



**Committee:** PHED

**Committee Review:** Completed

**Staff:** Pamela Dunn, Senior Legislative Analyst

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Glenn Orlin, Senior Analyst

**Purpose:** To make preliminary decisions – straw vote expected

**Keywords:** #Silver Spring, Adjacent Communities, Master Plan, M-NCPPC

AGENDA ITEM #2A-2B

May 3, 2022

**Worksession**

## SUBJECT

Worksession to discuss the recommendations of the Planning, Housing, and Economic Development (PHED) Committee regarding the Planning Board Draft of the Silver Spring Downtown and Adjacent Communities Plan.

## EXPECTED ATTENDEES

Casey Anderson, Chair, Montgomery County Planning Board  
Gwen Wright, Director, Montgomery Planning Department  
Robert Kronenberg, Deputy Director, Planning Department  
Elza Hisel-McCoy, Chief, DownCounty Planning  
Atara Margolies, Planner III, DownCounty Planning  
Larissa Klevan, Master Plan Supervisor, Down County Planning  
Cristina Sasaki, Parks Planner Coordinator, Parks Department  
Rebeccah Ballo, Supervisor, Historic Preservation  
Chris Conklin, Director, Montgomery County Department of Transportation  
Hannah Henn, Deputy Director, Department of Transportation  
Frank Demarais, Deputy Director, Department of Housing and Community Affairs

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Council will take straw votes on the recommendations of the PHED Committee regarding the Planning Board Draft of the Silver Spring Downtown and Adjacent Communities Plan.
- This worksession will cover the Plan-wide recommendations for Land Use and Zoning, Economic Growth, Housing, Urban Design, and Parks and Public Spaces.
- The recommendations (too numerous to list here) for this worksession are covered in the attached staff report.

## DESCRIPTION/ISSUE

On January 6, 2022, the Montgomery County Planning Board approved the Silver Spring Downtown and Adjacent Communities Plan. The Plan makes recommendations within the Silver Spring Downtown and Adjacent Communities Plan area for land use and zoning, housing, economic development, urban design, transportation, parks and public spaces, environmental resiliency, community facilities, and historic resources.

## SUMMARY OF KEY DISCUSSION POINTS

- The PHED Committee has held 8 worksessions on the Plan to date.
- The fourth worksession, held March 28, covered Plan-wide recommendations on Parks and Open Spaces and began the review of Plan-wide recommendations on Transportation. Staff report can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220328/20220328\\_PHED2A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220328/20220328_PHED2A.pdf) (Note: Staff Report on Transportation recommendations starts on page 19)
- The fifth worksession, held April 4, covered the remaining transportation and school facilities recommendations, and the Plan-wide recommendations on Land Use and Zoning. Staff report can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220404/20220404\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220404/20220404_PHED1.pdf) (Note: Staff Report on Land Use and Zoning starts on page 7)
- The sixth worksession, held April 7, covered the remaining Plan-wide recommendations on the following sections: Economic Growth, Urban Design, Resilient Downtown, Other Community Facilities, and Historic Resources. Staff report can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220407/20220407\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220407/20220407_PHED1.pdf)
- The seventh worksession, held April 20, covered several property-specific requests, elements of Plan Implementation and a review of market-rate affordable housing. Staff report can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220420/20220420\\_PHED1.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220420/20220420_PHED1.pdf)
- The eighth and final worksession, held April 27, covered a few remaining implementation elements and one property-specific request. Staff report can be viewed at:  
[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220427/20220427\\_PHED2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2022/20220427/20220427_PHED2.pdf)
- The Planning Board Draft of the Silver Spring Downtown and Adjacent Communities Plan, and associated appendices can be viewed here:  
<https://montgomeryplanning.org/planning/communities/downcounty/silver-spring/silver-spring-downtown-plan/>.

### **This report contains:**

	<b>Pages</b>
Staff Report #2A Plan-wide recommendations on Transportation, Schools, and FIS	1-12
Attachments for #2A	©1-25
Staff Report #2B Plan-wide recommendations, implementation, and property requests	13-31

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**M E M O R A N D U M**

April 28, 2022

TO: County Council

FROM: Glenn Orlin, Senior Analyst

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan—transportation elements, public school facilities, and fiscal impact statement<sup>1</sup>

PURPOSE: Develop Council recommendations

**Councilmembers: Please bring your copy of the Final Draft Plan and its Street Sections Supplement to this worksession.**

This staff report addresses the Final Draft Plan's elements in *Chapter 3.6: Transportation*, and school facilities on pp. 158-165. Some technical corrections will be made to the final document, but they are not identified in this staff report. The purpose of this worksession is for the Council to make recommendations about these matters.

Those commenting on the Final Draft, including Council staff, support most of the transportation recommendations in this Plan. In the interest of time, this staff report addresses recommendations that differ from the Final Draft from the Department of Transportation (DOT), public hearing testimony and correspondence, and Council staff. The PHED Committee recommendations are shown in **bold** print.

Those anticipated to attend include:

Casey Anderson, Chair, Planning Board  
Gwen Wright, Director, Planning Department  
Elza Hisel-McCoy, Chief, Down County Planning, Planning Department  
Larissa Klevan, Master Plan Supervisor, Down County Planning, Planning Department  
Atara Margolies, Planner Coordinator, Down County Planning, Planning Department  
David Anspacher, Transportation Supervisor, Countywide Planning, Planning Department  
Stephen Aldrich, Transportation Master Planner, Countywide Planning, Planning Department  
Hannah Henn, Deputy Director for Transportation Policy, Department of Transportation (DOT)  
Andrew Bossi, Director's Office, DOT

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<sup>1</sup> Key words: #SilverSpring, plus search terms sector plan, road, intersection, transit, bikeway, sidewalk, schools.

**1. Fiscal impact analysis.** The Office of Management and Budget (OMB), working with DOT and other Executive Branch departments, has forwarded its fiscal impact analysis of the Final Draft Plan (©1-4). OMB estimates the cost of County-borne capital improvements in the Final Draft to be \$707.0 million, of which \$525.7 million are for transportation projects. This total does not include the cost of creating transit center improvements and Green Loop connectors, for which DOT felt there was not enough specificity. The estimated transportation construction costs (in Year 2022 dollars) are:

- \$250 million for a new Jesup Blair Metrorail Station between the Silver Spring and Takoma Metro Stations;
- \$57.7 million for dedicated bus lanes, additional buses, and upgraded bus stops;
- \$15.0 million for new streets for local circulation;
- \$40.6 million to reconstruct streets with narrower and/or fewer travel lanes to create a better pedestrian and bicycle infrastructure; and
- \$162.4 million for pedestrian and bikeway improvements.

These estimates do not include and land acquisition or utility relocation costs.

The non-transportation costs total \$181.3 million and include:

- \$37.6 million for construction of new school space to accommodate 814 students from the estimated 11,000 multi-family high-rise units anticipated in the Plan;
- \$43.0 million to create South Silver Spring Park, Philadelphia Avenue Park, and Fenton Street Park, and to renovate Jesup Blair, Acorn, and Ellsworth Parks;
- \$9.8 million for other park development related costs;
- \$90.1 million for undergrounding utilities and redeveloping parking garages; and
- \$0.8 million for Department of Fire and Rescue Services costs.

The \$707.0 million impact is an extraordinarily high figure when compared to Plans approved over the past several years. The table below shoes the fiscal impact analyses for major plans approved since 2016, updated to 2022 dollars:

<b>County CIP Fiscal Impact of Master and Sector Plans</b>				
<b><i>Plan</i></b>		<b><i>Year</i></b>	<b><i>Capital Cost</i></b>	<b><i>Capital Cost in FY22\$</i></b>
Silver Spring CBD		2022	\$ 707,000,000	\$ 707,000,000
Shady Grove		2021	\$ 411,980,000	\$ 426,440,000
Forest Glen/Montgomery Hills		2020	\$ 296,078,000	\$ 313,014,000
Veirs Mill		2019	\$ 175,300,000	\$ 193,303,000
MARC Communities		2019	\$ 187,800,000	\$ 207,087,000
Grosvenor		2017	\$ 57,390,000	\$ 68,989,000
Rock Spring Park		2017	\$ 141,576,000	\$ 170,189,000
White Flint II		2017	\$ 143,332,000	\$ 172,299,000
Bethesda CBD		2016	\$ 132,485,000	\$ 141,225,000
Lyttonsville		2016	\$ 48,100,000	\$ 60,390,000

In the Shady Grove Plan, half of the \$320 million cost of the proposed Montgomery College-Rockville Metro Station was assumed to be borne by the State and Federal governments. If the same 50/50 cost-sharing were assumed for the proposed Jesup Blair Metro Station, the Silver Spring Plan's County fiscal impact would be reduced to \$582.0 million. Nevertheless, this is still an extraordinarily high figure when compared to plans approved over the past several years. The Council should be very concerned about this and other plans that likely overpromise what is affordable, even in the long term.

**2. Jesup Blair Metro Station.** On p. 129 the Plan calls for evaluating "the feasibility of a new Metrorail station at Jesup Blair Park in event that future development of Jesup Blair Park spurs land use and development changes in the blocks surrounding the park." (DOT's comments are on ©5-8, see especially ©7.) However, no amount of redevelopment on the park site will generate enough demand to warrant its own Metro station. The Montgomery College campus surrounding it has less than half the enrollment than its Rockville campus, where a planned Metro Station there is very questionable. It is unlikely that the single-family residential neighborhoods in Takoma Park and the nearby neighborhoods in the District of Columbia will densify.

A new Metro station at Jesup Blair Park would have to generate significantly more transit patrons to compensate for the loss of ridership from the many thousands of commuters going between the Silver Spring, Forest Glen, Wheaton, and Glenmont stations and Downtown Washington, since they would experience a slower trip because of the extra stop. DOT notes that "Without a more significant effort to justify this station, it is unlikely it would ever be realized" and the recommendation should be removed.

**PHED Committee (and Council staff) recommendation (3-0): Delete from the Plan any reference to a potential Jesup Blair Metro Station.** By itself this would reduce the County fiscal impact down to \$457.0 million - still a high figure, however. **Instead, add text supporting improved transit along Georgia Avenue north from the District line, with a stop at the Jesup Blair Park.**

**3. Non-auto-driver mode share (NADMS).** The prior Silver Spring sector plan set a goal of 46% for employees commuting to the CBD to arrive by means other than driving. Recent surveys by the Silver Spring Transportation Management District (TMD) note that the NADMS for employees is about 54%. Traffic modeling by the Planning staff projects that with the Plan's recommendations the NADMS should ultimately rise to 60-61%. The Final Draft recommends an aggregate NADMS goal of 60% for employees commuting into the CBD and CBD residents commuting elsewhere. The Coalition for Smarter Growth recommends a more aggressive goal of 70% (see ©9-13, especially ©12).

Typically, residents living within walking distance of a suburban Metro Station are more likely to take transit to their jobs than are employees commuting to a suburban CBD. Therefore, all else being equal, one would expect that an aggregate employee/resident NADMS in a Red Policy Area to be higher than for employees alone, especially in the Silver Spring CBD, where much more housing is anticipated. Also, the modeling does not yet capture the effect on telecommuting, which is waning a bit since COVID's partial retreat, yet likely to be a lasting feature. Finally, as a point of comparison, recall that the aggregate NADMS set for the Bethesda CBD Plan pre-COVID was 55%, but Silver Spring is served by considerably more bus service and will have the Purple Line serving it from both the east *and* west. *For all these reasons, Council staff recommends concurring with the Coalition for Smarter Growth to set the aggregate NADMS goal at 70%.*

**PHED Committee recommendation (3-0): Set the aggregate non-auto-driver mode share (NADMS) goal for the Silver Spring CBD at 65%, with the option of amending it again in the future as part of the Growth & Infrastructure Policy.**

**4. *Connecting across the rail.*** Noting that the Metrorail and CSX tracks bisect the Silver Spring CBD, the Plan calls for improvements to the ped/bike facilities at the existing crossings at Spring Street, Colesville Road, Georgia Avenue, Burlington Avenue, and the pedestrian bridge at Jesup Blair Park. All the suggested improvements would have a relatively low cost, except for the widening of the Montgomery College/Jesup Blair Park bridge, which DOT estimates will cost \$16,300,000.

**PHED Committee (and Council staff) recommendation (3-0): Do not include the bridge replacement in the Plan.** The existing bridge was built as recently as 2002 and is in good repair. Montgomery College does not allow bikes to be ridden over the bridge, but it is allowable to walk them across. While not perfect, it is an adequate crossing for bicyclists.

The Plan also calls for two new crossings. One would connect from the west end of Silver Spring Avenue over the tracks to East-West Highway between The Bennington and The Silverton high rises. Estimated cost: \$44,900,000. The other would extend from the west end of Cameron Street to and through any redevelopment of The Falklands. Estimated cost: \$20,300,000.

Both connections would occur partially on private property. DOT suggests conditioning these crossings on new development, addressing three points:

- Define the right-of-way or easement requirements in event of a publicly built connection, such as ensuring unfettered public access and limiting physical, visual, and noise encroachment;
- Allow the connections to be made within private developments, but under defined requirements such as hours of access, ease of navigation and convenience, ADA accessibility, visibility and “obviousness” of the route, wayfinding, etc.; and
- Define “stubs” that might be built by a developer at the point where a future bridge/tunnel might be provided.

**PHED Committee (and Council staff) recommendation (3-0): Include these points in the Plan.** The higher priority should be the connection between Silver Spring Avenue and East-West Highway, as it would break up an extremely large superblock and is near the center of the CBD. To the extent it can be part of new development project, the more likely it will be affordable. The cost of the Falklands crossing should be borne substantially by any redevelopment there, as it would be the primary beneficiary.

**5. *Colesville Road north of Downtown.*** Colesville Road between Spring Street and Sligo Creek Parkway is a six-lane highway and is 60’ wide between the curbs. Its right-of-way varies in width, generally between 80-100’. For many years the road has operated with four lanes southbound and two lanes northbound in the morning peak. In the evening peak it is the opposite: four lanes northbound and two lanes southbound. The Draft US 29 Mobility and Reliability Study published by DOT last year calls for the innermost southbound lane to be a dedicated lane for bus rapid transit (BRT) service during the morning peak, and the innermost northbound lane to be dedicated to BRT during the evening peak.

Following from a Planning Board directive for all planned BRT routes to have dedicated bus lanes in both directions, the Final Draft Plan would designate two of the six lanes as dedicated bus lanes. There are two alternative proposed cross-sections. The cross-section with side-running BRT calls for widening the roadway between the curbs by 4', so that each bus lane would be 12' wide. It also recommends a 6'-wide landscaped buffer between the curb and a 12'-wide sidewalk, which is the width of a shared use hiker-biker trail. The distance between the far edges of the two sidewalks, therefore, would be 100'. Beyond the sidewalks are 10'-wide frontage zones, bringing the total planned width of the right-of-way to 120'. (See Figures 12 and 13 in the Street Sections Supplement on p. 12.<sup>2</sup>) A cross-section with median-running BRT calls for widening the center lanes to 12', including a 2'-wide buffer between each BRT lane and the adjacent travel lane, an 8'-wide landscaped buffer between the travel lanes and the 12'-wide sidewalk, and a 6'-wide frontage zone beyond that, again bringing the total planned width of the right-of-way to 120'. (See Figures 7 and 8 in the Street Sections Supplement on pp. 9-10.)

DOT notes that its proposed cross-section in the US 29 Mobility and Reliability Study stays within an 80'-wide right-of-way, and it suggests that the Plan adopt its cross section or accept it as an interim stage (©8). The Council has received letters from the Woodside Park community objecting to the proposed cross section. Representative is a letter from Mr. Todd Cooke who avers that reducing the number of peak-direction travel lanes from four to two would result in backups that would result in a significant increase in cut-through traffic, take many front yard fences and trees, interfere with traffic accessing and egressing churches and businesses, and make left-turning into the neighborhood more difficult (©14-16).

*Council staff recommends adopting a cross-section showing the 6 lanes as described in the US 29 Mobility and Reliability Study, within a right-of-way of 85'.* The slightly wider right-of-way would allow the dedicated bus lanes to have a 12' width, which is a safer width for bus operations. The other elements proposed by the Final Draft that would require a larger right-of-way—the 6'-wide landscaped buffers and the 12'-wide sidewalks—while desirable, would result in too large an impact on adjacent property owners. As Mr. Cooke and others have pointed out, there are alternative routes providing safe bike route into Downtown Silver Spring, so the curbside sidewalks on US 29 do not need to accommodate bikers.

**PHED Committee recommendation (3-0): Concur with the Plan's proposed 120' right-of-way width for Colesville Road from Spring Street to Noyes Drive, but delete Figure 12 showing a cross section outside the Plan's boundary between Noyes Drive and Sligo Creek Parkway.**

**6. Green Loops and other bikeways. PHED Committee recommendation (3-0): Concur with the designs for the Green Loops and other bikeways identified in the Plan. It does not agree with Council staff's recommendations to scale back the proposed bikeway improvements on the low volume streets in Silver Spring to reduce cost and impacts (described below).**

The Final Draft calls for two landscaped loop routes that would connect public spaces in Downtown Silver Spring. The Central Loop follows East-West Highway to the west, Burlington

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<sup>2</sup> Figure 13, reflecting the proposed cross-section between Noyes Drive and Spring Street, incorrectly characterizes the total right-of-way width to be 100', but its elements add up to 120'.

