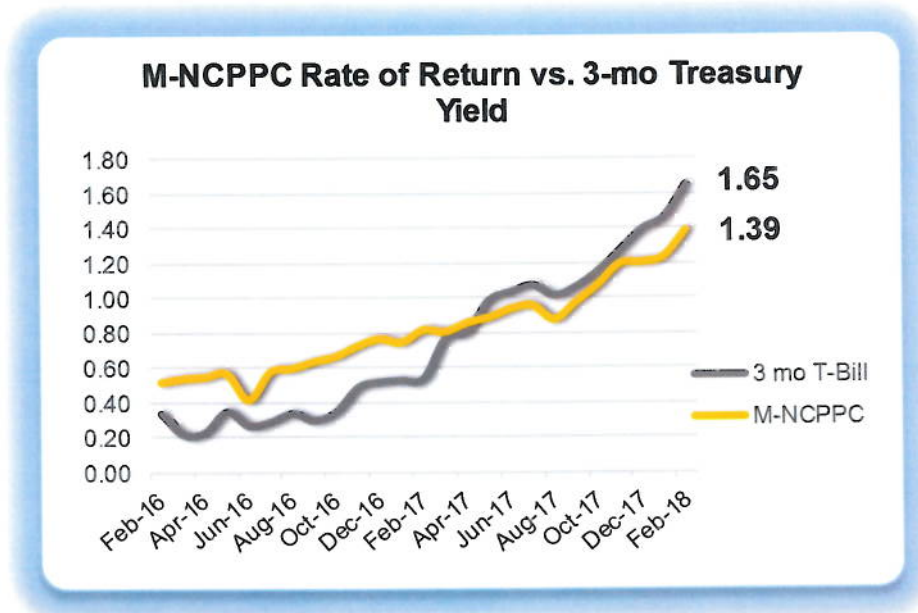


The composition of the pooled cash portfolio as of February 28, 2018 is summarized below:

