

## **Minutes LABQUEST Meeting of Wednesday, October 9, 2024**

**Announcement: The next in-person LABQUEST meeting will be Wednesday, November 13, 2024 at 12:30 in the trailer.**

The LABQUEST meeting was held in-person on Wednesday, October 9, 2024 beginning at 12:30 p.m. Chairperson Betsy Bretz presided. Everyone introduced themselves.

### **Amenities**

#### **Viva White Oak (VWO)**

Carlos Bonner, with MCB, reported that the first meeting with the Development Review Committee (DRC) was held the day before on October 8 concerning the sketch plan for roads. The Development Review Committee (DRC) is an inter-agency task force comprised of representatives from public agencies and utilities such as WSSC, PEPCO, the State Highway Administration, and the county Departments of Permitting Services, Environmental Protection, and Transportation. The comments were 19 pages long but MCB has seen more extensive comments on other projects. The next step is the preliminary plan, which MCB has submitted and the planning staff is reviewing to ensure all the required information has been included.

Dan Wilhelm had raised a question from the DRC list about MCB being required to add bike lanes to Cherry Hill Rd since DOT has been studying that improvement for well over a year and they indicated in a public meeting that DOT had funds from the state to construct the improvements. Carlos checked with DOT and was told that DOT is not sure they have sufficient funds for the construction. In any case, MCB should not be required to make the improvement since it is not in the White Oak Local Area Transportation Improvement Program (LATIP) list.

As background, MC DOT conducted a study in 2015-2016 of the White Oak Science Gateway Master Plan area (based upon the 2014 master plan zoning) to identify all the needed improvements. The council decided which improvements developers would be required to help fund and by what amount. The resulting document is the LATIP. Since the improvements were already identified, developers would not be required to meet the requirements specified in the Local Area Transportation Requirement (LATR), which is intended to achieve the same purpose.

There was an extensive discussion about the Growth and Infrastructure Policy (GIP) and Bill 16-24, which deals with updates to the Impact Taxes. Technically, the impact taxes are separate from the GIP but since they are so interrelated the two topics are often discussed together. These subjects are updated every four years. In July 2024 the Planning Board submitted recommendations for both after the planning staff had developed recommendations for over a year. The GIP is being considered by the Council Planning, Housing, and Parks (PHP) Committee and by Bill 16-24 by the Council Government Operations (GO) Committee. The public hearing on the GIP was held on October 10 with the PHP Committee holding work sessions on September 23 and October 7. The public hearing on Bill 16-24 was held on October 1 and the first GO work session is tomorrow, October 10.

The major item that affects the economic viability of Viva White Oak is the continuation of the exemption from impact taxes for Qualified Opportunity Zone (QOZ) areas. The QOZ is an area designated by the US Treasury Department for an economically disadvantaged or distressed area. There are tax advantages at the federal level. Within Montgomery County, four years ago the council passed legislation that these areas do not need to pay either transportation or school impact taxes. The amount of savings for Viva has not been determined but it surely exceeds \$100M. As reported last meeting, MCB is planning to invest approximately \$250M on infrastructure with the county reimbursing them \$40M for a share of the road cost and WSSC reimbursing them over several years for water and sewer mains. Off-sight improvements would also receive a credit against the LATIP fee. Never-the-less, MCB would still be responsible for most of the infrastructure cost. If Viva White Oak were in built-up areas, like Bethesda and Wheaton, much of the infrastructure would already exist so MCB would not have that expense.

The Planning Board recommended that the QOZ exemption be continued, even if the federal program ends. MCB's attorney, Rob Richardson for LABQUEST, Peter Myo Khin for Tamarack Triangle Civic Assn, Dan Wilhelm for the Greater Colesville Citizens Assn, and several other attorneys for other projects supported continuing the existing exemption. The Council staff has recommended the exemption be continued, but they suggest the use of some other location metric, which raises the question of whether Viva and other parts of east county will continue to be exempted. Ashlie Bagwell, who MCB has hired to help communicate with public officials, has been having frequent conversations with the staff of those officials to learn their thinking and encourage them to support the QOZ exception.

The other topic of discussion has been our desire to change the Transportation Policy Area designation for White Oak from orange to red, which is not so much a current need but something that will increase in importance over the next four years. (There are four designations: red, orange, yellow and green, in decreasing level of development density). The impact taxes for the red policy areas are lower than other areas and a vehicle test in the Local Area Transportation Review (LATR) is not required, but still required for other modes of travel. These benefits are not needed currently for Viva because the impact tax exception applies for QOZ zones and exemption from LATR applies under LATIP. The QOZ impact tax exemption covers the area of interest to LABQUEST except for west of New Hampshire Avenue in Hillandale (Transit Union Property).