Avenue to the south, Fenton Street to the east, and Cameron Street/2<sup>nd</sup> Avenue/Colesville Road to the north. A road diet—reducing the number of motor vehicle travel lanes—on most of these links would create space for separated bike lanes, ample landscaping, and in some locations a larger sidewalk. The Fenton Street portion of the Central Loop is largely accounted for by the Fenton Street Cycletrack project in the CIP, which is now estimated to cost \$11,561,000 (a 137.9% cost increase from the Approved CIP). DOT estimates the cost of the East-West Highway and Burlington Avenue segments to be \$46,400,000, and it assumes that half of the cost will be borne by the State Highway Administration (SHA). DOT estimates the cost of the Cameron Street segment to be another \$4,800,000; the fiscal impact analysis does not show an estimate for the relatively short 2<sup>nd</sup> Avenue and Colesville Road segments.

The Outer Loop follows 16<sup>th</sup> Street and Eastern Avenue to the west, a new route through Jesup Blair Park to the south, lower Fenton Street and a series of Neighborhood Greenways in East Silver Spring to the east, and Spring Street to the north. The Street Sections Supplement does not provide details of the cross-sections envisioned for the Outer Loop, so the fiscal impact analysis does not have cost estimates for it.<sup>3</sup>

Also, the Plan includes a series of Connectors between the two loops. Again, there is no cost estimate for these improvements, as the Plan does not specify what improvements are envisioned there.

It is difficult to discern whether the unprogrammed improvements are worth the investment. A case in point is Cameron Street between Spring Street and 2<sup>nd</sup> Avenue. It is 48'-wide from curb to curb within a 70'-wide right-of-way, and it includes two 11'-wide travel lanes, two 6'-wide conventional bike lanes, and two 7'-wide parking lanes. The Bicycle Master Plan calls for separated bike lanes.

The Silver Spring Plan recommends removing the north-side parking lane, creating grass buffers between the new, narrower roadway and the proposed separated bike lanes, and another set of landscaped buffers between the bike lanes and sidewalks. It would widen the right-of-way to 75'. (See Figure 30 in the Supplement on p. 22.) As noted above, DOT estimates the cost of Cameron Street improvements between 2<sup>nd</sup> Avenue and Spring Street to be \$4,800,000.

*Council staff recommends leaving Cameron Street as it exists today.* The sidewalks are wider today than proposed in the Plan, and pedestrians are buffered on both sides by the parking lanes. The street has sufficiently low volume and speed so that the conventional bike lanes currently in place provide for safe bike passage. Reconstruction of the street would entail costs and impacts that will not produce corresponding benefits.

Many of the bikeway recommendations (pp. 119-121) repeat those in the 2018 Bicycle Master Plan. As Council staff pointed out at that time, its now \$6 billion cost (in 2022 dollars) is unaffordable in the long term. The Silver Spring Plan recommends additional bikeway improvements that would increase that cost burden even more.

The main highways in the Plan area—Georgia Avenue, Colesville Road, 16<sup>th</sup> Street, and East-West Highway/Burlington Avenue—have higher volumes and a propensity for higher speeds, and so physical protection for biking may require expensive road reconstruction in several locations.

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<sup>3</sup> The right-of-way of Eastern Avenue is entirely within the District of Columbia, so it is not under the County's jurisdiction.



Furthermore, as these are State highways, it is plausible that SHA would participate in cost-sharing with the County to build such improvements. On nearly all these roads the Plan calls for road diets that would repurpose two travel lanes in favor of BRT and/or separated bike lanes, which will lead to considerably more traffic congestion. However, except for the segment of Colesville Road north of Spring Street, all these roads are within the Silver Spring CBD—a Red Policy Area in the Growth and Infrastructure (G&I) Policy. Under the G&I Policy there are no longer any limits on the allowable traffic congestion in Red Policy Areas.

On the other hand, most County streets in the CBD have low volume and low speeds such that the need for such protection is not obvious, and the cost of the Plan's proposed improvements would be borne entirely by the County. Therefore, the following review concentrates on the bikeway recommendations for County streets in the Plan area.

- *Silver Spring Avenue between Georgia Avenue and Fenton Street.* This a 40'-wide business district street within a 60'-wide right-of-way, which has on-street parking on both sides and wide sidewalks. It has a low volume and low speed. The distance between the building faces varies from about 65' to 70'. The Bicycle Master Plan calls for this block to be a Shared Street with priority shared lane markings.

The Silver Spring Plan recommends the street be rebuilt with one-way separated bike lanes on each side. It recommends removing the on-street parking on the south side of the block and installing 6'- and 3'-wide planted buffers between the bike lanes and the street. Along with 8'-wide sidewalks on both sides, this would require a 70'-wide right-of-way throughout, which presupposes that much of the block will be redeveloped. (See Figure 31 in the Street Sections Supplement on p. 23.) DOT estimates its cost to be \$4,300,000.

*Council staff concurs with the recommendation in the 2018 Bicycle Master Plan.* While the expenditure for a cycletrack is warranted on a higher volume thoroughfare like Fenton Street, it is not warranted here, where bicyclists can safely share the street with low-speed, low-volume motor vehicle traffic. The parking lanes on each side act as more than adequate buffers for pedestrians.

- *Blair Mill Road between Eastern Avenue and East-West Highway.* This street is about 36'-wide between the curbs within a 60-70'-wide right-of-way and is fronted by multi-family high rises. It has 5'-wide sidewalks with grass buffers at least 6' wide separating them from the curb. There is on-street parking on both sides along most of its length. It mainly serves as access to the high rises and carries very little through traffic. The Bicycle Master Plan does not mention Blair Mill Road, suggesting that it does not require any special treatment for safe biking.

The Silver Spring Plan calls for removing the south side on-street parking, creating a two-way cycletrack there instead. There would also be a 7'-wide planted buffer between the parking lane and the north-side sidewalk and a 6'-wide planted buffer between the travel lanes and south-side bike lanes. (See Figure 35 in the Supplement on p. 25.) DOT estimates its cost to be \$2,400,000.

*Council staff recommends designating Blair Mill Road as a Shared Street with priority shared lane markings.* The expense and impacts of the cross section on Figure 35 are not warranted.

- *13th Street between Eastern and Georgia Avenues.* This street is about 46'-wide between the curbs and is fronted by multi-family residents, motels, and a few local businesses. It has wide sidewalks with brick pavers and there is on-street parking on both sides along most of its length. Its right-of-way is about 65' wide. It mainly serves as access to the residences and motels on the street and carries very little through traffic. The Bicycle Master Plan recommends creating separated bike lanes.

The Silver Spring Plan calls for removing the south side on-street parking to make space for the separated bike lanes. There would also be landscaped buffers between the bike lanes and the sidewalks. The Plan would widen the right-of-way to 80'. (See Figure 27 in the Supplement on p. 21.) DOT estimates its cost to be \$4,300,000.

*Council staff recommends designating 13<sup>th</sup> Street as a Shared Street with priority shared lane markings.* Again, the expense and impacts of the cross-section on Figure 27 would outweigh the benefits. The parking lanes provide an adequate buffer for pedestrians from motor vehicle traffic, and the volume and speed of that traffic is not high enough to warrant physical separation for bicyclists.

- *1st Avenue between Spring Street and Fenwick Lane.* This street is 48'-wide between the curbs within a 70'-wide right-of-way and is fronted by multi-family high rises. It has 5-10'-wide sidewalks with grass buffers separating them from the curb, and there is on-street parking on both sides along most of its length. As it is only one block long, it mainly serves as access to the high rises and carries very little through traffic. Across from Fenwick Lane is the north entrance to the Cameron Street Garage. The Bicycle Master Plan does not mention 1<sup>st</sup> Avenue, implying that it does not require any special treatment for safe biking.

The Silver Spring Plan calls for narrowing the travel lanes to 10½', retaining the 8'-wide parking lanes, and creating on each side a 3'-wide grass buffer between the parking lane and a new 5½'-wide bike lane, with an 8'-wide sidewalk to the outside of each bike lane. (See Figure 33 in the Supplement on p. 24.) The proposed curb-to-curb distance is 54'. DOT estimates its cost to be \$3,600,000.

*Council staff recommends either designating 1<sup>st</sup> Street as a Shared Street with priority shared lane markings, or, at most, conventional bike lanes.* To build the wider cross-section on Figure 33 would require reconstruction of the roadway, including relocating utility poles, drainage inlets, and driveway ramps. On the other hand, either signing or marking the street as a Shared Street or marking conventional bike lanes would not require any construction. Within the current curbs a 5'-wide bike lane could be striped in each direction by narrowing each travel lane to 11'.

- *1<sup>st</sup> Avenue Extended between Fenwick Lane and Cameron Street.* This would be a new street that would break up the large block between Georgia and 2<sup>nd</sup> Avenues, and it would occur only if the Cameron Street Garage were redeveloped. The Silver Spring Plan calls for two 10½'-wide

travel lanes separated from 6½'-wide bike lanes by 6'-wide landscaped buffers. To the outside would be 2'-wide ped/bike buffers and 10'-wide sidewalks. (See Figure 34 in the Supplement on p. 24.) The cumulative width of the cross-section would be 70'.

*Council staff recommends the same treatment for this block as Council staff's recommendation for the block to the north, minus the parking lanes. That would result in a cumulative width of 54', which would be easier to accommodate within any redevelopment there.*

**7. Street through Garage 4.** The Final Draft calls for a continuous north-south Business District Street between Bonifant Street and Sligo Avenue, with a minimum right-of-way width of 70'. It would divide up the three superblocks between Georgia Avenue and Fenton Street. The middle superblock between Thayer and Silver Spring Avenues is already broken up by a 2-lane private street with sidewalks<sup>4</sup>; the Plan proposes extending it both north to Bonifant Street and south to Sligo Avenue, either as a public or private street. The two new segments would match the cross-section of the middle segment.

DOT is concerned that the dimensions of the proposed southern segment between Silver Spring and Sligo Avenues—which would be built only with the joint redevelopment of Garage 4 would too greatly constrict the redevelopment potential for affordable housing. In an earlier worksession the PHED Committee agreed with the concern, and it asked Planning staff prepare a new concept that would have a smaller footprint. Planning staff now proposes a public or private street with a minimum cross-section of 50": two 10.5' wide travel lanes (the minimum required for fire access is 20' curb-to-curb), plus 6.5-7' street buffers and 8' sidewalks on each side (©17-18).

DOT appreciates the effort to reduce the footprint, but it still has concerns that any plan with a specified footprint would constrain redevelopment potential. Instead, it recommends generic text that shies away from specific dimensions; see DOT's proposed text revisions on ©19-21.

*Council staff concurs with DOT's suggested street section elements but not the revised text. The segment between Silver Spring and Sligo Avenues does not need to exactly match up with the link to the north, since it is not the purpose of these segments to carry through traffic from Bonifant Street to Sligo Avenue. It is possible to have a lane that is only 36' wide: two 10'-wide lanes (providing the required 20'-wide clear area) and 8'-wide sidewalks. As a private street there would be no reduction to the FAR. Council staff suggests a compromise revision to the text which removes the specification to align the north-south connection, the reference to loading and service access are not mandatory but possible under redevelopment:*

“ Public Garage 4: Encourage the redevelopment of Parking Garage 4 and surrounding properties through a public-private partnership with the Parking Lot District. The Plan recommends that, should the site redevelop, this large block be divided via a new north-south connection [that aligns with the north-south connection at the block to the north]. This connection could provide loading and service connections for the new development. In addition, the Plan recommends an east-west through-block pedestrian connection as part of any redevelopment of the garage parcel. A [1/2-acre] green community-focused open space of

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<sup>4</sup> See [https://www.google.com/maps/@38.9916825,-77.0251527,3a,75y,348.93h,72.96t/data=!3m6!1e1!3m4!1sWalhcO2OEb\\_U0eZXIRFR5w!2e0!7i16384!8i8192](https://www.google.com/maps/@38.9916825,-77.0251527,3a,75y,348.93h,72.96t/data=!3m6!1e1!3m4!1sWalhcO2OEb_U0eZXIRFR5w!2e0!7i16384!8i8192)

approximately ½-acre, but no less than 1/3-acre, should be located at this site, fronting on Fenton Street. This open space could be an opportunity to celebrate local artists and the diversity of Fenton Village.

In a related concern, DOT requests added language to the Transit Center Development Site (see ©21-22). *Council staff concurs with this revision.*

**8. Newell Street.** During the pandemic the block of Newell Street between East-West Highway and Kennett Street in South Silver Spring has been closed to vehicular traffic, effectively increasing the size of Acorn Park which sits adjacent to it. The Plan calls for this block to be classified as a Shared Street, defined as “a space that is shared by people using all modes of travel.” Such streets “are designed to create an environment that encourages low vehicle speeds and prioritizes pedestrians” (p, 130). Other proposed Shared Streets are Ellsworth Drive between Fenton Street and Veterans Plaza and Bonifant Street between Ramsey and Georgia Avenues.

Open Streets Montgomery advocates that responsibility for this block’s right-of-way be shifted from DOT to the Parks Department. Although it acknowledges the strides DOT has made in promoting more general use of street rights-of-way (the Streeteries are examples), it notes that the two departments have different missions and rules, and that the Parks Department has more experience in event planning for recreational open spaces (©23-24).

Master and sector plans are not the place to decide such administrative arrangements, but that does not mean such arrangements can’t be forged. For example, DOT has an agreement with Parks to reconstruct and rehabilitate park roads and bridges since DOT has more expertise in this area, but it does so following design guidelines set by Parks. Council staff sees no reason why Newell Street can’t be programmed by Parks following guidelines for use set by DOT.

Should the Council wish for this block to be formally abandoned and incorporated into Acorn Park, then the Plan could specify that. However, classifying it as a Shared Street would be most appropriate. The block provides direct vehicular access from East-West Highway for residents of the Mica Condominiums, the Spring Garden Apartments, and the parking garage for the residents of 8045 Kennett Street. Furthermore, fire and emergency vehicle response time from the Silver Spring Fire Station to these residences via Blair Mill Road, East-West Highway, and this block of Newell Street can be quicker than other more circuitous routes, depending on the degree of traffic congestion at the Georgia Avenue/Burlington Avenue/East-West Highway/King Street intersection.

**PHED Committee (and Council staff) recommendation (3-0): Concur that Newell Street between East-West Highway and Kennett Street should be classified as a Shared Street, but the Plan should include language explaining the design and operational features of a Shared Street and it should be accompanied with an illustrative plan.** In response to the PHED Committee’s recommendation, Planning staff recommends adding the underlined text to page 130 of the Final Draft:

- Designate the existing street segments listed below as shared commercial streets. A shared street is defined in the *Draft Complete Streets Design Guide* “a space that is shared by people using all modes of travel.”
  - Bonifant Street (Ramsey Street to Georgia Avenue)

- Ellsworth Drive (Fenton Street to Veterans Plaza)
- Newell Street (Kennett Street to East West Highway)

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

For additional information and guidance on the development of shared streets, see the 2022 Complete Streets Design Guide.

Planning staff also recommends adding the diagram on ©25 as the illustrative plan.

**9. Public schools.** The master plan addresses what the Silver Spring CBD should become when it is built out. Measures of school facility adequacy, therefore, examine whether there can be sufficient school capacity at buildout to meet the need generated by existing and future development at buildout. School facility adequacy at intermediate points between now and buildout are monitored and regulated by the G&I Policy.

The Final Draft anticipates an additional 11,000 multi-family high-rise units beyond what is already planned. Using the most recent student generation rates for Infill areas (as defined in the G&I Policy), the Final Draft estimates these units would generate 374 more ES students, 165 more MS students, and 176 more HS students.<sup>5</sup>

The Silver Spring CBD is served by the Downcounty Consortium of school clusters. At the HS level, MCPS's Year 2136 forecast shows that, with the programmed enlargement of Northwood HS and re-opening of Woodward HS, there will be surplus capacity for 986 students, which would readily accommodate 176 more HS students from the anticipated growth in Silver Spring, as well as the planned residential growth in White Flint and Rock Spring Park, areas currently within the Walter Johnson HS Cluster.

The Plan area is served by three middle schools: Silver Spring International MS, Sligo MS, and Takoma Park MS. In 2136 they are projected to have a cumulative surplus capacity for 258 students, enough to accommodate 165 more students from the planned Silver Spring development.

Finally, there are three elementary schools that have service areas extending into the CBD: East Silver Spring ES, Sligo Creek ES, and Woodlin ES. MCPS's forecasts only project out to 2028 for

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<sup>5</sup> The Fiscal Impact Analysis assumed the same estimates at the MS and HS levels, but it reported the ES enrollment would grow by 473 students. However, Executive staff recognizes that it had inadvertently transposed the digits, and that the correct estimate is 374 students. Correspondingly, its fiscal impact estimate for schools should be reduced for future CIPs from \$37.4 million to \$33.4 million and for future operating budgets from \$8.9 million to \$7.8 million annually.

individual elementary schools, but the enrollments at these schools have been stable. The Year 2028 forecast projects about a 200-student surplus by 2028, but that would not be enough to accommodate the 374 additional students from the Silver Spring development. However, the former Parkside ES, which for years served as the Parks Department's headquarters, is now vacant and could ultimately be reopened and rebuilt to a standard 740-student ES, more than enough to serve the additional students from the development.