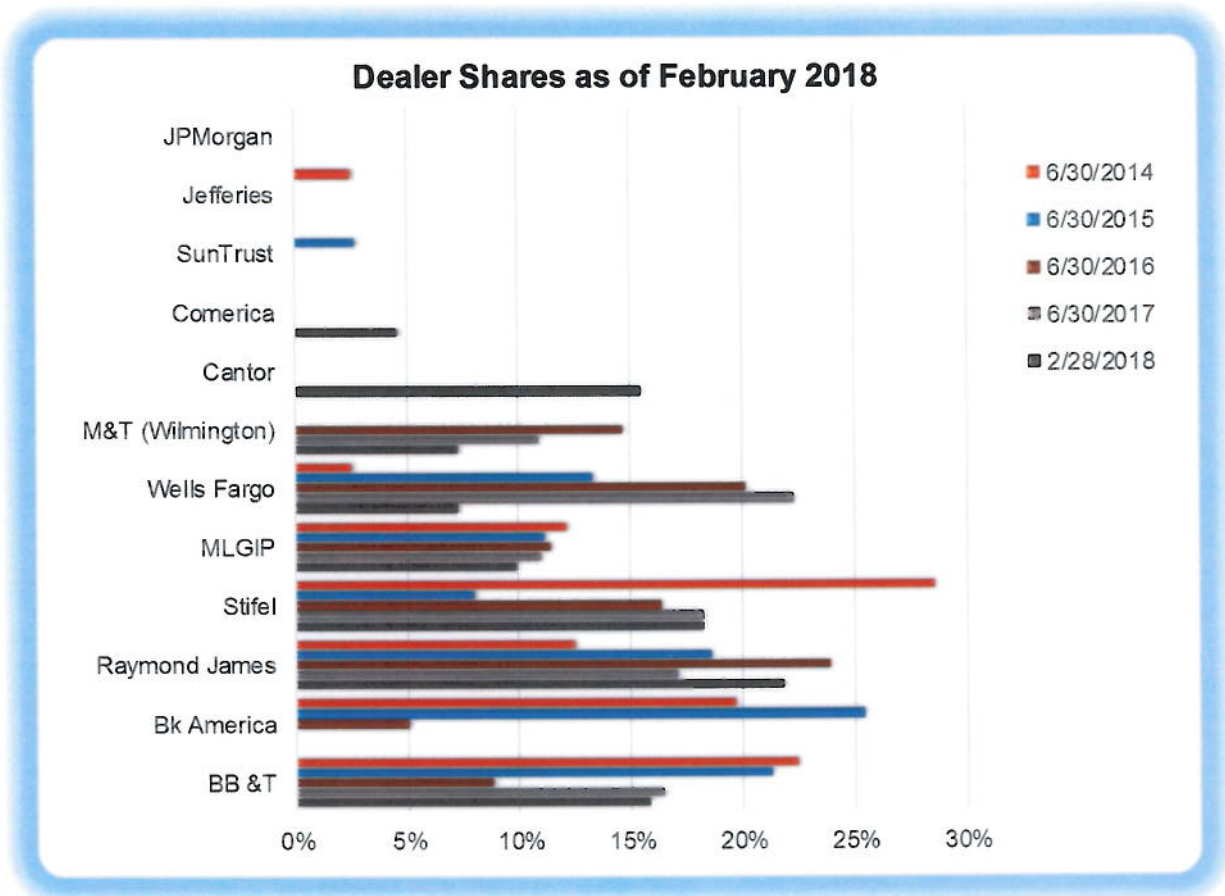


Current Investment Portfolio - February 2018				
Instrument	Policy Limit	Actual	Par Value	Wtd. Avg. Return (B/E)
Farmer Mac	20%	17%	\$ 95,000,000	1.42%
Freddie Mac	20%	17%	95,000,000	1.49%
Money Funds	25%	17%	94,190,196	n/a
Federal Home Loan Banks	20%	16%	90,000,000	1.37%
Treasury Notes	100%	15%	82,000,000	1.00%
Commercial Paper	10%	10%	55,000,000	2.15%
Federal Farm Credit Bureau	20%	7%	40,000,000	0.81%
Fannie Mae	20%	0%	-	
Certificates of Deposit	50%	0%	-	
Bankers Acceptances	50%	0%	-	
Repurchase Agreements	60%	0%	-	
			\$ 551,190,196	1.36%

The pooled cash portfolio complied with all policy limits with regard to product types and proportions throughout the month.



In addition to the product limits, portfolio purchases also adhered to the 30% limit per dealer. Dealer participation is shown below:



The market values of unspent debt balances (invested by T. Rowe Price) were as follows:

Market Value - February 2018	
Prince George's County (PGC-2017A)	\$ 23,046,074
Montgomery County (MC-2017A)	4,152,067
	<u>\$ 27,198,140</u>

The Commission had no debt service payments during the month.

Details by issue of debt outstanding as of February 28, 2018 appear below:

Debt Balances - February 2018					
	Initial Par	Amount Outstanding	% Outstanding	Issue Date	Maturity Date
Bi-County					
Total Bi-County	\$ -	\$ -	0%		
Prince George's County					
KK-2 (Refunded AA-2)	17,300,000	1,856,181	11%	Apr-08	May-18
NN-2 (Refunded Z-2)	14,080,000	5,465,000	39%	Mar-10	May-21
PGC-2012A (Refunded P-2, M-2, EE-2)	11,420,000	5,225,000	46%	Jun-12	Jan-24
PGC-2014A	26,565,000	22,400,000	84%	May-14	Jan-34
PGC-2015A (Refunded JJ-2)*	24,820,000	23,135,000	93%	Oct-15	Jan-36
PGC-2017A	33,000,000	31,350,000	95%	Jul-17	Jan-37
Total Prince George's County	\$ 127,185,000	\$ 89,431,181	70%		
Montgomery County					
LL-2	8,405,000	1,710,000	20%	May-09	Nov-20
MM-2	5,250,000	525,000	10%	May-09	Nov-19
MC-2012A (Refunded CC-2, FF-2)	12,505,000	9,185,000	73%	Apr-12	Dec-32
MC-2012B	3,000,000	2,375,000	79%	Apr-12	Dec-32
MC-2014A	14,000,000	11,970,000	86%	Jun-14	Jun-34
MC-2016A	12,000,000	11,140,000	93%	Apr-16	Nov-35
MC-2016B (Refunded FF-2, II-2, MM-2)	6,120,000	5,940,000	97%	Apr-16	Nov-28
MC-2016C (Refunded FF-2 ALA of 2004)	1,075,000	885,000	82%	Apr-16	Nov-24
MC-2017A	8,000,000	7,600,000	95%	Apr-17	Nov-36
Total Montgomery County	\$ 70,355,000	\$ 51,330,000	73%		
Total	\$ 197,540,000	\$ 140,761,181	71%		