After the LABQUEST meeting, the GO Committee recommended on October 17 continuing QOZ. To cover the possibility that the federal program might expire, the Committee also recommended that those census tracts that match the QOZ also be exempt. In addition, the Committee is recommending the addition of the census tract that covers Hillandale, west of New Hampshire Ave. Recommendations from both Committees will next be taken up by taken up by the full council.

The PHP Committee, council staff and executive staff want transportation studies to continue to know whether adequacy exists. While that is a valid concern for the other areas being considered for a change from orange to red, it does not apply to the entire White Oak Science Gateway Master Plan area because of LATIP. The change in color would likely help justify transit and other improvements in the future plus support the designation found in the Thrive Montgomery 2050 general plan. The Planning Board designation of creating a White Oak Downtown policy area and a White Oak policy area also just adds confusion. The PHP Committee proposed, and Council on October 15 voted to keep, White Oak Downtown in the orange category but exempt it from LATR requirements for vehicle tests.

MCB will be presenting an update at the Friends of White Oak meeting on November 12.

## **White Oak Medical Center (WOMC)**

Anthony Stahl provided the following update:

- The 8th floor construction to add 30 beds will be finished in December and opened in January.
- They are facing an intravenous fluids (IV) shortage, just like every other hospital in the country because hurricane Helene shut down the Baxter Plant that produces 60% of the entire US supply. Anthony indicated that the supply level in Maryland is not as bad as first feared, but is still only at a 60% level. The length of this shortage is not clear but predictions have it lasting through December.
- They have hired a consultant to review the operation of the ER to determine whether there are any possible improvements in its operation that are not related to capacity.
- The “Got Talent” show is tomorrow, October 10 at noon.
- WOMC will be participating in the National Day of Prayer which is in May.

## **Hillandale Gateway.**

Shane Polin reported that the Housing Opportunities Commission (HOC) held a successful groundbreaking event on September 18. HOC is making a large investment in this mixed income project. Many of the construction vendors had booths at the event which helped them understand the entire scope of the project and thus understand the reason for some of the strict requirements they have been tasked to complete.

The soils issue that had been reported two months ago has been resolved.

## **Science Report**

Charles Warr pointed out that the “chips and dips” food is bad for you because of the high number of calories. He passed around a chip that only has 70 calories for 8 crackers.

He indicated that the recent hurricanes have demonstrated that governments at all levels are doing a poor job at addressing their effects. With global warming, there will surely be many more severe storms.

Charles also indicated that solar storms will be peaking next year and that they are expected to be more severe than normal. They will result in an increase in northern lights, and could cause damage to satellites and electrical grids/electronics here on earth.

Charles reported on the following from the October 4 science report:

- Free covid tests are again available via mail.
- CDC awarded a \$176M, five-year contract to support public health throughout the country.
- FDA approved a nasal spray flu vaccine.
- FDA approved a new preventive treatment for heartburn.
- FDA approved an injection treatment for Eczema, a chronic inflammatory skin condition.
- FDA approved a new radioactive tracer product for use in imaging.

- The high temperatures involved in frying can destroy nutrients, so either use other cooking methods or use those oils that hold up to the high temperatures.
- A previously unknown two-mile high mountain has been discovered 900 miles off the coast of Chile.

## **Government**

### **FDA and GSA**

Andrew Dempster, FDA, reported the following:

- The number of people working on site remains unchanged since last month,
- Employees have been assigned to the FRC with the result that FDA no longer needs use of two buildings in Beltsville and one in Rockville.

### **Montgomery College**

The East County Education Center held a very successful Community Fair on September 28, with hundreds of people in attendance. Aly Kedron thanked Cicero Salles for providing a tour of the area. She also met with the Planning Department concerning possible sites for the new college campus.

### **Montgomery County.**

Jewru Bandeh, Regional Director, reported that:

- Burtonsville Day was held on September 21 with over a thousand people attending.
- He is working with Karla Silvestre, with Montgomery College, concerning public outreach about the new college campus.
- There have been discussions with BF Saul concerning the closed Sears store.
- There are on-going issues with the Enclave. They need over a \$100M in maintenance and there is a problem with many residents being evicted. The facility is also under a sales contract.
- Some neighbors to the FRC are unhappy that deer who bed down there are destroying their plants.

Submitted by Dan Wilhelm