**PHED Committee (and Council staff) finding (3-0): Concur that there are future options available to provide sufficient public school capacity to serve the 11,000 additional multi-family high-rise units anticipated in the Plan.**

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OFFICE OF MANAGEMENT AND BUDGET


*Marc Elrich*  
County Executive

*Jennifer Bryant*  
Director

**M E M O R A N D U M**

March 6, 2022

TO: Gabe Albornoz, President, County Council

FROM: Jennifer Bryant, Director, Office of Management and Budget 

SUBJECT: Fiscal Impact Statement for the Silver Spring Downtown and Adjacent Communities Plan

Please find attached the Fiscal Impact Statement for the Silver Spring Downtown and Adjacent Communities Plan.

The proposed Silver Spring Downtown and Adjacent Communities Plan provides an update to the 2000 Silver Spring Central Business District Sector Plan, which spurred the downtown revitalization. This Plan expands the boundary from the 2000 Plan by adding “Adjacent Communities,” or blocks from several residential neighborhoods primarily to the north and east of downtown. The Plan area is comprised of about 505 acres and is generally bound by Eastern Avenue to the south, 16th Street to the west, Ballard and Spring Street to the north, and portions of the Seven Oaks-Evans Wood and East Silver Spring neighborhoods to the east.

Total County capital costs are estimated at more than \$707 million with annual operating and maintenance costs of \$17.1 million and one-time operating costs of \$300,000. Many costs, including transit center experience improvements, stormwater management enhancements, utility improvements, unspecified Green Loop connectors, emergency energy hubs, and partnerships, are not included due to the lack of specificity in the plan.

This plan is unusual in that it also proposes establishing a Connectivity and Infrastructure Fund (CIF) which would support primarily transportation projects. As a form of extraction for private development, it would seem more appropriate to treat these funds similar to geographically designated taxes or fees with the County collecting the funds, and the Council ultimately appropriating them. This would place project prioritization within the traditional budget processes and provide transparency in their usage.

As proposed in the plan, the CIF funds could only be used to fund the following improvements:

- Transit Center Arrival Experience;
- Bridge Connection over Metrorail/CSX tracks;
- Public bicycle parking facilities;
- Green Loop improvements beyond the frontage of a redeveloped site;
- Select utility improvements; or
- Other projects identified by the Planning Board.

According to M-NCPPC staff, the funds could generate \$6 million to \$10 million; however, the revenues will depend on what methods developers choose to use to optimize density and design their projects. By comparison, the costs for the bridge connection, public bicycle parking facilities, and green loop improvements alone are estimated to cost in excess of \$66 million – far more the fund will generate. It will be important for the public to understand that the CIF could not be expected to provide more than a small portion of these project costs.

JRB:ebg

cc: Marlene Michaelson, Executive Director, Montgomery County Council  
Craig Howard, Deputy Director, Montgomery County Council  
Pam Dunn, Senior Analyst, Montgomery County Council  
Glenn Orlin, Senior Analyst, Montgomery County Council  
Fariba Kassiri, Deputy Chief Administrative Officer  
Dale Tibbitts, Special Assistant to the County Executive  
Meredith Wellington, County Executive's Office  
Clare Iseli, County Executive's Office  
Chris Conklin, Director, Department of Transportation  
David Dise, Director, Department of General Services



**County Capital and Operating Cost Estimates Assumed to be Incurred as a Result of the  
Silver Spring Downtown and Adjacent Communities Plan  
3/4/2022**

**Capital Improvement Projects**

<b>Project</b>		<b>Total County Costs</b>
<b>Transit</b>	Construction transit lanes & separated bikes lanes, additional buses, upgrade bus stops with shelters, and Infill Metrorail station at Jesup Blair Park. (NOTE: Does not include costs for "world-class arrival experience at the transit center" due to lack of clarity on what that includes.)	\$ 307,700,000
<b>Intersections</b>	Continental Crosswalks, and protected intersections	\$ 5,100,000
<b>New Roads</b>	New streets Draper Lane, 1st Avenue, Bonifant-Thayer, and Silver Spring-Sligo	\$ 15,000,000
<b>Existing Roads</b>	Wayne Avenue, Blair Road, Bonifant Street, Ellsworth Drive, Newell Street, and Strategic Utility and Streetscape Infrastructure Improvements	\$ 40,600,000
<b>Ped / Bike Focused</b>	East-West Highway; Burlington Avenue; Spring Street; Fenton Street; Wayne Avenue; 1st Avenue; 13th Street; Dixon Avenue; Selim Road; Blair Mill Road; Silver Spring Avenue; Cameron Street; Mayor-Fenton Pedestrian Connection; Wayne-Bonifant Pedestrian Connection; Capital Crescent Trail; Metropolitan Branch Trail; Missing Sidewalks; Short-Term Bike Parking; Long-term bicycle parking at transit stations (SSTC, Library); Green Loop Connectors; New Connection across CSX at East-West Hwy and Silver Spring Ave; New Connection across CSX at E Falkland La and Apple Ave; Widen bridge + ramp of Mont College / Jesup Blair Park bridge; Silver Spring Shopping Center parking lot treatments; Data Collection; Protected Crossings; and Bike / Ped Priority Area (BiPPA). (NOTE: Green loop costs for non-bikeway segments have not been included due to a lack of detail.)	\$ 157,300,000
<b>Miscellaneous</b>	Undergrounding Utilities, and Redevelop Public Garages	\$ 90,100,000
<b>MCPS-Capital Budget Impact</b>	Potential Impact from Multi-Family High-Rise Units (11,000 Units)	\$ 37,600,000
<b>MCFRS-Capital Budget Impact</b>	Potential Impact from Multi-Family High-Rise Units (11,000 Units) One time cost for : a) one Peak BLS transport (staffed by two FFs 12 hours/day, 5 days/week), and b) one 24/7 BLS Transport(staffed by two FFs 24 hours/day, 7 days/week)	\$ 800,000
<b>M-NCPPC Park Development Projects Capital Budget Impact</b>	1.Renovation of Jesup Blair Park (Countywide Urban Recreational Park) 2.Creation of South Silver Spring Park (Community-use Urban Recreational Park) 3.Renovation of Ellsworth Park (Community-use Urban Recreational Park) 4.Creation/Consolidation/Renovation of Fenton Street Park (Neighborhood Green) 5.Renovation of Acorn Park (Pocket Green) 6.Creation of Philadelphia Ave Park (Pocket Green)	\$ 43,000,000
<b>M-NCPPC Park Development Projects Capital Budget Impact</b>	Land Acquisition & Site Cleanup Costs Land acquisition for the second parcel of South Silver Spring Urban Recreational Park and the proposed additions for Fenton Street Urban Park is included. Demolition of existing buildings and removal of existing pavement to prepare for future park use is also included. Year of implementation is unknown due to uncertain timing for completion of land acquisitions.	\$ 9,800,000
		<b>\$ 707,000,000</b>

Operating Budget Impacts (excl. Maintenance and Utilities)	All Transportation - related	\$ 5,968,000
MCPS- operating Budget Impact	Potential Impact from Multi-Family High-Rise Units (11,000 Units)	\$ 8,894,000
MCFRS- Operating Budget Impact	Potential Impact from Multi-Family High-Rise Units (11,000 Units) One time cost for : a) one Peak BLS transport (staffed by two FFs 12 hours/day, 5 days/week), and b) one 24/7 BLS Transport(staffed by two FFs 24 hours/day, 7 days/week), annual costs for both units \$1,241,000	\$ 2,242,000
M-NCPPC Park Development Projects - Operating Budget Impact	Estimate average operating cost \$15,810.00/acre/year Estimated total operating cost: 23-acre x \$15,810/acre/yr. = \$363,630/yr.	\$ 364,000
		<b>\$ 17,468,000</b>

#### Notes

- (1) Total estimated capital costs are \$808M, \$707M - County, \$91.4M - State and Federal, \$1.6M -Private, and \$8M - Others . Only County costs are shown in the chart above. Costs do not include Land, ROW or Utilities costs.
- (2) Total Operating budget estimates are \$19M - County (\$17.5M), State and Federal (\$80,000), Private (\$145,500), and Others (1.2M). Only County costs are shown in the chart above
- (3) Maintenance and Operations costs are not included in capital costs. It is typical practice along State corridors to assume a 50/50 split in costs unless there is strong cause to assume otherwise. In practice the actual splits in such costs may vary significantly.
- (4) Rounding - individual values rounded up to nearest \$100,000 for report
- (5) Inflation - All Dollars are in 2022 Dollars.
- (6) The plan presumes the establishment of a Connectivity and Infrastructure Fund (CIF) which M-NCPPC staff believe could generate \$6M-\$10M to be used for specific projects. With only three of the six project categories able to be estimated, costs for the projects will exceed \$67 million. As a result, the CIF will only fund a small portion of the sited projects.
- (7) There was insufficient specificity to provide estimates for costs for some plan components. The most significant of these could be: Transit center experience improvements; stormwater management enhancements; utility improvements; unspecified Green Loop connectors; emergency energy hubs; and partnerships.

Marc Elrich  
*County Executive*



Christopher R. Conklin  
*Director*

DEPARTMENT OF TRANSPORTATION

**MEMORANDUM**

February 8, 2021

**TO:** Meredith Wellington, Land Use Planning Policy Analyst  
Office of the County Executive

**FROM:** Hannah Henn, Deputy Director for Transportation Policy  
Department of Transportation (MCDOT)

A handwritten signature in black ink, appearing to read "Hannah Henn", is written over the printed name and title.

**SUBJECT:** Silver Spring Downtown and Adjacent Communities Plan  
Planning Board Draft – MCDOT Comments

Thank you for the opportunity to review the Winter 2022 Planning Board Draft of the Silver Spring Downtown and Adjacent Communities Plan (“the Plan”). MCDOT strongly supports the vision of the Plan and believes Silver Spring has the potential to become a renowned example of infrastructure that supports pedestrians, bicycling, and transit but are concerned that the Plan’s recommendations do not adequately support the intended vision.

The comments below summarize MCDOT’s most significant concerns related to the ability to achieve the Plan’s vision. Many of these comments have been made previously by our staff as they coordinated with Planning staff throughout the year. Footnotes in this memo are used to reference numbered comments included in our attached, detailed technical comments.

- 1) **Connectivity & Infrastructure Fund; UMP:** We have multiple concerns with the Connectivity and Infrastructure Fund (CIF) pertaining to revenue collection, project implementation, and the relationship with the Unified Mobility Program (UMP).<sup>116</sup>

It is unclear how these revenues would be assessed and collected. Would these revenues be implemented by the Planning Department, or by the Department of Permitting Services? If Planning Board, is there legal authority for the Planning Department to collect these revenues, and what would the mechanisms be for Planning to spend the revenues on implementation projects?

If the Planning Department intends to directly construct infrastructure projects, MCDOT would have significant concerns about the structure, capacity, and authority for the Planning Department to engage in these activities. Alternately, if the Planning Board intends to use the CIF to issue grants for projects, there is potential for a conflict with Council funding authority and additional complexity to funding processes.

The Plan does not include any references to the UMP as defined in the 2020 Growth and Infrastructure Policy, nor does it clearly state whether the CIF is complementary to or replaces the UMP. It is MCDOT's intent that an UMP be implemented concurrently or as nearly following this Plan as feasible, and MCDOT intends to submit materials relating to the UMP in the near future.<sup>117</sup>

- 2) **Complete Communities:** There do not appear to be any substantive references to Complete Communities, which has been a major focus of the parallel Thrive Montgomery 2050 ("Thrive") effort. While Thrive has not been finalized, this document could still reference Complete Communities as a concept worth pursuing if that is a priority for the Planning Board. Silver Spring could serve as an appropriate and attainable first application of Complete Communities methodologies and analysis tools.

Are there important land use types that are not currently available to the Plan area? And how would the Plan propose to achieve these? We note our comments on Thrive relating to how each master plan might define and apply three variables in providing measurable and actionable Complete Communities implementation. These variables are (1) travel mode, (2) travel time, and (3) target destinations.<sup>39</sup>

- 3) **Transit:** Considering the opportunities of the Plan area, the transit section should be expanded to include recommendations for increased MARC service<sup>68</sup> and provide more information on existing and planned bus services, particularly regional and commuter buses.<sup>69</sup> A map should be included that shows transit services serving Silver Spring.<sup>70</sup> The Plan should acknowledge the potential significant impacts of the ongoing Ride On Reimagined and Metrobus Redesign Study.

- 4) **Infill Metrorail Station:** The plan proposes an infill Metrorail Station by Jesup Blair Park. For such a station to be realized, the Plan must make a more overt effort to identify right-of-way needs, address park impacts, and substantially increase densities in the vicinity of the proposed station. Without a more significant effort to justify this station, it is unlikely that it would ever be realized. If the Plan is not committed to seeing such a station be constructed, this recommendation should be removed.<sup>72</sup>
- 5) **Conflicting Information:** The Plan includes multiple cases of unclear or conflicting information:
- While the narrative and recommendations on page 130 reference several streets as being Shared Streets, the Streets Map and Table on pages 133-137 do not show any shared streets at all. As the map and table are more likely to be used in practice, it is important that these reflect what is intended by the Plan.<sup>80</sup>
  - The Plan does not include a road diet along the segment of 16<sup>th</sup> Street south of East-West Highway. However, the Street Sections Supplement does appear to show a road diet on this segment.<sup>90</sup>
  - The Streets Table on page 134 states that dedicated transit lanes are to be included along 16<sup>th</sup> Street, but the Planned Lanes column and the Street Sections Supplement both do not reflect transit lanes nor does there appear to be any narrative in the Plan regarding such transit lanes.<sup>91</sup>
  - The Street Sections Supplement shows two-way separated bike lanes on both sides of Colesville Road south of Draper Lane but the Plan calls for two-way separated bike lanes on only one side and sidepath on the other side in this segment.<sup>132</sup>
  - An extension of Draper Lane is shown in the Streets Map on page 133 but is not shown on page 58.<sup>33</sup>
  - The Bike Map and the Green Loop Map appear to have several inconsistencies with each other.<sup>56</sup>
  - Some line items in the Streets and CIP Tables appear to be duplicative with other items,<sup>95,119</sup> some street segments appear to be missing from the Streets Table,<sup>96</sup> and multiple transportation projects appear to be missing from the CIP Table.<sup>120-123</sup>

- 6) **Railway Crossings:** The new connections across the railroad tracks should include language as to how these connections might be implemented as part of private developments.<sup>15</sup>

Should you have any questions regarding our comments on the Plan, please feel free to contact me or Mr. Andrew Bossi, Senior Engineer, at [andrew.bossi@montgomerycountymd.gov](mailto:andrew.bossi@montgomerycountymd.gov).

HH:AB

cc: Chris Conklin, MCDOT  
Gary Erenrich, MCDOT  
Andrew Bossi, MCDOT

February 16, 2022

Montgomery County Council  
Stella Werner Council Office Building  
100 Maryland Ave  
Rockville, MD 20850

**Silver Spring Downtown and Adjacent Communities Plan (Support)**

**Testimony for February 17, 2022**

**Jane Lyons, Maryland Advocacy Manager**

Thank you, Council President Alborno and Councilmembers. My name is Jane Lyons and I'm testifying on behalf of the Coalition for Smarter Growth, the leading organization advocating for walkable, inclusive, transit-oriented communities as the most sustainable and equitable way for the DC region to grow and provide opportunities for all.

We support the draft of the Silver Spring Downtown and Adjacent Communities Plan, although we believe there is room for improvement to think more strategically, creatively, and boldly about certain elements, such as affordable housing. In general, we are excited that the plan embraces downtown Silver Spring as the right place to grow, and to grow in a way that supports connectivity, resiliency, and health.

Silver Spring is where people want to live, and we need to take steps to make sure it is somewhere that is welcoming for everyone, and that maintains and celebrates diversity. To do this, the plan needs more concrete strategies for preserving existing income-restricted and market-rate affordable housing, creating more mixed-income housing, and supporting local businesses.

The biggest area for opportunity for affordable housing involves the redevelopment of the downtown's underutilized parking garages, and that the plan should set ambitious goals to use this public land for public good, and consider models such as a community land trust. Furthermore, as recent research from the Brookings Institution shows, diverse housing types help to create diverse neighborhoods. We urge you to allow more housing types in the adjacent communities.

We are excited about proposals to create two new pedestrian connections over the train tracks, redesigning dangerous streets, and allowing for more height and density to achieve maximum flexibility in redevelopment. However, we would like to see the plan to have specific recommendations for locating new street trees, improved stormwater management, public restrooms, bike parking, and additional lighting.

Please see below for our full, detailed comments on the Planning Board's draft plan:

- **The Green Loop (2.2.2.)**

We do not believe a loop is the best design choice, given that a grid generally is more efficient and improves connectivity better than a loop. There is no reason not to include all of Colesville Road or Georgia Avenue in this vision for green, multimodal streets. In fact, that is exactly the vision outlined for Montgomery County's arterial roads and future corridor-focused growth corridors (which includes Colesville Rd and Georgia Ave) in the current PHED committee draft of Thrive 2050.