ATTACHMENT A

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 REPORT ON COMPLIANCE TO INVESTMENT POLICY Approved March 21, 2012
 FISCAL YEAR 2018 - February 28, 2018

OBJECTIVES			Met Objective	Within Limits	Comments
Protection of principal			Yes		
Limiting types and amounts of securities	Limit			Yes	
US Government	100%				
US Federal Agencies - combined	60%				
US Federal Agencies - each	20%				
Repurchase Agreements	60%				
CD's and Time Deposits	50%				
Commercial Paper	10%				
Money Market Mutual Funds	25%				
MD Local Gov't Investment Pool	25%				
Investing Bond Proceeds:					
State and local agency securities	100%				
Money Market Mutual Funds	10%				
Bond Proceeds:					
Highly-rated state / local agency securities				Yes	T. Rowe Price managed all funds within limits
Highly-rated money market mutual funds (Max. 10% in lower-rated funds)					
Pre-qualify financial institutions, broker/dealers, intermediaries and advisers				Yes	All firms must meet defined capital levels and be approved by the Secretary-Treasurer
Ensure competition among participants	30%			Yes	No dealer share exceeded 30%
Competitive Bidding				Yes	All purchases awarded competitively.
Diversification of Maturities					
Majority of investments shall be a maximum maturity of one (1) year. A portion may be as long as two years.				Yes	All maturities within limits
Require third-party collateral and safekeeping, and delivery-versus-payment settlement				Yes	M&T Investments serves as custodian, monitoring compliance daily
Maintain sufficient liquidity			Yes		Sufficient funds available for all cash requirements during period
Attain a market rate of return			No		Less than market by 26 basis points
The pro-rated rates of return for the portfolio and T-bills were 1.65% and 1.39%, respectively.					



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

Reply To

March 7, 2018

Adrian R. Gardner
 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: Adrian R. Gardner
 General Counsel

RE: Litigation Report for February 2018

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, March 21, 2018. 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.

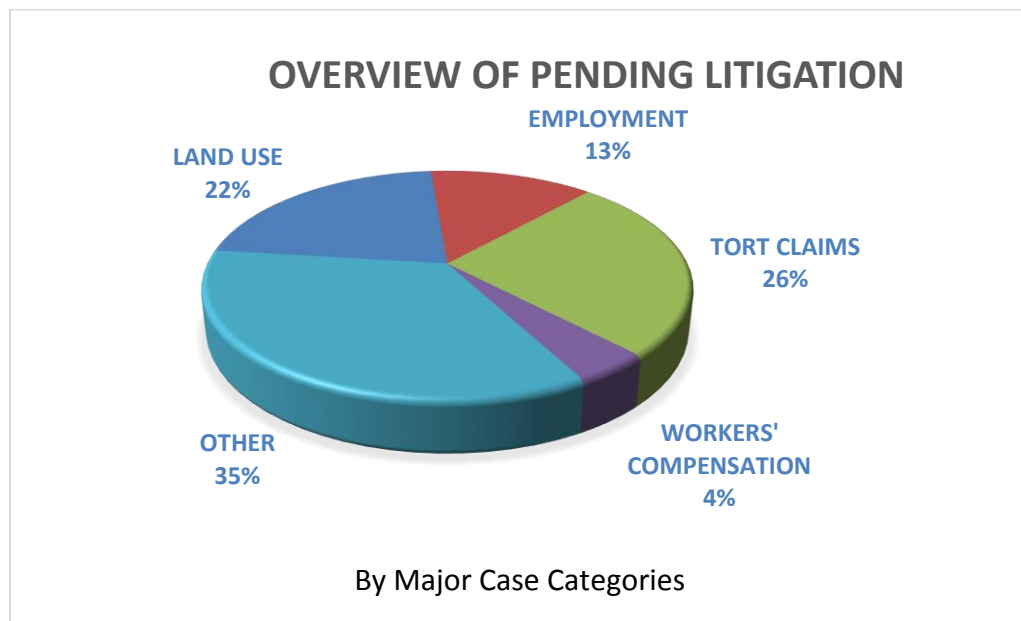
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February 2018 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Federal Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	1		1				2
Admin Appeal: Other							0
Land Use Dispute					1		1
Tort Claim	6						6
Employment Dispute	1		1				2
Contract Dispute	3		2				5
Property Dispute			2				2
Civil Enforcement							0
Workers' Compensation	1						1
Debt Collection							0
Bankruptcy							0
Miscellaneous	2				1		3
Per Forum Totals	14	0	6	0	2	0	22