The primary component on the Green Loop or similar idea should be protected bike lanes. Furthermore, this section of the plan would also benefit from an explanation as to how the Green Loop integrates with the already envisioned downtown Silver Spring bike network.

- **District-specific recommendations (2.3.)**

Metro Center: We strongly agree with the recommendation to have the highest intensity commercial development in the Metro Center District. This district has been underutilized for far too long. The idea to have a new landmark building at the Transit Center Development Site is especially desirable, and we concur that no parking should be provided given the site's proximity to multiple modes of high-quality transit. We would like the county to encourage, partner, and prioritize space in this future development for child care, which would be convenient not just for downtown workers but for commuters on Metro and MARC.

South Silver Spring: This is clearly the district with the most opportunity for redevelopment and positive change. Within this district, we would like to see the plan also recommend making the Newell Street closure permanent and redesigning the intersection of East-West Highway, Georgia Avenue, and Burlington Avenue to prioritize the safety of pedestrians and cyclists. Newell Street's closure has reactivated Acorn Urban Park as a place for people to gather and socialize, and this is at-risk of being lost if the street is to return vehicular traffic. Finally, the specifics of The Blairs Master Plan are unclear, but should include the continued service of a full-sized grocery store for this important location.

Adjacent communities: The built form of the adjacent communities does not allow for a step-down transition with the high-rise buildings in the CBD and would benefit from gentle density, such as with three to five story buildings, connecting the CBD to lower density neighborhoods. We applaud the planners for considering allowing different housing types, but this underlying issue will not be addressed by only allowing buildings that are "compatible with the surrounding development" in terms of height and massing. These properties are appropriate for more than just house-scale duplexes and triplexes. The plan's own Housing Appendix points to the efficacy of six-plexes as a good option for lower cost multifamily housing.

Also, this plan should not rely on the Attainable Housing Strategies guidelines for downtown Silver Spring's adjacent communities because it is unclear when, and if, those recommendations will be



formally adopted. Furthermore, the AHS recommendations encourage consideration of medium-scale (three to four stories) and large-scale (four to five stories) attainable housing in master plans, such as this. Silver Spring offers one of the best opportunities for the County Council to creatively test incorporation of medium-scale housing as a transition from a downtown and as a means to offer more attainable housing options.

Finally, we strongly support the goal to maintain a mature tree canopy in the adjacent communities and would like to see more details on standards for how this should be achieved.

- **Economic Growth (3.2.)**

To celebrate and maintain the diversity of Silver Spring, it is important that its businesses continue to serve a diverse and evolving clientele. We believe this plan should include more incentives and programs that would help to develop businesses for and from within the existing community.

The recommendation from Fenton Village to ensure buildings are divided into smaller components, instead of one large, monolithic structure, should be true of the whole plan area to allow for small businesses to thrive.

- **Affordable Housing (3.3.)**

We urge you to revert to the public hearing draft's original proposal to require 15 percent moderately priced dwelling units (MPDUs) or other DHCA-equivalent affordable housing for all residential projects, rather than just Optional Method projects.

In addition, the biggest opportunity for affordable housing in the plan area are the many county-owned parking garages and lots. Any county-owned land that is redeveloped should prioritize mixed-income housing with inclusion of a high percentage of deeply affordable and affordable units (30% or more). In addition to this, publicly owned properties such as these are also a unique opportunity to try out new models for affordable housing, such as a community land trust. This goal should be restated throughout the document whenever discussing the redevelopment of public parking garages or lots.

The plan falls short in identifying where existing affordable housing should be preserved. The plan should use the department's housing preservation study, which includes a focus on this plan area, to identify which properties are most at-risk and which tools would be most helpful to preserve those units/properties.

Additionally, the plan also misses the mark on the goal to facilitate the development of a variety of housing types. If all that is allowed are large apartment buildings in the CBD and 1-3 unit homes in the adjacent communities, then the plan area will not achieve this goal. We recommend allowing more medium-scale attainable housing types in the adjacent communities.

Finally, we would like to see the plan explore potential incentives for condominium development to create more homeownership opportunities.

- **Urban Design (3.4.)**

We do not support the plan's recommendation for a Design Advisory Panel. These types of panels too often end up prioritizing subjective design opinions of a small set of residents and can lead to slower progress on redevelopment projects that are beneficial for the community at-large. We recommend creating urban design guidelines to ensure that new construction in Silver Spring achieves high-quality design standards.

- **Parks (3.5.4.)**

We strongly support a permanent closure of Newell Street to vehicular traffic and expand Acorn Urban Park, and recommend its inclusion in the plan. Even with the new plan for a South Silver Spring Urban Recreational Parklet, an expanded Acorn Park is desirable for this rapidly growing neighborhood. We are glad to see the draft recommend that Newell Street continue to function as a temporary park until the proposed South Silver Spring Park project gets implemented, but urge the Newell Street closure to be permanent.

- **Transportation (3.6.)**

Bicycle Parking: We are glad to see the plan talk about bicycle parking, but more needs to be done to identify where more bike parking is needed.

Pedestrian Network: Similarly, we are glad to see the plan recommend increasing and improving the quality of pedestrian-scale lighting, but would like to see the plan go further by identifying where increased and improved lighting is needed throughout the plan boundary.

Transportation Demand Management: We encourage a more ambitious goal for Non-Auto Driver Mode Share than 60 percent, given that a NADMS of 54 percent has already been achieved. Our recommendation is 70 percent.

Parking and Loading: Downtown Silver Spring should not have minimum parking requirements. These are costly requirements that are not aligned with climate goals. The plan should also recommend the unbundling of parking leases from commercial and residential leases so that residents can see the true cost of parking. Removing parking minimums and unbundling parking prices would help reduce the demand for parking, which in turn would help reduce the cost of construction for new housing.

- **3.8 Community Facilities**

Over the next 20 years, downtown Silver Spring should strive to be more welcoming by offering public restrooms across the plan area. This plan should recommend a strategy for identifying locations and operational options.

**Conclusion:** We hope that the Council will consider and include our recommended amendments.

Date: February 12, 2022

Subject: Critical issues regarding the SSDAC Plan meeting on 2/15/2022

To: The Honorable Members of the Montgomery County Council

As a resident of the Woodside Park community that is located directly north of downtown Silver Spring, I very strongly encourage the Montgomery County Council to support the two resolutions that were passed with overwhelming support by the Woodside Park Community Association.

**Resolution #1 – Please remove the small sliver of Woodside Park that was included in the Silver Spring Downtown and Adjacent Communities (SSDAC) Plan from the SSDAC region.** The families in these 17 residences are closely integrated into the personal, social, religious, and educational networks of the Woodside Park community. Any plan that treats these families as being separate from the rest of Woodside Park does not serve their best interests as such integral members of our community. Indeed, the second resolution was prompted by the fact that the SSDAC Plan runs contrary to the safety, health, and other interests of the entire Woodside Park community.

**Resolution #2 – Please table the new transportation schematics for the section of Colesville Road from Spring Street to Sligo Creek Pathway that were presented in the SSDAC Plan Supplement** until they are fully reconciled during public discussions with the different schematics presented in the Rt 29 Reliability and Mobility Study. The schematics in the SSDAC Supplement are truly objectionable for following reasons:

- Most of the SSDAC Supplement schematics for this section of Colesville Road extend beyond the boundaries of the designated SSDAC region.
- The schematics presented in the Rt. 29 Study were the result of several years of traffic studies and public discussions with the residents living along the Rt. 29 corridor. **By contrast, the Woodside Park community was first made aware of the shocking SSDAC plans for this section of Colesville Road when the SSDAC Supplement was published without any public discussion just two weeks ago on February 1, 2022.**
- The Rt. 29 Study plans for **5 car lanes and one managed dedicated bus lane** on Colesville Road from Spring Street to Sligo Creek Parkway (see Fig. 32 on p. 93), whereas the SSDAC Supplement proposes **4 car lanes and two fixed dedicated bus lanes** for both median transitway (see Figs. 7 & 8 on pp. 9-10) and curbside transitway (see Figs. 12 & 13 on p. 12) options. The decrease from 5 car lanes to 4 would unavoidably result in a huge increase in

spillover traffic cutting through adjacent communities, including Woodside Park. The plan for a single managed dedicated bus lane as presented in the Rt 29 Motility and Reliability Study provides a much more effective approach for managing the traffic flow on Colesville Road between Sligo Creek Parkway and Spring Street

- **According to state documents, the right-of-way for this section of Colesville Road is 80 wide.** The current road is constructed of 6 lanes of 10-foot widths, with 5-foot-wide sidewalks or combined 4-foot-wide sidewalks and 1-foot-wide buffers on both sides. Thus, the current road and sidewalk combination is using 70 feet of that right-of-way. It appears that this section of Colesville Road is the only section outside of downtown Silver Spring that does not have a median strip because the right-of-way does not have sufficient width to allow for constructing a median.
- The Rt 29 Study respects the established right-of-way of 80 feet, and thus, its plans show no indication of extending beyond it. **However, the SSDAC Supplement assumes a unilateral and unpublicized expansion of the right-of-way of this section of Colesville Road to 120 feet for the both median transitway (see Figs. 7 & 8 on pp. 9-10) and the curbside transitway (see Figs. 12 & 13 on p. 12) options.** These schematics call for using a total of 108 feet for the road-and-sidewalk combination from that 120-foot right-of way in the case of median transitway option and 100 feet from that right-of-way in the case of the curbside transitway option. **This aggressive use of the proposed new Colesville right-of-way would unavoidably consume most of the front yards of the single-family residences along Colesville Road.** The owners and their families would almost literally step off their front porches onto the 12-foot-wide sidewalk. The privacy-maintaining, noise-reducing, and shade-providing fences, trees, and other amenities in their front yards would all be removed by this proposed expansion.
- The schematic proposed in the SSDAC Supplement would also interfere with the operations of several churches and commercial establishments, such as Mrs. K's/Zinnia Restaurant, located on this section of Colesville Road. **Of particular impact is the landmark restaurant building formerly known as Mrs. K's Tollhouse and now renovated as Zinnia, whose front wall is located 40 to 45 feet from the center of Colesville Road just outside the current 80-foot-wide right-of-way.** Simply put, the proposed right-of-way expansion in the SSDAC Supplement would consume the entire front dining room of the Mrs. K's/Zinnia restaurant.
- The 12-foot-wide sidewalks drawn in the Colesville Road schematics in the SSDAC Supplement are apparently intended to serve as bike paths. **The Supplement ignores the presence of an existing bike path with green signage that connects between downtown Silver Spring and the**

**intersection of Colesville Road at Sligo Creek Parkway.** This well-designed path runs parallel to Colesville Road via Ellsworth Drive, which is a restricted-entrance, 40-foot-wide street that carries little car traffic.

For all these reasons, I believe that Council is well-advised to table the schematic plans for the section of Colesville Road from Spring Street to Sligo Creek Parkway in the SSDAC Supplement until they are made compatible with the existing right-of-way and the bus lane plan as presented in the Rt 29 Study.

I thank you for your attention to these urgent matters.

Respectfully submitted,

Todd Cooke

\*\*\*\*\*

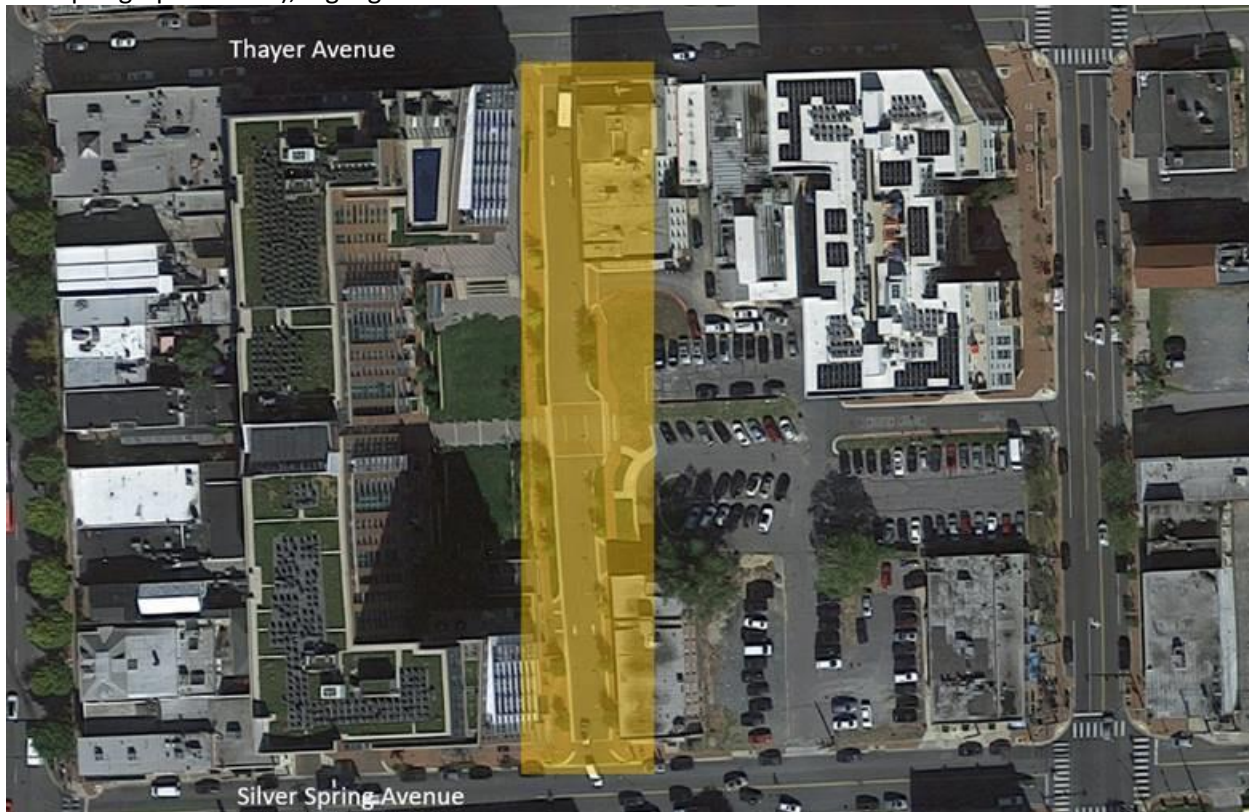
1305 Noyes Drive

Woodside Park

Silver Spring, MD 20910

Glenn,

As we discussed yesterday, during the last PHED committee meeting for the SSDAC plan, the Councilmembers noted some concerns that width of the proposed new street from Sligo Avenue to Silver Spring Avenue/Parking Lot 4 could be too wide at the expense of additional affordable residential density on the Site. The Planning Board Draft recommended a Downtown Street with a 70-ft ROW, designated bike facilities, no on-street parking, etc. The direction from PHED was to include some flexibility to make the street smaller for the purpose of maximizing units with future redevelopment. Given this feedback it seems to make sense to recommend a new roadway configuration for not only that roadway, but the other new roadway proposed in the Fenton Village (between Bonifant Street and Thayer Avenue). We provide the following notes for your consideration. They are based on the existing conditions of the roadway that connects Silver Spring Avenue and Thayer Avenue (along side the Thayer and Spring Apartments), highlighted below.



1. Recommend a “**Downtown Street**” classification for both of these new roadways with a minimum master planned ROW width of 50 ft that provides two, 10.5-ft travel lanes, as well as 6.5-ft tree buffers and 8-ft sidewalks on both sides to more closely resemble the existing street that connects Silver Spring Avenue and Thayer Avenue.
  - a. We think it’s important to note that we coordinated this response with MCDOT staff this afternoon. MCDOT maintains concerns about the overall width proposed; however, we believe the 50-foot width is the minimum needed to achieve a safe and attractive through-connection for all modes. The minimum dimensions for fire access are 20-ft and for street trees is 6.5-7ft. We uphold our recommendation for a comfortable, 8-foot pedestrian pathway on either side, per the Complete Streets Design Guide.
  - b. We want to note that while the street design is modeled off the existing private street between Silver Spring Avenue and Thayer Avenue, it is not the intent of the recommendations that all the other new, recommended streets would align with each

other. The purpose of the streets is to provide a comfortable pedestrian connection and to provide another point of access and loading off the larger Downtown Streets in the vicinity of the Site.

- c. Approval of this change would require modifying the bikeway map and table.
2. The roadway could be private (to maximize FAR on the Site) or dedicated to public right-of-way.



**From:** [Henn, Hannah](#)  
**To:** [Orlin, Glenn](#)  
**Cc:** [Bossi, Andrew](#); [Conklin, Christopher](#); [Wellington, Meredith](#)  
**Subject:** MCDOT Comments on Garage 4 Site and suggested language re: SSTC  
**Date:** Tuesday, April 26, 2022 6:21:48 PM  
**Attachments:** [Bethesda Row.jpg](#)  
[image008.png](#)  
[image009.png](#)  
**Importance:** High

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Hello Glenn,

Andrew has looped me in to the discussions with and language proposals provided by Planning to you today. While we appreciate inclusion in the process, as Atara noted, MCDOT maintains its position stated in the 3/25 memo from the Office of the County Executive, and therefore maintains a difference in opinion from Planning as it relates to the north-south street through the Garage 4. We believe the north-south street should focus on pedestrian connectivity if the primary objective is to break up “super blocks” and enhance neighborhood connectivity through a grid. We are supportive of facilitating motor vehicle access as needed for site access and request that language in the Plan focuses on defining goals and objectives for the connection, rather than prescribing dimensions.

To that end, we suggest the following markup: [omitted] added

**Parks & Open Spaces:** Provide a green space of approximately ½-acre, but no less than 1/3-acre, [green public space] along Fenton Street with any redevelopment of Public Garage 4.

-  
**Opportunity Sites:** Encourage the redevelopment of Parking Garage 4 and surrounding properties through a public-private partnership with the Parking Lot District. The Plan recommends that if Parking Garage 4 is demolished or if it is found that any such redevelopment of or around the existing structure is capable of supporting the following recommendations, then to the extent feasible any such redevelopment should include:

- [this large block be divided via a new north-south connection that aligns with the north-south connection at the block to the north. This connection could provide loading and service connections for the new development.] Dividing the block via a new north-south connection for pedestrian connectivity, with vehicular access as needed for site access or achieving optimal development outcomes.
- [In addition, the Plan recommends an] An east-west through-block pedestrian connection [as part of any redevelopment of the garage parcel].
- A [1/2-acre] green community-focused open space of approximately ½-acre, but no less than 1/3-acre, should be located at this site, fronting on Fenton Street. This open space could be an opportunity to celebrate local artists and the diversity of Fenton Village.

While Planning’s proposed 50’ wide street is better than the 70’ street currently in the plan, it

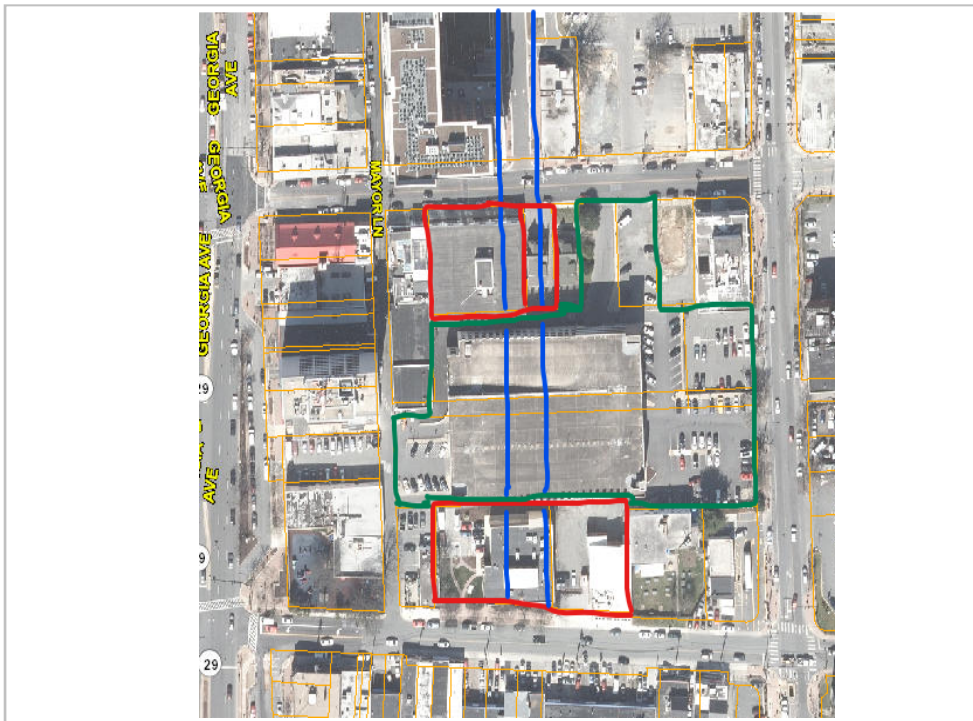
remains a substantial impact that would bifurcate the property approximately through the middle of the site. While both lots would likely still remain developable, the smaller size and separation of these lots by public right-of-way will likely make it less economically feasible to do so.

A wider street could also substantially affect air rights. If this were a private street it wouldn't necessarily *preclude* air rights development, but there is far less precedent for doing so than with air rights development above a pedestrian connection. Bethesda Row provides one example of what air rights above a pedestrian connection might look like that provides for pedestrian use during the day and can facilitate loading activities at night. (below: Google Streetview image of Bethesda Row)



The impacts of a full street would directly affect the capability of the Garage 4 site to achieve the affordable housing goals envisioned for the site.

In addition to reducing the footprint, a pedestrian connection would also allow more flexibility in the alignment. A traditional street aligning with the Studio Plaza street is further complicated in that it requires two property takes at the north end (Silver Spring Ave) and one property take at the south end (Sligo Ave). A pedestrian connection could reduce property takes from three down to two or possibly one. (below: MC Atlas image of the Garage 4 site in green, potential property impacts in red, and the street width in blue)



We believe the less prescriptive language we suggest above will provide beneficial flexibility to allow for an optimized redevelopment, particularly as related to achieving the County’s affordable housing goals in this location.

If Council determines that allowing for through-traffic is necessary on the north-south connection, we would suggest that the description of the connection focus on the purpose of the connection, rather than prescribing a width. That would allow future development to meet the stated objectives within a narrower cross-section if possible.

On another topic: pages 44-45 of the draft plan includes text regarding the Transit Center Development Site. We suggest the following underlined markup:

**Transit Center Development Site:** Design a signature building or buildings at the intersection of Colesville Road and Wayne Avenue and consider integrating the development with the Transit Center. The new development should activate the corner at Colesville Road and Wayne Avenue with a ground-floor use appropriate to the center of an urban area. This building should be architecturally significant and a landmark for Silver Spring. Additional facilities supporting the existing

transportation-related activities at the Transit Center may be included in this site, provided the aforementioned objectives are achieved. As this site is constrained, consider providing no parking or developing this site along with part of the Bonifant/Dixon garage site. The Plan recommends that the maximum building height on this site be permitted to exceed 300 feet, consistent with the provisions of the Building Height Incentive Zone (BHIZ).

This addition addresses interest from WMATA in identifying additional space for bus layovers at the Transit Center site while retaining flexibility for other transit-supporting uses that may arise over time. Similar examples may include the bus areas at Bethesda and Friendship Heights, both of which have surrounding activating uses as well as air rights development.

Contact Andrew and me with any questions. Thank you.



**For more helpful Cybersecurity Resources, visit: <https://www.cisa.gov/be-cyber-smart>**

**Testimony on the Downtown Silver Spring and Adjacent Communities Plan  
from Alison Gillespie on behalf of Open Streets Montgomery  
February 17, 2022**

Thanks for the chance to speak tonight.

I attended many meetings about the DTSS plan over the past year, and overall I see a lot to like in this final version, especially as it concerns parks. Tonight I'm here speaking on behalf of Open Streets Montgomery, a coalition led by myself, Peter Gray and Kristy Daphnis working to rethink existing paved spaces for things other than driving in our urban areas.

I want to specifically address the need to make Acorn Park permanently include Newell Street and further ask that the expanded park be run by Montgomery Parks, not by the Department of Transportation as is called for in the plan.

Two years ago, the county did a fantastic thing and closed off Newell Street in South Silver Spring at the request of many neighbors who wanted safe, open-air recreation space during lockdowns. The result was that a very tiny park that was almost never used due to its unpleasant proximity to cars became a popular neighborhood town square.

As the COVID months wore on and became years, the park was a place where people could meet, socialize, and even enjoy Parks and Recreation Department programming. Planners always talk about the process of placemaking, and this was organically occurring placemaking happening in real time. Part of the reason for this was that South Silver Spring had long been a "park desert" – and was lacking open space for families to play. Many had been hungry for this kind of open space among the high-rises for years before lockdowns ever happened.

We are disappointed that the county has dragged its feet on making this new, wonderful expansion permanent.

The DTSS plan calls for the road to be closed but used as a "flex street." While we are big supporters of flex streets, we do not think this is the right location. We think that it would be better to leave the paved area as an open space that could sometimes be used by vehicles during special events or large emergencies.

Part of our concern is that you would have the same small space run and managed by two entities that have very different mission statements and goals, and measure success by very different metrics.

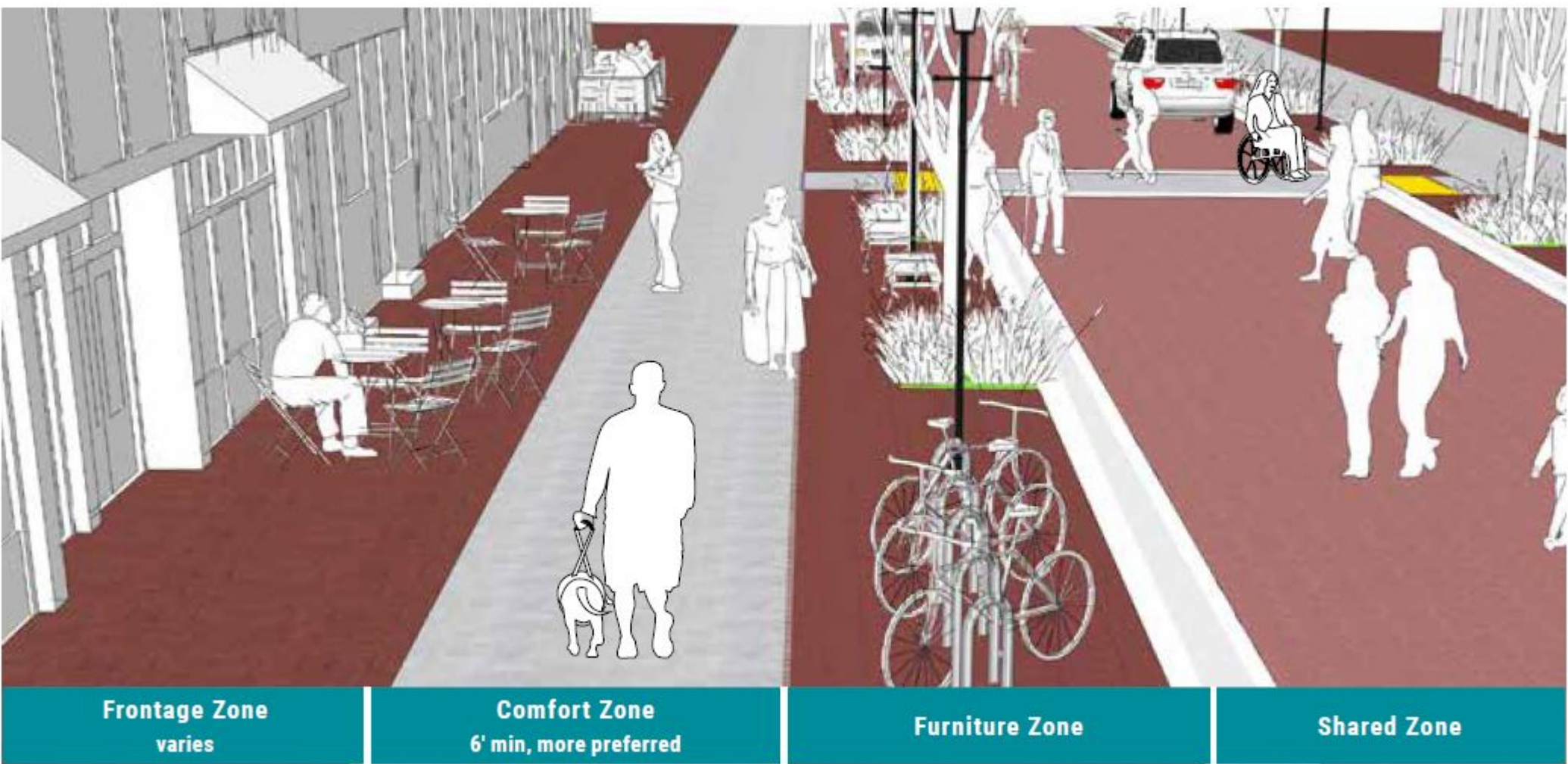
But also, DOT's primary mission, in most circumstances, has been to manage space along our roadways for the primary purpose of mobility - vehicular, pedestrian, and cyclist traffic. While DOT may have dipped its toe into more "recreational" uses of street space with its "Shared Streets" program over the past 2 years, Newell Street and the opportunity it presents over the long term involve a much different set of management skills - event management, noise management, recreational programming, etc.

To most users of this space, the distinction between the MCDOTs rules and Parks' rules will be confusing, and having two agencies to talk to about anything like vagrancy, litter, noise or other safety issues may prove to be a real problem for the community moving forward. In my experience the Parks department is excellent with such issues.

So again, we at Open Streets Montgomery request that you make Newell Street's closure permanent and put it under the control of Montgomery Parks, NOT the Department of Transportation.

Thanks for your time and attention.





**Frontage Zone**  
varies

**Comfort Zone**  
6' min, more preferred

**Furniture Zone**

**Shared Zone**

Figure 2-100. Shared Street zones (Source: FHWA Accessible Shared Streets Guide) (25)

**M E M O R A N D U M**

April 29, 2022

TO: County Council

FROM: Pamela Dunn, Senior Legislative Analyst  
Livhu Ndou, Legislative Attorney

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan

PURPOSE: Worksession to review PHED Committee recommendations for Council consideration and develop Council recommendations

This is the Council's third worksession on the Silver Spring Downtown and Adjacent Communities Plan. It will cover the Planning, Housing, and Economic Development (PHED) Committee's plan-wide recommendations on Resilient Downtown, Community Facilities, Historic Resources, Implementation and several property-specific requests<sup>1</sup>.

<b>Councilmembers may wish to bring their copy of the Plan to the meeting.</b>
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A link to the Planning Board Draft for those wishing to access the Plan online can be found at the following link: <https://montgomeryplanning.org/wp-content/uploads/2022/01/SSDAC-Planning-Board-Draft-FINAL-FOR-WEB-reduced2.pdf>

## **PLAN-WIDE RECOMMENDATIONS**

### ***1. Resilient Downtown***

The Metropolitan Washington Council of Governments (COG) identifies the region's most direct climate hazards as extreme temperatures, continued rising overall temperatures, increased precipitation, and drought. While this plan cannot address all climate impacts, it aims to address those that directly intersect with urban planning. The goals and recommendations in this Plan support and reinforce the concepts put forth in both Thrive Montgomery 2050 and the ongoing Montgomery County Climate Action Plan. The goals include reduce surface and heat island temperatures; supporting the Climate

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<sup>1</sup> Review of Transportation and Schools, and the Fiscal Impact Statement are covered in a separate staff report for May 3, located here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20220503/20220503\\_2A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20220503/20220503_2A.pdf)



Action Plan's goal of net zero carbon emissions by 2035; increasing tree canopy cover, green cover, and native plantings throughout the Plan area; improving air and water quality, and mental and physical health; and supporting the growth of urban agriculture and local food production and processing in the downtown.

**Committee recommends (3-0) removing the reference to Thrive Montgomery 2050, as it has not yet been passed by this Council.**

### *Environmental Equity and Health*

The effects of climate and environmental inequity are often most acutely felt in lower income, elderly, and minority communities. Poor environmental conditions create chronic physical, mental, and economic stress, and illness. Environmental equity is the protection from environmental hazards as well as a guarantee of equitable access to environmental resources such as parks, open green space, trees and vegetation, community gardens, and energy-efficient buildings. The goals for this Plan are to provide equitable access to quality natural resources such as parks, green space, community gardens, and the Green Loop; and encourage all new construction to exceed county minimum standards for energy efficiency.

#### Recommendations:

- Expand vegetated parks, open space, and amenities within a 5-minute walk for all residents.
- Implement the Green Loop throughout the districts.
- Design parks and open spaces with native canopy trees, shrubs, grasses, and flowers.

**Committee supports (3-0) the Plan-wide Resilient Downtown: Environmental Equity and Health recommendations.**

### *Urban Heat Islands and Tree Canopy*

Urban heat islands occur when urban areas have substantially warmer air temperatures than the suburban surroundings, due to increased impervious surface, surface color, and vehicle and building heat emissions. Silver Spring is particularly susceptible to trapped heat and elevated temperatures due a high impervious cover (77 percent) and low mature tree cover (8.6 percent). The Plan goals are to reduce urban surface and air temperatures through the application of nature-based solutions throughout Silver Spring, and increase biodiversity and urban beautification.

#### Recommendations:

- Implement the principles of the Cool Streets Recommendations that will be included in the Design Guidelines into new site development and street renovations on public and private property.
- Plant diverse, stratified, and climate- and region-appropriate native tree species to reduce vulnerabilities, diseases, and improve their ability to thrive in a changing climate.
- Prioritize urban tree canopy and green infrastructure in targeting the hottest streets and where tree canopy is deficient (see Map 27).
- Encourage a minimum of 35 percent green cover on Optional Method Development projects. A project may achieve the 35 percent green cover requirement by:
  - Providing an intensive green roof (six inches or deeper) on the rooftop of buildings;
  - Proving native canopy tree cover on the landscape of the project site area at ground level; and/or

- Providing a combination of tree canopy cover and intensive green roof for a total of 35 percent or greater on the total site.
- May be reduced for on-site energy generation.
- All new rooftops not covered in green roofs or alternative energy generation should be cool roofs or active rooftop uses.
- Consider a Cool Roof Initiative that encourages existing property owners to paint their roofs with reflective surfaces which can reduce the effects of heat island by as much as 33 percent.
- Encourage all property owners to take advantage of MNCPPC's free Tree Montgomery program.
- Apply Sustainable Sites Initiatives (SITES) principals to new construction projects.