February 2018 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2018			
	Pending In Jan 2018	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	2			4		2	
Admin Appeal: Other (AAO)	0			0			
Land Use Disputes (LD)	1			1	1	1	
Tort Claims (T)	6			6	5	5	
Employment Disputes (ED)	3		1	1	3	2	
Contract Disputes (CD)	5		1	2	5	2	
Property Disputes (PD)	2			1	2		
Civil Enforcement (CE)	0			0			
Workers' Compensation (WC)	1			2	1	2	
Debt Collection (D)	0			0			
Bankruptcy (B)	0			0			
Miscellaneous (M)	3			5		2	
Totals	23		2	22	16	16	22

**INDEX OF YTD NEW CASES
(7/1/2017 TO 6/30/18)**

<u>A. New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Moore v. Thompson, et al	PG	Tort	July 17
Evans v. Commission	MC	Tort	Aug 17
Gregg v. Commission	PG	ED	Sept 17
Commission v. McCoy	PG	CD	Oct 17
Commission v. Clean Air Mechanical, Inc., et al	MC	CD	Oct 17
Commission v. Carillo-Cruz	MC	WC	Oct 17
Bundu v. Bowman	PG	Tort	Oct 17
Chick v. Commission	PG	ED	Dec 17
Adesakin v. Commission	PG	Tort	Jan 18
Diggs v. Robinson, et al	PG	Tort	Jan 18
Commission v. Clean Air Mechanical, Inc., et al	MC	CD	Jan 18
<u>B. New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
URS v. Commission	MC	CD	April 17
Rounds v. Commission	MC	PD	Sept 17
Rounds v. Commission	MC	PD	Oct 17
Fort Myers Construction Corp v. Commission	MC	CD	Nov 17
Pulte Home Corp. v. Montgomery County, et al	MC	LD	Nov 17
Burnette v. Commission	PG	ED	Jan 18

**INDEX OF YTD RESOLVED CASES
(7/1/2017 TO 6/30/18)**

C. <u>Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Parker v. Commission	PG	WCC	July 2017
Commission v. Pollard	MC	WCC	Sept 2017
Pulte Home Corp., et al v. Mont. County, et al	MC	LD	Sept 2017
Green v. Commission	PG	Tort	Oct 2017
Swain v. Seay, et al	PG	Misc	Oct 2017
Shipe v. Louketis, et al	MC	Tort	Nov 2017
Tugwell v. Louketis, et al	MC	Tort	Nov 2017
Fort Myer Construction Corp v. Commission	MC	CD	Nov 2017
Rounds v. Commission, et al	MC	Tort	Nov 2017
Moore v. Thompson, et al	PG	Tort	Dec 2017
Grier, et al v. Commission	PG	AALU	Dec 2017
Burnette v. Commission	PG	ED	Feb 2018
Commission v. Clean Air Mechanical, Inc. et al	MC	CD	Feb 2018

D. Appellate Court Cases Resolved.

Cohhn v. Commission	MC	Misc	Nov 2017
Friends of Croom Civic Assoc., et al v. Commission	PG	AALU	Nov 2017
Gregg v. Commission	PG	ED	Dec 2017

Disposition of FY18 Closed Cases Sorted by Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources & Management		
Montgomery County Department of Planning		
Rounds v. Commission, et al	Defense of claim for alleged slander of title regarding Farm Road easement.	08/25/17- Court grants Commission's Motion to Dismiss
Montgomery County Department of Parks		
Cohhn v. Commission	Plaintiff appealed Circuit Court ruling granting the judgment in favor of the Commission and denying Plaintiff's request to restrain Commission's Archery Managed Deer Hunting Program in Montgomery County.	10/18/17- Court affirms decision of lower court that granted summary judgment in favor of Commission's authorization of bow hunting on its properties
Commission v. Clean Air Mechanical Inc., et al	Commission files complaint for breach of contract, fraud and misrepresentation arising out of purchase order for installation of three DDU units at Cabin John and Wheaton Ice rinks.	12/28/17-Court orders venue of case to be changed to Prince George's County
Fort Myer Construction Corporation v. Commission	Plaintiff filed complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County	10/10/17- Court grants Commissions' Motion to Dismiss, case dismissed with prejudice

Montgomery County Park Police			
Shipe v. Louketis, et al	Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.	10/06/17 Voluntary dismissal in entirety with prejudice	
Tugwell v. Louketis, et al	Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.	10/06/17 Voluntary dismissal in entirety with prejudice	
Montgomery County Planning Board			
Pulte Home Corporation, et al v. Montgomery County, et al	Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.	08/25/17- Court grants Defendants' Motion for Judgment on Pleadings; case dismissed	
Prince George's County Department of Parks and Recreation			
Commission v. Pollard	Employer is seeking de novo judicial review of the WCC's decision that the Claimant had suffered a 39% worsening of condition regarding his right hip since the last permanency award and found no cause for apportionment to preexisting conditions.	07/28/17- Joint Motion to Remand to WCC	
Green, et al v. Commission	Defense of claim for personal injury involving fall by minor child from playground equipment at Peppermill Recreation Center.	08/30/17-Case dismissed with prejudice	
Moore v. Thompson, et al	Defense of claim for property damage involving vehicle owned by Commission.	10/26/17-Case dismissed under Rule 3-506	
Parker v. Commission	Claimant/employee is seeking de novo judicial review of the WCC's decision denying she has an occupational disease.	6/26/17-Case settled and remanded to WCC	
Swain v. Seay, et al	Plaintiff files to foreclose a statutory attorney's lien on property with a Historic Agriculture Resource Preservation Program Deed of Easement.	09/01/17-Case voluntarily dismissed	
Prince George's County Planning Department			
Prince George's County Planning Board			

Friends of Croom Civic Association, et al v. Commission	Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan 4-11004 in Stephen's Crossing at Brandywine.	05/08/17-Court affirmed judgment of Circuit Court for Prince George's County Planning Board
Grier, et al v. Commission	Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan of Subdivision 4-16032 in Laurelind-orinan Estate.	11/27/17-Court affirmed Planning Board's decision
Prince George's Park Police Burnette v. Commission	Former park police officer seeks judicial review of termination.	12/26/17-Order of Court affirming Administrative Hearing Board decision
Gregg v. Commission	Plaintiff filed complaint for alleged race and gender discrimination.	11/06/17-Case settled and dismissed
Office of Internal Audit		

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DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Adesakin v. Commission

Case #0502-0036346-2017 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Complaint for property damage to Plaintiff's motor vehicle.

Status: Case settled.

Docket:

12/01/17	Complaint filed
01/05/18	Notice of Intention to Defend filed
01/30/18	Affidavit Judgment denied due to lack of supporting documents; to be set for ex parte proof hearing
2/11/18	Case Settled

Chick v. Commission

Case #0502-0036532-2017 (ED)

Lead Counsel: Adams
Other Counsel:

Abstract: Plaintiff filed complaint alleging breach of settlement agreement based on Plaintiff's disputed interpretation.