**Committee recommends (3-0) amending this language to be less prescriptive, providing flexibility to property owners:**

- Encourage a minimum of 35 percent green cover on Optional Method Development projects where practicable and consistent with other plan objectives. [A project may achieve the 35 percent green cover requirement by] A project may provide green cover by:
  - Providing an intensive green roof (six inches or deeper) [on the rooftop of the buildings] on rooftops or other structures;
  - [Proving] Providing native canopy tree cover on the landscape of the project site [area at ground level]; and/or
  - Providing a combination of tree canopy cover and intensive green roof for a total of 35 percent or greater green cover [on the total site].
  - May be reduced for on-site energy generation, other environmental site amenities, or where desirable to achieve other plan objectives.
  - All new [New] rooftops not covered in green roofs or alternative or renewable energy generation should be cool roofs or active rooftop uses.
- Consider a Cool Roof Initiative that encourages existing property owners to paint roofs not covered with vegetation with reflective surfaces which can reduce the effects of heat island by as much as 33 percent.
- Encourage all property owners to take advantage of MNCPPC's free Tree Montgomery program.
- Apply Sustainable Sites Initiatives (SITES) principles to new construction projects.

**Council has received correspondence from residents asking for stricter green cover requirements. Specifically, the letter asks the Council to:**

- a) **Require the protection and preservation of the 8% tree canopy in the CBD-downtown (trees over 18" caliber in size);**
- b) **Require 35% green cover;**
- c) **Set an overall goal, throughout the plan, to reach a 45% tree canopy over the 20-25 years of the Plan, on public and private property;**
- d) **Require planting of trees on the Major Tree List of DOT, and not small decorative trees; and**
- e) **Require tree pits be 1,000 cubic feet, and no less than 600 cubic feet.**

### *Energy and Carbon Emissions*

Burning fossil fuels, including their extraction and refinement, is the leading cause of climate change. As noted in the Plan, more than 50 percent of Montgomery County's total carbon emissions comes from building inefficiencies, with another 30 percent from transportation. The Plan aims to help reduce building energy demand, increase on-site energy production, reduce reliance on non-electric

automobiles, and sequester carbon through NbS in order to meet the county's Net Zero Carbon Emissions goals by 2035.

Recommendations:

- Optimize building and site orientation to maximize passive and active solar energy.
- Support and encourage onsite alternative energy such as solar, geothermal, and/or future renewable resource energy technologies.
- Support proposed and future affordable housing development projects that incorporate emergency Energy Hubs. Onsite Energy Hubs provides equitable backup solar and battery storage during local and regional energy outages.
- Encourage exceeding the county's minimum energy standards and striving for net-zero, net positive, and/or Living Building standards.
- For public and large properties or/and consolidated land parcels with more than one building encourage the use and installation of decentralized and renewable/clean energy systems such as micro-grids and other dependable electricity sources thereby reducing reliance on distant power networks, non-renewable resources, and susceptible powerlines.

**Committee supports (3-0) the Plan-wide Resilient Downtown: Energy and Carbon Emissions recommendations.**

*Water Quality*

Over 77% of the Plan's commercial and industrial area is impervious surface. Impervious surfaces prevent stormwater from infiltrating into the ground, causing runoff to transport debris, oils, and contaminants into nearby inlets and waterways. Consequently, the receiving streams of Sligo and Rock Creek have fair to poor water quality and degraded aquatic habitats. The Plan goals are to reduce untreated stormwater runoff and runoff rates and improve water quality.

Recommendations:

- Utilize active stormwater management strategies to minimize deviation from the standards established by Chapter 19 of the County's Erosion, Sediment Control, and Stormwater Management Code.
- Maximize green roof stormwater credit using an eight-inch soil medium or approved equivalent. This simultaneously increases building insulation, reduces urban [H=]heat island effect, and increases opportunity for native plant, insect and other species biodiversity.
- Consider using rainwater catchment cisterns for irrigation or other allowable uses within the zone.
- Minimize the impacts of development through the installation of green infrastructure such as bioretention areas, stormwater swales and trenches, structured cells, stormwater planters, permeable pavements, or other future green technologies.
- Design stormwater facilities separate from street tree panels for easier maintenance.
- Where surface parking is retained, integrate vegetative stormwater management systems and/or solar systems covering a minimum of 35 percent of the surface parking area.
- Integrate environmental site design (ESD) into the right-of-way of all new and proposed roads and retrofits.
- Provide decking over linear stormwater treatments to maximize treatment size while not inhibiting pedestrian use.

### **Committee supports (3-0) the Plan-wide Resilient Downtown: Water Quality recommendations.**

#### *Transportation*

Vehicles with combustible fuel engines account for 41 percent of carbon emissions in the county. Reducing vehicle demand and use will reduce the county's carbon and other greenhouse gases, so the Plan goals include encouraging pedestrian and bicycle travel within the Plan area for local trips to reduce carbon and other greenhouse gas emissions; and enhancing the ecological performance of public rights-of-way.

#### Recommendations:

- Provide a healthier, cooler, more comfortable pedestrian experience along streets and open space through the planting of native canopy trees prioritizing lower income areas, the Green Loop, and the hottest streetscape areas (see Map 27).
- During street renovations and routine replacements, consider installing smart street elements such as: solar lighting, solar metering, solar crosswalks, LED lighting, electric vehicle charging portals, and/or other technologies that emerge.
- Implement cooling strategies into all streetscape plans during the site planning process, and street renovation and improvement projects. Cool Streets Recommendations will be included in the Design Guidelines.
- Encourage car-free, flexible, and car-lite streets through flexible streets, road diets, alternative modes of transportation, and bike/vehicle sharing programs.
- Encourage more vehicle charging stations than currently required on private property and within the right-of-way (ROW) where appropriate to support a growing electric vehicle demand.

### **Committee supports (3-0) the Plan-wide Resilient Downtown: Transportation recommendations.**

#### *Food Security*

The Montgomery County Food Council's 2017 Montgomery County Food Security Plan envisions all people having access to safe, sufficient, and nutritious food. The Plan estimates that between six and 22 percent of families in the Plan area experience food insecurity due to a variety of factors, including access to affordable, local food. Plan goals are to support affordable retail and food-service rental space; encourage local food processing, storage, and kitchen space; support food distribution and aggregation hubs; support access to affordable, walkable, and healthy food retail for all residents; and support access to reliable long-term urban agricultural opportunities.

#### Recommendations:

- Allow commercial food kitchens, food processing, and rooftop farms as accessory commercial uses in the Plan area CR zones.
- Increase local capacity for the production of culturally appropriate foods, through increased opportunities for community gardening and agriculture efforts.
- Support the establishment of healthy corner stores, farmers markets, and other access points for federal benefits usage.
- Support onsite community composting and education hubs to bring us closer to meeting the County's Zero Waste goals.

### **Committee supports (3-0) the Plan-wide Resilient Downtown: Food Security recommendations.**

## ***2. Community Facilities***

The 2000 Silver Spring CBD Sector Plan included several recommendations related to community facilities.<sup>2</sup> Several of the recommendations have been realized, including construction of the new Silver Spring Library, District Courthouse, Fire Station, and Civic Building, as well as the restoration of the Silver Theatre, operated by the American Film Institute, and the former fire station, which is now a restaurant. The Plan area also benefits from a year-round, weekly farmer's market, organized by FRESHFARM, established in 2005, and new facilities for seniors, such as affordable senior housing adjacent to the Silver Spring Library, and an eldercare facility operated by Easter Seals.

The County is also currently constructing the South County Regional Recreation and Aquatic Center as part of the Elizabeth Square development in the Downtown North district, which will offer new recreation facilities such as exercise and weight room equipment, movement and dance studios, multipurpose activity rooms, public-use spaces for gathering, an Olympic-size indoor pool and a senior wellness center. The Plan states that as a result of the success of these efforts over the past 20 years, few new community facilities are being recommended in this plan.

### *Safety & Security*

The Plan stresses the importance of creating a street network where people feel safe, recognizing the efforts of numerous agencies, such as the Montgomery County Police Department and Urban District.<sup>3</sup> The Plan goal is to maintain a downtown where streets feel safe for pedestrians throughout all districts, during the day and into the evening. Silver Spring has a nighttime economy, and it is important for the continued success of businesses that attract patrons at night for pedestrians to feel comfortable visiting those establishments after sunset.

#### Recommendations:

- Ensure consistent street lighting to provide a greater level of safety and comfort for pedestrians, particularly when walking at night. The plan strongly recommends additional lighting at underpasses such as the pedestrian tunnel under the Metrorail at Georgia Avenue, and under the Metrorail at Colesville Road.
- In addition, this plan recommends a comprehensive wayfinding study for all of downtown Silver Spring. During engagement it was often noted that there is a lack of clear wayfinding and signage in Silver Spring and that arrival via the transit center can be disorienting.

**Committee supports (3-0) the Plan-wide Community Facilities: Safety and Security recommendations.**

### *Homelessness and Housing Insecurity Services*

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<sup>2</sup> The 2000 Silver Spring CBD Sector Plan can be found here:

[https://www.montgomeryplanning.org/community/plan\\_areas/silver\\_spring\\_takoma\\_park/master\\_plans/sscbd/sscbd\\_toc.shtm](https://www.montgomeryplanning.org/community/plan_areas/silver_spring_takoma_park/master_plans/sscbd/sscbd_toc.shtm).

<sup>3</sup> The Silver Spring Urban District “provides enhanced services to the Central Business District to ensure that downtown Silver Spring is maintained as a clean, safe and attractive environment to promote a vibrant social and business climate to support long-term economic viability and vitality.” Additional information about the Silver Spring Urban District can be found here: <https://silverspringdowntown.com/go/silver-spring-urban-district>.

The Plan recognizes Silver Spring as an “important hub for services for the homeless and housing-insecure.” As an example, the recently completed Progress Place, located behind the new fire station on Georgia Avenue, provides many services. Organizations like Montgomery Housing Partnership (MHP), Housing Opportunities Commission of Montgomery County, and others strive to provide more deeply affordable units in the downtown. The Plan goal is to continue to provide enhanced and expanded housing and support facilities and services for all residents of the Plan area.

Recommendations:

- Support ongoing partnerships between Montgomery County, service providers, and civic organizations that manage downtown Silver Spring to address the needs of the housing insecure.
- Promote the development of additional affordable, including deeply affordable, housing units within the Plan area.
- Work with service providers to provide sufficient places that are welcoming and supportive of the housing insecure.
- Consider installation of and improved wayfinding for restrooms at public facilities in the Plan area.

**Committee supports the recommendations (3-0) and recommends clarification of what “sufficient places” are. It is unclear whether “sufficient” refers to the number of places or the quality of those places. The recommended amendment is:**

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

*Montgomery College*

Established on the site in 1950, the Takoma Park/Silver Spring campus of Montgomery College covers more than 100 disciplines for more than 7,800 students from more than 140 countries and is the headquarters of the college’s Health Sciences program and the School of Art and Design.

Recommendation:

- The Plan recommends working with the College to explore and develop opportunities to expand the campus program in South Silver Spring.

**Committee supports (3-0) the Plan-wide recommendation for Montgomery College.**

### ***3. Historic Resources***

Silver Spring’s historic buildings and resources are critical to community character and the collective memory of this area. They offer tangible connections to the past, provide opportunities for education and interpretation, and help to create a diversity of buildings and structures within the Plan area.

*Master Plan for Historic Preservation*

The County Council adopted the Master Plan for Historic Preservation in 1979. The plan includes all officially designated historic sites and districts.

The goals for the Plan as it relates to the Master Plan for Historic Preservation include protecting and preserving resources listed in the Master Plan for Historic Preservation, educating property owners of historic properties about the benefits of the historic preservation tax credit program, promoting the adaptive reuse of historic properties while retaining their character defining features, and assisting property owners with National Register of Historic Places nominations to promote the use of state and federal tax credits.

**The Committee supports (3-0) the Plan-wide Historic Resources: Master Plan for Historic Preservation goals.**

In this section, the Plan highlights the Silver Spring Shopping Center and Theatre. Importantly, the Plan notes:

“The Silver Spring Downtown and Adjacent Communities Plan encourages continued adaptive reuse of the parking lot at the corner of Georgia Avenue and Colesville Road. Built in 1938, the Silver Spring Shopping Center and Theatre is historically significant as a planned regional shopping center with integrated parking. It combined a consciousness of design and merchandizing techniques and recognized the importance of the automobile to the shopper. Therefore, the parking lot is part of the story of the circulation of people and goods.”

The Silver Spring Shopping Center and parking lot were discussed as part of the review of the Ellsworth District. The Silver Spring Shopping Center Opportunity Site refers to this section of the Plan. **In response to testimony, the Committee recommends (3-0) the following revision:**

“Further reimagining and activation of this parking lot would be appropriate and encouraged with respect to the ongoing preservation of the site, consistent with retaining the lot’s character-defining shape and features. In [addition] particular, proposals could explore the addition of a commercial one-story building that is compatible with the architecture of the shopping center and respects the relationship between the shopping center and streets. Historically, a section of the parking lot once included a gas station which provides justification for the addition of a small similarly-sized structure.

*New Sites or Districts to be Studied as Future Historic Preservation Master Plan Amendments*

There is only one new site recommended for study as a future amendment to the Master Plan for Historic Preservation.

Recommendations:

- Study the Weller’s Dry-Cleaning Building for the potential future listing in the Master Plan for Historic Preservation and encourage the adaptive reuse of the building if the occupant and use change.

**Committee supports (3-0) the recommendation to study Weller’s Dry-Cleaning Building as a potential amendment to the Master Plan for Historic Preservation.**

*National Register of Historic Places*

The National Register of Historic Places is the official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the history of their community, state, or the nation.

The goals for the Plan as it relates to the National Register of Historic Places includes conducting outreach to property owners who own resources potentially eligible for the National Register of Historic Places, educating property owners and the public on the benefits and limitations of the National Register, providing technical assistance to property owners interested in pursuing designation, and exploring future evaluation of these properties for listing in the Master Plan for Historic Preservation.

The honorific listing in the National Register places no restrictions on what a non-governmental owner may do with their property, up to and including demolition, unless the project receives Federal assistance.

#### Recommendations:

- Historic Preservation Program staff will coordinate with property owners and study the potential listing of the following proposed sites:
  - Medical Office Building (1111 Spring Street)
  - Metropolitan Building (8720 Georgia Avenue)
  - Montgomery Center (8630 Fenton Street)
  - Operations Research, Inc., Building (1400 Spring Street)
  - Perpetual Bank Building (8700 Georgia Avenue)
  - U.S. Industries Building (949 Bonifant Street)
  - American National Bank Building (8701 Georgia Avenue)
- Historic Preservation Program staff will coordinate with property owners and study the potential listing of a Garden and Mid-Rise Apartment District which includes the following complexes scattered throughout the Plan area:
  - Falkland Gardens (1936-1938) - Bound by East West Highway to the north, Draper Lane to the east, Colesville Road to the south, and single-family dwellings and townhouses to the west
  - Blair Park Apartments (1937) - 7719-7725 Eastern Avenue,
  - Eastern Avenue Apartments (ca.1937) - 7603-7615 Eastern Avenue,
  - Blair Park Gardens (1938) - 7701-7705 Eastern Ave; 805-809 Juniper St; 7700-7705 Blair Rd
  - Montgomery Arms (1941) - 8700-8722 Colesville Road; 8615-8627 Fenton Street
  - Spring Garden Apartments (1941) - 8001-8031 Eastern Avenue
  - Rock Creek Springs (1943) - 8000-812 Eastern Drive; 8001-8009 Eastern Drive; 8033-8039 Eastern Avenue; 8000-8004 Blair Mill Road; 1300-1302 Blair Mill Road

Falkland Gardens and Montgomery Arms are listed individually in the Master Plan for Historic Preservation and Spring Garden Apartments is listed in the Locational Atlas and Index of Historic Sites. The Plan recommends studying the potential for listing a Garden and Mid-Rise Apartment District in the National Register of Historic Places, which would open state and federal historic preservation tax credit opportunities to property owners.

**The Committee supports (3-0) the Plan-wide Historic Resources: National Register of Historic Places recommendations with one exception. The Committee was contacted by a representative of the Perpetual Bank Building property regarding potential listing. This property owner is currently in the process of plans for redevelopment and is not interested in being added to the National Register. As such, the Committee recommends (3-0) removing the Perpetual Bank Building from the list.**

#### *Archeological Resources*



Archaeologists have conducted few investigations in downtown Silver Spring. Some artifacts related to the indigenous people of Maryland have been found in Silver Spring, but they are not associated with any known archaeological sites.

The goal for the Plan as it relates to Archeological Resources is to advocate for archaeological investigations in areas with minimal land disturbance (primarily located at Jesup Blair Park) when projects are undertaken.