Status: Pending trial.

Docket:

12/06/17	Complaint filed
01/19/18	Notice of Intention to Defend filed; Counter Claim filed
04/04/18	Trial date

Commission v. McCoy

Case #0502-0025950-2017 (CD)

Lead Counsel: Adams
Other Counsel:

Abstract: Complaint for property damage to Commission's golf cart.

Status: Case stayed.

Docket:

08/31/17	Complaint filed
11/17/17	Case stayed pending settlement negotiations

Milam v. Doe and Commission
Case No. 0502-0034226-2016(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving vehicle owned by Commission.

Status: Pending trial.

Docket:

12/27/16	Complaint filed
02/03/17	Subpoena served on Commission
03/22/17	Court issues notice of service on Commission
05/01/17	Commission requests re-issue for dormant service
05/19/17	Motion to Quash Service filed by Commission
06/05/17	Notice of Service stricken
09/28/17	Amended Complaint filed
04/05/18	Trial date

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Bundu v. Bowman
CAL17-28259 (Tort)

Lead Counsel: Adams
Other Counsel:

Abstract: Defense of claim for personal injury involving motor vehicle accident in Prince George's County.

Status: Pending hearing.

Docket:

10/12/17	Complaint filed
11/02/17	Service of complaint on Commission
11/17/17	Answer to Complaint filed by Commission
03/29/18	Pre-trial hearing

Commission v. Clean Air Mechanical Inc., et al
Case No. CAL18-00211 (CD)

Lead Counsel: Adams
Other Counsel:

Abstract: Commission files complaint for breach of contract, fraud and misrepresentation arising out of purchase order for installation of three DDU units at Cabin John and Wheaton Ice rinks.

Status: Pending hearing.

Docket:

01/03/18	Case transferred to Prince George's County from Montgomery County (438017-V)
01/16/18	Answer to complaint and Motion to Dismiss and/or Motion for Summary Judgment filed by Defendants
02/02/18	Voluntary dismissal of Hudgins and Hardesty; Opposition to Motion for Summary Judgment filed; Amended Complaint filed
05/14/18	Pretrial conference

Commission, et al v. The Town of Forest Heights

CAL 16-29110 (M)

Lead Counsel: Mills
Other Counsel:

Abstract: Commission filed a declaratory judgment action against the Town of Forest Heights.

Status: Case closed.

Docket:

07/20/16	Complaint filed
08/31/16	Defendant filed Answer
09/20/16	Court returns Defendant's Answer failure to pay filing fees
09/27/16	Defendant files Answer
02/08/17	Pretrial conference
04/10/17	Defendant files Motion to Dismiss and/or Motion for Summary Judgment
04/19/17	Joint Response by Plaintiffs to Defendant's Motion to Dismiss and/or for Summary Judgment
06/21/17	Oral argument held; awaiting decision from Court
01/31/18	Court denies Defendant's Motion to Dismiss and/or in the alternative, Motion for Summary Judgment; declares Sixth and Seventh Annexations by Defendant null and void and Defendant may not exercise law enforcement on Commission property

Diggs v. Robinson, et al

Case No. CAL17-40851(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury following an automobile accident.

Status: Complaint filed.

Docket:

12/20/17	Complaint filed
01/08/18	Defendant Robinson served via certified mail
01/29/18	Plaintiff files Amended Complaint
02/02/18	Answer to Complaint filed

O'Brien v. Sports & Learning Complex
CAL17-00241(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving slip and fall at swimming pool.

Status: Pending trial.

Docket:

01/11/17	Complaint filed
03/03/17	Service of complaint on Commission
03/31/17	Amended Complaint filed
08/09/17	Pre-trial conference
02/27/18	ADR Conference
04/10/18	Trial

Pletsch, et al v. Commission
CAL17-12150(AALU)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan of Subdivision 4-16006 Melford Village.

Status: Decision affirmed.

Docket:

05/10/17	Petitioners' filed Petition for Judicial Review
06/09/17	Commission filed Response to Petition
01/19/18	Oral Argument, Court affirms Planning Board ruling
02/16/18	Notice of Appeal filed by Plaintiffs

Price, et al v. Prince George's County, et al

CAE16-37806 (M)

Lead Counsel: Gardner
Other Counsel: Dickerson

Abstract: Plaintiffs file lawsuit for injunctive relief questioning validity of certain personal tax enactments involving the Commission and Prince George's County.

Status: Case dismissed.

Docket:

09/30/16	Complaint filed
01/03/17	Motion to Dismiss or in the alternative, Motion for Summary Judgment filed by Defendant, P. G. County
01/06/17	Status Conference
01/31/17	Plaintiff's Opposition to Defendant, PG County's Motion to Dismiss
03/08/17	Defendant, PG County files answer to Complaint
04/24/17	Amended Complaint filed
05/03/17	Commission served with amended complaint
05/24/17	Commission files entry of appearance
06/13/17	Commission files Motion to Dismiss
06/30/17	Pretrial conference
07/07/17	Plaintiff's Opposition to Commission's Motion to Dismiss or in the alternative, Motion for Summary Judgment
09/19/17	Motions hearing; Motion to Dismiss denied by Court
10/02/17	Motion to Amend Judgment filed by County and County Council
10/16/17	Plaintiff's Opposition to Motion to Amend Judgment filed
10/23/17	Order of Court denying County and County Council's Motion to Amend Judgment
12/13/17	Court Trial
01/11/18	Disposition hearing
01/23/18	Court grants Defendants' Motion to Dismiss Amended Complaint and alternatively entered judgment in favor of the Commission
02/12/18	Notice of Appeal filed

Sauer, Inc. v. Commission
CAL17-05868 (CD)

Lead Counsel: Dickerson
Other Counsel: Adams

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the renovation and expansion of the Palmer Park Community Center in Prince George's County.

Status: In discovery.
Docket:

02/28/17	Complaint filed but improperly served; awaiting proper re-service
06/20/17	Complaint properly served and accepted by Commission
08/21/17	Line filed extending responsive pleadings deadline
09/29/17	Defendant's Motion to Dismiss filed
11/03/17	Line filed extending Plaintiff's deadline to respond to Motion to Dismiss until November 22, 2017
11/17/17	Plaintiff files Opposition to Motion to Dismiss
12/22/17	Court denies Motion to Dismiss
01/02/18	Commission files Answer to Complaint
01/26/18	Counterclaim filed
05/19/18	Pretrial conference

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Carillo-Cruz
Case No. 439249-V (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission files petition for de novo review based on WCC's ruling that a compensable accident occurred on the grounds that driving a vehicle carries an increased risk of injury, without making a ruling on whether Claimant suffered an idiopathic condition.

Status: Petition filed.

Docket:

10/24/17	Petition for Judicial Review filed
11/03/17	Defendant's Response to Petition to Judicial Review
04/05/18	Status/Pretrial Conference

Evans v. Commission, et al
Case No. 435465-V(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury following an automobile accident.

Status: In discovery.

Docket:

08/11/17	Complaint filed
08/22/17	Service of complaint on Commission
09/19/17	Commission files Answer to Complaint
11/09/17	Plaintiff files Motion for Default against Defendant, Melara
11/28/17	Defendant Melara files Answer to Complaint
12/01/17	Plaintiff's Motion for Default denied as Defendant Melara filed Answer
05/24/18	Pre-trial/settlement conference

MARYLAND COURT OF SPECIAL APPEALS

Brooks v. Commisison

September Term 2016, No. 02295 (AALU)
(Originally filed under CAE16-25941 in Prince George's County)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Plaintiff appealed Planning Board ruling granting the departure from design standards in Prince George's County.

Status: Awaiting decision.

Docket:

01/06/17	Notice of Appeal filed
06/30/17	Appellant's Brief and Joint Record Extract filed
02/18/18	Oral Argument held

Burnette v. Commission

September Term 2017, No.2258 (ED)
(Originally filed under CAL16-35180 in Prince George's County)

Lead Counsel: Adams
Other Counsel:

Abstract: Former park police officer appealed Circuit Court ruling affirming Administrative Hearing Board decision to terminate.