**Committee supports (3-0) this goal with a recommendation to clarify use of the term “minimal”.**

### *Cultural and Heritage Resources*

The preservation and recognition of cultural heritage and history can be achieved through other means than physical preservation of buildings and sites. To nurture the Plan area’s diverse histories and support local businesses, the Plan recommends several new and expanded cultural preservation initiatives to be explored.

The plan goals related to Cultural and Heritage Resources include establishing a legacy business registry to recognize the economic, cultural, and social contributions of long-standing businesses, studying potential incentives to preserve local, independently owned businesses, partnering with existing and new local entities to add interpretation of histories absent from our present narratives, celebrating the diversity, heritage, and history of the Plan area, and supporting the Streets and Parks Facilities Renaming Review Project.

**The Committee supports (3-0) these goals.**

#### Recommendations:

- Create a Silver Spring Legacy Businesses Registry. Establishment and completion of the registry would allow future analysis and recommendations for potential interventions to support these entities.
- Further the interpretation of Historic Sites. The cultural, social, and developmental histories of Silver Spring provide the opportunity to explore and celebrate the accomplishments of its populace and recognize how racial discrimination and other discriminatory behavior shaped the community. Interpretation is an important means to share, celebrate, and reflect upon collective history.
- Support the continued review of all streets and Montgomery County-owned and maintained park facilities to identify those named after Confederates or those who otherwise do not reflect Montgomery County’s values.

**Committee supports (3-0) the Historic Resources: Cultural and Heritage Resources recommendations.**

### *Testimony/Correspondence*

In addition to the Committee’s review of specific text in the Plan, the Committee also discussed testimony received regarding the Fenton Building, located in the Ellsworth District. According to the testimony, Morton’s Department Store was an early lessee of the Fenton Building. Morton’s move into Silver Spring occurred during a period when D.C. department stores were expanding to the suburbs to compete for the lucrative market forming there. The Morton’s experience was unique for African

American customers as owner Mortimer Charles Lebowitz provided integrated dressing rooms and restroom and hired African Americans as retail clerks in all branches of his business. The testimony requests the Plan include information on this important piece of Silver Spring history.

Likewise, the Council received testimony regarding a lack of information and reference in the Plan to the Jesup Blair House (as noted during the review of recommendations for Parks, Trails, and Open Spaces).

**The Committee supports (3-0) adding information related to both resources to the Historic Resources chapter** where appropriate , such as adding information on the Jesup Blair House to the section on the Master Plan for Historic Preservation (MPHP), as it is a resource noted in the MPHP. And adding Morton’s Department Store information to the section describing the Locational Atlas as the Fenton Building is located in an historic district identified on the Locational Atlas.

#### ***4. Implementation***

##### ***Zoning***

###### *Public Benefits in CR Zones*

- CR, CRT and CRN zones in the Plan area allow for higher density under the county’s optional method of development but require public amenities to support the additional density. Ensuring the right mix of public benefits is key to realizing the Plan’s goals of a stronger, more connected public realm that will help bring people and businesses to Silver Spring.
- The plan recommends certain public benefits as priorities for all CR parcels within the plan boundary. The plan also recommends disallowing certain public benefits be used in Optional Method Development for projects within the boundary of the Plan.
- The Plan requires that all Optional Method Development include an Exceptional Design Public Benefit and all projects with a residential component achieve Affordable Housing Public Benefit via the requirement for 15 percent MPDUS described in Section 4.1.6. above.
- The Plan proposes that “Transit Proximity” and “Structured Parking” (under Connectivity and Mobility) be excluded from the list of potential public benefits for projects within the Plan area.
- The plan prioritizes the following public benefits:
  - Major Public Facilities
  - Affordable Housing
  - Small Business Opportunity
  - Streetscape Improvement
  - Dwelling Unit Mix
  - Public Open Space
  - Tree Canopy
  - Habitat Restoration
  - Historic Preservation

*Testimony:* United Therapeutics submitted a letter to Council in opposition to the proposal to remove Public Benefit options. The letter argues that this master plan recommendation conflicts with the Council’s determination that these elements are desirable. The letter also argues that taking away these potential incentives will stifle growth and reinvestment in Silver Spring. The Silver Spring Chamber of Commerce also commented on this section of the Plan, noting that public infrastructure is the public’s responsibility and should not be borne by private developers. That letter noted that the cost of providing this infrastructure usually means reducing the commercial footprint, making development less feasible.

The letter notes that because market rental rates in Silver Spring are lower, the return on investment is not the same as Bethesda.

**The Committee made several recommendations regarding these recommendations:**

- **Committee recommends (3-0) adding language to the Plan explaining why these public benefit options are being removed.**
- **Committee supports (3-0) the removal of the Transit Proximity category, as was done in the Bethesda Overlay Zone.**
- **Committee supports (2-1) the removal of the Structured Parking category. Councilmember Friedson, dissenting, did not support this recommendation since it is an incentive for development; written testimony was received opposing the recommendation to remove these public benefit categories; and with the redevelopment of several public parking garages developers may feel the need to provide structure parking (which can significantly add to the cost of redevelopment). Council Staff notes that Planning has proposed a study of CR public benefits as part of its future work program.**

#### *On-Site Public Open Space*

Adequate public open space is critical to meeting the Plan's goal of making Silver Spring a better place to live, work and play. The Plan recommends channeling resources to create new and improve existing public parks instead of creating on-site public open spaces that are too small, fail to enhance the public realm, and prevent buildings from activating the street. For any Optional Method development project required to provide public open space on a site not recommended for a new public space in the Sector Plan, the Plan recommends that in lieu of on-site open space, applicants contribute to the creation of new and improvement of existing public parks recommended by the Plan, preferably within the same district. These contributions will be determined during the Optional Method development review and approval process and will be based on the cost/sf of constructing an equivalent area of the recommended public space. Contributions to the Commission will be included in the Department of Parks Capital Improvement Program (CIP).

**Committee supports (3-0) the Implementation: On-Site Public Open Space recommendation.**

#### *Partnerships*

The Plan supports continued cooperation between the public and private sectors to coordinate and implement initiatives and services in downtown Silver Spring. Established by County legislation, the Silver Spring Urban District provides enhanced services within downtown Silver Spring to ensure that the downtown area is maintained, clean, safe, and attractive to support the economic viability of the area. This Plan supports the priorities of the Silver Spring Urban District, the Regional Service Center, and the Arts and Entertainment District in their common mission to provide public services and amenities to the members of the downtown Silver Spring communities.

The Plan recommends pursuing partnerships that:

- Increase the strength and resources of civic organizations championing downtown Silver Spring;
- Strengthen the resilience of Silver Spring by increasing capacity, improving the public realm, supporting independent businesses, and encouraging continued economic growth;
- Use arts and culture to celebrate the past, present, and future diverse cultures that are part of the Silver Spring community[.]; and
- Strengthen partnerships between Montgomery County, civic organizations, service providers, property owners, and businesses to address complex social challenges.

The Plan also encourages partnerships with other agencies and stakeholders.

*i. Partnerships for Economic Growth*

Recommendations:

- Partner with the Montgomery County Economic Development Council (MCEDC) and the champion for downtown to create a market incentive to invest in speculative office suites in office space that has been vacant for an extended period. Have MCEDC fund the program and the champion for the downtown market and help property owners secure funds. Create a plan for the incentive that caps the amount at a reasonable cost to the county while also providing a meaningful incentive to building owners.
- The Plan supports the establishment of a “champion” entity in the downtown that will assist with marketing, activation, and maintenance. Such an entity could help address issues of safety and trash collection on the streets, as well as promote, highlight, and support the many amenities the downtown has to offer. Downtown Silver Spring will benefit from a strong champion for downtown and will need support from partnerships between the public sector, property owners, businesses, and social service organizations in order to full achieve the vision expressed in this Plan.
- Analyze the feasibility of a fund operated by MCEDC to invest in office-using start-ups that locate in Silver Spring. Have the champion for downtown market the fund and use the fund to attract additional business to Silver Spring. Create a plan for the fund that establishes accepted levels of risk that is consistent with purchasing equity positions in start-up firms.
- Partner with the County Executive’s Business Advancement Team to reinvigorate the Silver Spring Innovation Center to meet the needs of and to support women and minority entrepreneurs, in alignment with the recommendations of the Business Incubator Review and Entrepreneurial Ecosystem study prepared by Axcel Innovation LLC and presented to the PHED committee on July 26, 2021. Create a business plan to define how the incubator can add value to start-up firms to guide operations and to enable evaluation of whether the incubator is achieving its objectives.
- Encourage activation of underutilized space: Partner with MCEDC, the County Executive’s Business Advancement Team, and the champion for downtown to study a vacancy tax on empty retail frontage to encourage property owners to lease and activate vacant spaces. The funds generated by this tax should be returned to the Silver Spring area. The money should be provided to the new champion for downtown Silver Spring and go into the funds this Plan recommends creating to advance placemaking.
- Create capacity to support small retailers: Form a partnership between the Montgomery County Office of the County Executive Small Business Navigator and mission-oriented nonprofit stakeholders to fund a diverse retail liaison position to support diverse retailers in Silver Spring. Explore creating a loan pool that could provide resources and incentives to local small business, help subsidize tenant improvements, and could support business owners in purchasing their properties. See the Retail in Diverse Communities Report published March 2021 for additional details about these recommendations.
- Encourage property owners with underutilized and vacant street-level retail space to donate that space to mission-oriented non-profits to run retail incubators in which entrepreneurs can try new retail concepts.

*ii. Partnerships with the Community*

The Plan's goal is to provide sufficient open space for active recreation, social gathering, and contemplative activities. The Plan provides the following recommendations to achieve that goal:

Recommendations:

- Increase placemaking efforts; create a fund to support placemaking throughout Silver Spring; and have the new champion for downtown Silver Spring manage the fund. Prioritize improvements that make the public realm and street network more connected and safer for non-motorized transport, as well as more attractive as places to gather.
- Work with civic stakeholders to form a non-profit that raises funds for, invests in, manages, and activates Jesup Blair Park. This could be a cross-jurisdictional enterprise coordinated with stakeholders and park users from adjacent Washington, D.C. neighborhoods as well.

**The Committee recommended (3-0) several changes to the language in this section of the Plan:**

- **Committee recommends removing the recommendation to create a “champion for downtown”, to avoid confusion with existing entities such as the Urban District, the BID, or other entities.**
- **Committee recommends removing the creation of a “fund operated by MCEDC to invest in office-using start-ups”, since this already exists via the Economic Development Fund.<sup>4</sup>**
- **Committee recommends removing the sentence “Create a business plan to define how the incubator can add value to start-up firms to guide operations and to enable evaluation of whether the incubator is achieving its objectives” because it is unclear who is being tasked with creating this business plan.**

The Committee-approved changes read:

**4.5.1. Partnerships for Economic Growth**

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

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<sup>4</sup> The PHED Committee received a briefing on the EDF program last year. View the staff report here: [https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20211108/20211108\\_PHED2.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20211108/20211108_PHED2.pdf).

- Encourage activation of underutilized space: Partner with MCEDC, the County Executive’s Business Advancement Team, and [the champion for downtown]other entities to study a vacancy tax on empty retail frontage to encourage property owners to lease and activate vacant spaces. The funds generated by this tax should be returned to the Silver Spring area. [The money should be provided to the new champion for downtown Silver Spring and go into the funds this Plan recommends creating to advance placemaking.] The money should be used to advance placemaking in the downtown.
- [Create capacity to support small retailers: Form] Encourage a partnership between the [Montgomery County Office of the County Executive Small Business Navigator] County and mission-oriented non-profit stakeholders to fund a diverse retail liaison position to support diverse retailers in Silver Spring. Explore creating a loan pool that could provide resources and incentives to local small business, help subsidize tenant improvements, and could support business owners in purchasing their properties. See the *Retail in Diverse Communities Report* published in March 2021 for additional details about these recommendations.
- The Plan supports the [establishment of a “champion” entity]strengthening of entities in the downtown that will assist with marketing, activation and maintenance. Such an entity could help address issues of safety and trash collection on the streets, as well as promote, highlight and support the many amenities the downtown has to offer. Downtown Silver Spring will benefit from [a strong champion for downtown] this and will also need support from partnerships between the public sector, property owners, businesses, and social service organizations in order to full achieve the vision expressed in this Plan.

#### **4.5.2. Arts and Entertainment District**

The Silver Spring Arts and Entertainment District, which was designated on December 31, 2001 as an Arts and Entertainment District by the State of Maryland, includes more than 50 arts and humanities organizations from the regionally important AFI Theater to local dance companies and art galleries. The Arts and Entertainment District offers tax incentives to both arts-related businesses and individual artists located within a district. The diverse arts organizations and public art installations in Silver Spring draw visitors from all over the county and the region. The Plan supports the following recommendations that could enhance and grow the Arts and Entertainment District in Silver Spring and contribute significantly to the economic growth of the downtown. Many of these recommendations encourage partnership between the Arts and Entertainment District and [the “champion for downtown”]other entities described above.

### **5. *Property-Specific Requests***

#### ***Fenton Village***

The Council received a letter from the County Executive (CE) on March 25, which included specific recommendations related to Garage 4 (Map Number 14). The CE is requesting the zoning for Garage 4 be changed from the Plan recommended zoning of CR-3.0, C-3.0, R-3.0, H-130 to CR-5.0, C-5.0, R-5.0, H-130.

**Committee supports (3-0) the change in zoning to better support redevelopment of this site.**

#### ***Metro Center District***

1. Written testimony was received from Lerch Early Brewer requesting additional height for Metro Plaza (Map Number 25). Testimony asks that the mapped height for this site be increased, rather

than requiring participation in the Building Height Incentive Zone (BHIZ). The testimony notes that the site is constrained, as acknowledged in the Plan. The letter requests:

As a result of this unique site condition, to allow the property to have full functional use of the 240-foot height, that height should either; (1) begin its measurement at the point 85 feet off the ground, or (2) if measured from the adjacent ground or street grade, the 85 feet should be added to the 240 feet to allow the building to reach 325 feet. Either method allows the property the functional 240 feet within which to provide the intended development abutting the Metro Station. Greater height allows for greater design flexibility to create interesting massing that allows for articulation of different elements of the building; to add visual interest, to provide a distinction between base and tower, and to allow more light and air into the site. The property and its redevelopment potential has already been severely impacted by the presence of the substation on the property. The substation interferes with the integrity of new building floorplates. Further, a building cannot be put above the substation, nor can the building be in front of the substation because of conduits and cables from the street to serve the substation.

**The Committee did not recommend (3-0) increasing the height, since all mapped heights in the BHIZ are being increased. This property will have a mapped height of 300 feet.**

2. The Council also received testimony from Mr. Tim Eldens, Development Manager of Starr Capital. His testimony is primarily in reference to 8600 Georgia Avenue (Map Number 28), where the existing zoning is CR-5.0 C-4.0 R-4.75 H-145 T.<sup>5</sup> The Plan proposed zoning is CR-5.0 C-5.0 R-5.0 H-200, which is consistent with the 20% increases in height throughout the Plan-area. However, Mr. Edens notes in his written testimony that neighboring properties to 8600 Georgia Avenue are proposed to be zoned at 240 feet in height with an FAR of 8.0.

According to the zoning tables for the Metro Center and Downtown North Districts, the abutting and confronting properties to 8600 Georgia Avenue all received a proposed height of 240 feet. In addition, while one of two confronting properties has a proposed total density of 5.0 FAR, the other confronting property and the abutting properties—Map Numbers 68C, 64 and 27B—all have a proposed total density of 8.0 FAR.

**Committee recommends (3-0) increasing the mapped height from 200 feet to 240 feet, consistent with abutting and confronting neighbors.**

**Committee recommends (2-1) increasing the mapped density for this property to 8.0 FAR, consistent with all abutting and most confronting properties. Councilmember Jawando dissented, preferring the property owner contribute to the density Fund.**

#### ***Ripley District***

1. Council received correspondence from Lerch Early Brewer regarding the property at 8230 Georgia Avenue (Map Number 38B), the Sherwin-Williams building. The Opportunity Sites language from the Plan states:

Block of Ripley Street, Dixon Avenue, and Georgia Avenue: This is a large potential development site along Georgia Avenue. The Plan recommends redevelopment of this site to

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<sup>5</sup> This corner property includes 8600 Georgia Avenue, 8501 Colesville Road, and 8615 Ramsey Street.

include a central open space, potentially connected across Ripley Street to the 8230 Georgia Avenue site.

The letter notes that 8226 Georgia Avenue was recently renovated so will likely not redevelop soon, and that the two properties are separated by a public right-of-way, making unified redevelopment unlikely. The letter also states that 8230 Ripley Street is constrained by the master-planned right-of-way for Ripley Street between Dixon Avenue and Georgia Avenue, and dedication of Ripley Street would affect the developable area even further. The letter requests the Plan instead encourage redevelopment of 8230 Ripley Street by itself, and that the Plan

...recommend retaining adequate width through providing a public access easement for any planned expansion of Ripley Street, with the easement specifically allowing structures to extend above and below pedestrian access along Ripley Street at street level. Such an easement would avoid issues with buildings crossing lot lines. Streetscape and other public use facilities along the frontage should also be limited, so as not to reduce the developable area.

**The Committee recommends (3-0) several changes to the language regarding this property:**

- **Committee recommends adding language to the Plan to make clear that the opportunity site listed as “Block of Ripley Street, Dixon Avenue, and Georgia Avenue” consists of separate properties, with different owners, so not expected to develop together.**
- **Committee recommends adding language that “streetscape and other public use facilities do not significantly reduce the developable area.”**
- **Committee recommends striking the sentence “Staff recommends coordinating redevelopment of this site with the property across Ripley Street” from the opportunity sites recommendation for 8230 Georgia Avenue.**

2. Council also received a letter from Montgomery Preservation regarding 8230 Georgia Avenue. The letter notes that this Opportunity Site is the former corporate headquarters of the Little Tavern Companies, constructed in 1941. The letter notes that the company has a history of racial discrimination, and that nearby signage could tell this story. The letter notes that the building’s “Art Deco-Streamline Moderne” style is a “recognizable standout” on Georgia Avenue that should be preserved and suggests the front of the building provide green space that can co-exist with the parking. MPI requests that this property not be identified as an opportunity site, as it implies demolition.

**Committee did not recommend (3-0) any amendments to the Plan based on this written testimony. As reported by Planning, this property has been studied for preservation already and there is already a historical marker downtown.**

***South Silver Spring District***

1. Council received correspondence from Lerch Early Brewer regarding the property at 7980 Georgia Avenue (Map Number 48A). The Plan recognizes this as an opportunity site, stating:

The Plan recommends considering the redevelopment as a mixed-use development on the portion of the parcel that fronts on Georgia Avenue, while preserving the existing community garden at the western end of the parcel. Improve connections in this area of South Silver Spring by creating a through-block connection at this site from King Street to Georgia Avenue that aligns with the midblock connection adjacent to the Galaxy Apartments. The Plan recommends retaining the community garden as part of any redevelopment.



The letter requests that Figure 21 be revised to say, “relocate the community garden”, rather than “preserve the community garden.” It also requests that on Map 21, remove the recommendation to retain the community garden. Lastly, the letter requests the community garden language be removed from the King Street Park language in the Parks section of the Plan. The letter also includes a request to:

- Remove the northern protected crossing and focus on one crossing from the southeast corner of the property where a through block connection can emerge (also on Map 23);
- Remove the community garden as an open space and instead provide a publicly accessible, urban, and activated open space at the new crossing in the southeast corner;
- Reorient the internal through-block connection to split the block across the longer southwestern frontage rather than along King Street, thereby preserving a larger continuous development site;
- Allow for flexible building typology that can accommodate parking and amenity spaces in wrapped product; and
- Improve connections in this area of South Silver Spring by creating a through-block connection at this site from Eastern Avenue to Georgia Avenue.

**Committee previously recommended (3-0) removal of the reference to the existing community garden<sup>6</sup>. The Committee also recommends (3-0) striking the language dictating where the through-block connection should be to allow more flexibility in development:**

7980 Georgia Avenue: The Plan recommends considering the redevelopment as a mixed-use development on the portion of the parcel that fronts on Georgia Avenue [while preserving the existing community garden at the western end of the parcel]. Improve connections in this area of South Silver Spring by creating a through-block connection at this site [from King Street to Georgia Avenue that aligns with the midblock connection adjacent to the Galaxy Apartments. The Plan recommends retaining the community garden as part of any redevelopment.]

2. The Council received a letter regarding 8001 Newell Street (Map Number 43B), a self-storage facility. The letter requests the following language be added to the Opportunity Sites description for this property:

“To provide flexible development opportunities and allow future development to better adapt to market conditions, the Plan supports expansion of the existing self-storage facility with a maximum of four (4) stories of building height if public benefits and/or amenities are provided through redevelopment. Such public benefits and/or amenities should be defined through a subsequent zoning text amendment that implements various Plan recommendations.”

**The Committee does not recommend (3-0) additional language in the Plan for the expansion of self-storage facilities. The request for additional stories is in response to the storage facility being a grandfathered use in the CR zone, thus being allowed to operate but not expand. If the Council wants to provide for an expansion of self-storage in the CR zone, Council Staff recommends it be done via a separate process that examines self-storage facilities throughout the County, not just in Silver Spring.**

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<sup>6</sup> There remains a reference in the Parks, Trails, and Public Spaces chapter to the King Street Community Garden, stating support for the continued use of the area as a community garden until the property redevelops.

### ***Downtown North District***

1. The Council received a letter from Miles and Stockbridge regarding 8700 1<sup>st</sup> Avenue, located in the northwest quadrant of 1<sup>st</sup> Avenue and Fenwick Lane in Silver Spring (Map Number 57B). The property is currently zoned CR-3.0, C-2.0, R-2.75, H-90 T. The Plan recommends this property (as part of a larger zoning block) be zoned CR-3.0, C-3.0, R-3.0, H-110. However, the letter asserts this designation is inconsistent with the zoning recommended for the abutting zoning block (Map Number 57A) which is recommended for a height of 175 feet and is closer to the single-family neighborhood. The letter requests a CR-5.0, C-5.0, R-5.0, H-175 zone be recommended for this property, increasing both its height and density in order for the property owner to develop affordable, "co-living" apartments in which residents have their own bedrooms, but share cooking and living facilities with other residents.

**Committee recommends (3-0) the zoning block containing 8700 1<sup>st</sup> Avenue be mapped to a height of 175 feet, given the predominant height in the area is 175 feet or greater.**

**Committee recommends (2-1) the zoning block containing 8700 1<sup>st</sup> St be mapped at a density of 5.0 FAR. Councilmember Jawando dissenting, in favor of allowing the property to seek additional density from the Civic Improvement Fund.**

2. The Council received written testimony from United Therapeutics requesting a modification to the Building Height Incentive Zone (BHIZ) boundary such that it be expanded along Georgia Avenue and Spring Street up to Planning Place (at a minimum) so as to incorporate part of the UT property and Garage 2.

The Committee also received a letter from MCDOT regarding Public Parking Lot 2, the adjacent surface lot, and maintenance building owned by MCDOT.

Under the prior Plan the MCDOT property was split zoned. MCDOT is requesting the entire property owned by them be mapped under one zone consistent with the Plan-recommended zoning for Garage 2, CR-5.0, C-5.0, R-5.0, H-175.

**Committee supports (3-0) expanding the boundary of the Height Incentive Area to include the entire MCDOT property and supports applying the CR-5.0, C-5.0, R-5.0, H-175 zoning to the entire MCDOT property.**

### ***Adjacent Communities***

The Council received a letter from NOA Architects on behalf of property owners at 8808 Colesville Road (Map Number 73). The property in question is located adjacent to a property in the Downtown North District currently zoned EOF-3.0, H-100 (recommended for CR-3.0, C-3.0, R-3.0, H-100 in the Plan).

The property owners at 8808 Colesville Road (a single-family structure) are requesting a zoning change from R-60 to R-20, a multifamily zone with a density of 21.70 units per acre. Given the late consideration of such a request and the fact that this property abuts two other R-60 properties, **the Committee suggests (3-0) adding a master plan recommendation for this property for a CRN Floating Zone.**

## MEMORANDUM

May 2, 2022

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: Pamela Dunn, Senior Legislative Analyst  
Livhu Ndou, Legislative Attorney  
Glenn Orlin, Senior Analyst

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan

PURPOSE: Addendum to the staff report for Worksession #3, recommendations for straw vote

### Silver Spring and Adjacent Communities Plan Recommendations

In addition to reviewing recommendations on Transportation, Resilient Downtown, Community Facilities, Historic Resources, Implementation, and a handful of property-specific requests, the Council will take a straw vote on all recommendations in the Plan. This will allow staff time to prepare a resolution for adoption. The resolution lists all changes to the Planning Board Draft and is scheduled for action later this month<sup>1</sup>.

The recommendations reviewed by the Council so far are summarized below in two groups, recommendations supported (3-0) by the PHED Committee and recommendations supported (2-1). For the unanimous Committee recommendations, Council Staff will ask the Council to provide their straw vote **section by section**. Any recommendation within these sections that the Council would like to discuss further should be raised prior to the straw vote.

Following straw votes on the unanimous Committee recommendations, the (2-1) Committee recommendations will be open for discussion and straw vote. Last, a letter from the County Executive received April 29 is attached on ©1-3.

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<sup>1</sup> In order for the Sectional Map Amendment process, which follows adoption of the Plan, to be completed prior to October 31.

## **I. Recommendations Supported Unanimously (3-0) by the PHED Committee**

### **District Recommendations**

#### ***1. Ellsworth District***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Ellsworth District with minor text revisions to the recommendations for Urban Design and Opportunity Sites.

#### ***2. Fenton Village District***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Fenton Village District with minor text revisions to the recommendation for the Garage 4, an Opportunity Site.

#### ***3. Metro Center***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Metro Center District with minor text revisions to the recommendations for Opportunity Sites.

#### ***4. Ripley District***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Ripley District with minor text revisions to the recommendations for Urban Design and Opportunity Sites.

#### ***5. South Silver Spring District***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the South Silver Spring District with minor text revisions to the recommendations for Urban Design, Parks and Public Spaces, and Opportunity Sites.

#### ***6. Downtown North District***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Downtown North District with minor text revisions to the recommendations for Urban Design.

#### ***7. Falklands District***

Committee supports (3-0) the Urban Design and Zoning recommendations for the Falklands District and recommends the addition of sections on Parks and Public Spaces and Opportunity Sites.

#### ***8. Adjacent Communities***

Committee supports (3-0) the Urban Design, Parks and Public Spaces, Opportunity Sites, and Zoning recommendations for the Adjacent Communities with revisions to remove references to the Attainable Housing Strategies Initiative (AHSI) in goals and recommendations for Urban Design.

## **Plan-wide Recommendations**

### ***1. Land Use and Zoning***

Committee recommends (3-0) the creation of a capital project fund for contributions collected in exchange for additional density. The fund would support civic improvements that provide community amenities to the Silver Spring Downtown and Adjacent Communities Plan area.

Committee recommends (3-0) mapping the heights in the Building Height Incentive Zone area instead of placing more requirements to achieve additional height.

Committee recommends (3-0) the other Plan-wide Land Use and Zoning recommendations which include revisions to the Fenton Village Overlay Zone, removal of the South Silver Spring/Ripley Overlay Zone, coordination of public use space for Optional Method Development projects, and the zoning recommendations covered in the district-specific sections. However, at the May 3 worksession the Council will review a handful of property-specific requests which may result in a change in zoning as compared to the district-specific recommendation.

### ***2. Economic Growth***

Committee recommends (3-0) the Plan-wide Economic Growth recommendations with minor text revisions related to supporting office market growth.

### ***3. Housing***

Committee recommends (3-0) removing all references to Thrive Montgomery 2050 and the Attainable Housing Strategies Initiative in the introduction and Goals section.

Committee supports (3-0) the Plan-wide Housing recommendations with the exception of the recommendation related to action on the AHSI, and text revisions to the recommendation regarding a pattern book.

### ***4. Urban Design***

Committee supports (3-0) the Plan-wide Urban Design recommendations with minor revisions to remove references to Thrive 2050 and include language ensuring diversity and community participation in the selection of a Design Advisory Panel.

### ***5. Parks, Trails, and Public Spaces***

Committee supports (3-0) the various recommendations and proposed park facilities with the addition of text to the section on Jesup Blair Park regarding support for the full renovation of the Jesup Blair House, the addition of text and an illustration of Acorn Park/Newell St noting the vision for the facility as a community use space that emphasizes pedestrians and community gatherings, and text indicating support for the current community garden use of the King Street property or its use as an open space until the property redevelops.

### ***Note:***

The Council has yet to review the Plan-wide recommendations on Transportation, Resilient Downtown, Community Facilities, Historic Resources, Implementation, and several property-specific

requests. The straw vote on recommendations related to these topics will be taken on May 3 as Council Staff presents the information in the staff report. This will ensure that at the conclusion of the May 3 worksession the Council has taken a straw vote on **all** recommendations.

## **II. Recommendations Supported (2-1) by the PHED Committee**

### **Plan-wide Recommendations**

#### ***1. Land Use and Zoning***

While the Committee recommends (3-0) the creation of a capital project fund for contributions collected in exchange for additional density, the Committee does not support (2-1) the use of the fund for select utility improvement. Councilmember Jawando, dissenting, supports use of the fund for this purpose.

The Committee recommends (2-1) a Connectivity Infrastructure Fund fee/contribution of \$3 per sqft for non-residential development and \$5 per sqft for residential. Councilmember Friedson, dissenting, proposes a fee for non-residential of \$1 per sqft and a fee for residential development of \$4 per sqft, noting reported challenges and vacancies facing the Silver Spring office market and other commercial properties.

#### ***2. Housing***

The Plan includes a recommendation to “Preserve existing, market-rate affordable housing where possible, striving for no net loss of affordable housing.” During the Committee’s discussion of this recommendation, the Committee asked how the Plan supports the notion of “no net loss” and what “no net loss” means in the context of this Plan.

As submitted, the Plan recommends no change in zoning for a handful of garden-style apartment properties currently offering market-affordable rents. At the request of the Committee, Planning provided a brief evaluation of units yields under current zoning and alternative zoning based on other recent master plans. In light of this, Planning revised their zoning recommendation to include a master plan recommendation for a Floating Zone for these properties.

The Committee recommends (2-1) adding language to the plan allowing the garden apartment properties to achieve additional (3 times current) density through the Local Map Amendment (LMA) process via a Floating Zone. Councilmember Friedson, dissenting, did not vote for this recommendation, noting that the LMA process comes with an increase in time, cost, and process, which can hit particularly hard for redevelopment aimed at producing significantly more regulated affordable housing. Councilmember Friedson recommends mapping the properties at 3 times their current density with a provision (master plan recommendation) that development of these site must strive for no net loss in affordable units, providing rent-regulated units in addition to the minimum 15% MPDU requirement.




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
County Executive

M E M O R A N D U M

April 29, 2022

TO: Gabe Albornoz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan, Council Worksession #3

My staff and I continue to have concerns about the Silver Spring Plan as currently written. I ask that Council consider the following recommendations:

1. Move the Adjacent Communities to the Silver Spring Communities Plan, scheduled to begin in FY23. With the removal of any mention of either Thrive Montgomery 2050 or the Attainable Housing Initiative from the Downtown Plan, the Adjacent Communities no longer have a place in the Downtown Plan. Moving them to the newly scheduled Communities Plan will enable equitable treatment of all communities.
2. Housing—DHCA observes that the Plan’s recommendations for predominantly high-rise buildings with increased heights in certain locations will cause delays in development moving forward as well as high rents for new residential units. This is because new high-rise development will not occur until rents support the higher cost of construction. The Plan envisions 11,000 new units to respond to the need for new housing units. Yet, zoning for high-rises that offer premium units at high rental costs will impede the County’s ability to meet the COG goal of 75% of new units being affordable for low and middle-income households.
  - a. The much higher construction costs of building high-rises dictate that the vast majority of units will only be built when rents exceed the level affordable at 100% of AMI.

- b. Brookings Institute 2020 analysis documents the 25-40% increase in per square foot costs when construction exceeds seven stories.  
<https://www.brookings.edu/research/making-apartments-more-affordable-starts-with-understanding-the-costs-of-building-them/>
- c. The Partners for Economic Solutions (PES) analysis in the Council packet for Worksession #2 documents that even at \$3.15 rent per square foot--higher than the highest current rents -- a high-rise development would not be financially feasible--even with no MPDUs or CIF payment required.
  - i. Rents at \$3.15 per square foot would indicate two bedrooms at \$3,000 per month as insufficient to support development.
  - ii. \$3,000 per month represents 30% of \$120,000 per year annual income.

In summary, the increased costs for high-rises will delay development until rents support the construction costs. When constructed, the market rents in the high-rise buildings will necessarily be the highest in the Downtown Silver Spring. While the buildings will include 15% MPDUs, the remainder of the units--85%--will need to be priced above 100% of median income affordability.

More restricted heights would result in more sites attracting redevelopment at lower heights and lower costs. You could yield the same number of units with more sites being able to redevelop at a lower height, as you would with fewer tall buildings – but those in the shorter buildings would be more affordable.

- 3. Affordable Housing - I support the PHED Committee's recommendation for a floating zone to encourage "no net loss" of the affordable units in certain garden apartments in Silver Spring. The floating zone is essential to give Planning the necessary leverage to preserve important, affordable housing in Silver Spring. The recommended floating zone allows density at a level which would support the one-for-one replacement on the subject properties.
- 4. Transportation- I concur with the MCDOT's recommendations for Parking Garage 4 in its email to Glenn Orlin on April 26. I disagree with Planning's suggestion for a 50' wide street bifurcating the County property. A 50' wide street would reduce the financial feasibility of developing the property for affordable housing.

The County is currently talking with potential developers of that site, and the proposed road would impair the economics and feasibility of getting affordable units at a large scale here.



5. Transportation—Colesville Road north of Downtown--I support the 80' ROW recommended by MCDOT in its US 29 Mobility and Reliability Study. As explained in the Council Staff report to the PHED Committee, the Plan's recommendation for a 120' ROW would have numerous adverse impacts on homeowners' front yards, as well as on existing businesses and houses of worship. These adverse impacts may be avoided, and the County's transportation goals forwarded through approval of MCDOT's recommendation.

Thank you for your consideration.

ME:mw