Status: Appeal filed.

Docket:

01/23/18	Notice of Appeal
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Fort Myer Construction Corporation v. Commission

September Term 2017, No. 1684 (CD)
(Originally filed under 399804-V in Montgomery County)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)
Other Counsel: Dickerson

Abstract: Plaintiff appealed Circuit Court ruling granting dismissal of complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County.

Status: Appeal filed.

Docket:

10/26/17	Notice of Appeal
11/2018	Oral Argument

Rounds v. Montgomery County, MD, et al

September Term, 2016, No. 02501(PD)

(Originally filed under #350954-V in Montgomery County)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

Abstract: Appeal from dismissal of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road easement.

Status: Awaiting decision.

Docket:

02/03/17	Notice of Appeal filed
01/09/18	Oral Argument held

Rounds v. Montgomery County, MD, et al

September Term, 2017, No.1561 (PD)

(Originally filed under #430530-V in Montgomery County)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

Abstract: Appeal from dismissal of claim barred by res judicata concerning alleged Farm Road easement.

Status: Appeal filed.

Docket:

09/25/17	Notice of Appeal filed
10/19/17	Court issued show cause for inquiry as to why Pre-hearing Information Report not filed
11/15/17	Court accepts Pre-hearing Information Report for filing

URS Corporation v. Commission
September Term, 2017, No. 00288 (CD)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)
Other Counsel: Dickerson

Abstract: URS appeals the Circuit Court Decision entering judgment in favor of Commission as a result of URS breach of duty to defend.

Status: Awaiting Oral Argument.

Docket:

04/21/17	Notice of Appeal
03/06/18	Oral Argument

MARYLAND COURT OF APPEALS

No Pending Cases

U.S. DISTRICT COURT OF MARYLAND

No Pending Cases

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

American Humanist Association, et al v. Commission

No. 15-2597 Case #8:14-cv550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Adams

Abstract: Defense of claim alleging violation of establishment clause of Constitution.

Status: Reversed and remanded.

Docket:

12/30/15	Notice of Appeal filed
02/29/16	Appellant's brief filed
04/04/16	Response brief by Appellees filed
03/07/16	Brief Amici Curiae filed by Freedom from Religion Foundation and Center for Inquiry in Support of Appellants
04/11/16	Brief Amici Curiae of The Becket Fund for Religious Liberty in Support of Appellees
04/11/16	Brief Amici Curiae Senator Joe Machin and Representatives Doug Collins, Vicky Hartzler, Jody Hice, Evan Jenkins, Jim Jordan, Mark Meadows and Alex Mooney in Support of Appellees
04/11/16	Brief Amici Curiae State of West Virginia and 24 Other States supporting Appellees
04/18/16	Appellant's Reply brief filed
12/07/16	Oral Argument held
10/18/17	Court reverses and remands case back to the U. S. District Court of Maryland holding that the display and maintenance of the cross violates the Establishment Clause.
11/01/17	Commission filed Petition for Hearing En Banc
11/01/17	American Legion filed Petition for Hearing En Banc
11/09/17	Court directed Plaintiffs file responses to Petitions for Hearing En Banc
11/20/17	Plaintiffs file their Response to Petitions for Hearing En Banc

Pulte Home Corporation, et al v. Montgomery County, et al

Case No. 17-2112 (LD)

(Originally filed under Case No 8:14-cv-03955)

Lead Counsel: Outside Counsel-Whiteford Taylor and Preston
Other Counsel: Gardner/Dickerson/Adams

Abstract: Plaintiff filed appeal following dismissal of complaint in U. S. District Court for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.

Status: Appeal filed.

Docket:

09/25/17	Notice of Removal and Complaint filed
10/10/17	Court files Briefing Order
11/20/17	Brief filed by Appellant Pulte Home Corporation
12/19/17	Response Brief filed by Commission
01/02/18	Reply brief filed by Pulte Home Corporation