

February 16, 2022

Montgomery County Council
Rockville Md.

Written testimony by **Anne Spielberg, Silver Spring MD 20901** on the draft Downtown Silver Spring and Adjacent Communities Plan.

I have resided at my home within the boundaries of the proposed Downtown Silver Springs and Adjacent Communities Plan for almost 29 years and submit this testimony as a long-time member of this vibrant, diverse, and once affordable community. This plan has serious and fundamental flaws that require major revision to avoid destruction of our community. The plan has been conceived and drafted in a defective and tainted Planning Board process with the apparent primary goal of increasing development and generating additional profits for developers and their associates. The plan improperly includes adjacent communities in a plan that should be limited to Downtown Silver Spring. The plan does *nothing* to increase affordable housing, and by relying on the highly problematic Thrive Montgomery 2050 adopts an “economic development approach [that] could widen racial and social inequities as it primarily offers benefits to affluent and disproportionately White people,” as found in the Office of Legislative Oversight (OLO) preliminary Racial Equity and Social Justice (RESJ) review of Thrive 2050. Finally, in a time of environmental crisis, the plan encourages environmental degradation. The Council must reject the current plan and address the following issues:

Adjacent Communities should be removed from the Downtown Silver Spring plan and restored to the North and West Silver Spring Master Plan where those communities properly and have long belonged.

At its June 4, 2020, meeting, the Planning Board decided to reject the approach of the planning department and for the first time expand the Downtown Silver Spring Plan to include what are now known as the “Adjacent Communities.” These residential communities have historically and rightly been part of the North and West Silver Spring Master Plan, with which they are highly similar and to which they are also “adjacent.” This decision of the Planning Board was made without notice to, consultation with, or input from the affected community; without allowing sufficient time for property owners and neighborhood associations to be fully informed and meet and assess the proposals; and at a time when our communities were primarily focused on living amidst a pandemic and during a period of great upheaval. Instead of consultation with the affected neighbors, the proposal was made with primary input from the developer community

and through a process that involved potential ethical violations by the planning board commissioner who proposed the change and gave advance talking points to his cronies to use in their presentations.

Essentially, by annexing surrounding parts of residential communities into a plan for the central Silver Spring Business District, the plan attempts to bring commercial development into the midst of the surrounding single-family residential communities and to substantially increase the density of existing residential development. Given the ample space and opportunities in the core downtown for commercial development, mixed use, and high-density residential development, there is no actual need for such increased development in the surrounding residential community. Inclusion of the so-called "Adjacent Communities" in the downtown Silver Spring plan instead allows developers to push further profit at the expense of the surrounding residential community that is central to the vibrancy of the Silver Spring downtown, while neglecting the downtown core which would benefit from greater developer investment.

While during community meetings, planners made representations that the "Adjacent Communities" would not be the focus of increased development that belongs in the Silver Spring downtown core, there are a number of sections of the plan where that is exactly what is happening -- development that belongs in the core is being pushed outward, destroying residences and crucial parts of the surrounding thriving community that the plan disingenuously claims to want to preserve. The plan's recommendations to up-zone and remove R-60 zoning on Bonifant west of Cedar, on the lot of the former Silver Spring library, on the site of the Springvale retirement center, in Ellsworth Park, and elsewhere are all inappropriate and reflect poor planning. These are residential sections of the community that provide modest, single-family homes, opportunities for reasonable, low-density residential housing, or green space that should remain R-60, consistent with the R-60 neighborhood of which they are a part. They should not be the site for CRT zoning or for other up zoning that involves commercial, mixed use, and dense residential development that belongs in downtown Silver Spring.

The Council should remove the "Adjacent Communities" from this plan that is for the downtown Silver Spring core and prevent this land grab at the expense of residents and to the benefit of wealthy, moneyed interests. Failing such removal, the Council should reject all attempts to up-zone existing R-60 sections of the Adjacent Community.

Elements of the Plan pushing for increased housing density should be rejected as only serving the interests of developers; they do nothing to increase affordability or equity.

The Downtown Silver Spring and Adjacent Communities Plan touts goals and recommendations that incorporate the poorly thought out and misguided Thrive Montgomery 2050 plan. Thrive includes various components that would substantially increase **density** in areas zoned as R-60 in our community. However, density is not a value in and of itself, except for developers and their supporters who can make more money by always building more. Importantly, **increasing density is not the same thing as increasing affordability** or even attainability, which has somehow become a meaningless substitute for providing housing to those in actual need. **There also is nothing about density that addresses issues of racial and economic justice.**

The missing middle report cited in the plan acknowledges that increasing the availability of other forms of housing beyond single family homes **does nothing** to increase the availability of affordable housing (or “attainable” housing). Indeed, the housing created will likely only be more expensive and increase the cost of existing homes. The missing middle report also makes no claims and provides no support for the claim that Increasing density addresses racial equity. As recently found by the Office of Legislative Oversight (OLO) preliminary Racial Equity and Social Justice (RESJ) review of Thrive 2050, **this approach of increasing density is likely to only increase racial and social inequities.** It is simply window dressing for more profits by wealthy and moneyed interests.

As the plan notes, there is substantial affordable housing within the downtown core that needs to be preserved and can be expanded. The plan could provide actual incentives for the **preservation** of existing modest, more affordable, single-family homes within R-60, which is the most important way for Montgomery County to address the supply of such housing. Addressing housing needs does not instead involve making it easier for developers to assemble lots and tear down and/or convert existing housing with structures and density that overwhelm and destroy our existing neighborhoods. If any increased density is to be allowed in the adjacent communities, the plan must require that it be accompanied by meaningful affordability requirements to provide between 25-50% affordable units. If private developers claim that is not feasible, that only shows once again that density has nothing to do with affordability or equity.

It is easy to pretend that affordable housing and equity matter, while in fact promoting only density and wealth for developers. If the Council wants to create affordable housing, accessible to all, then it must reject all of the recommendations and goals

embracing Thrive, increased density for its own sake, and the give aways reflected in this plan that only increase racial and wealth gaps.

The plan must be revised to protect the environment and remove the incentives that maximize building footprint and destroy green space.

In this time of a climate crisis, there is absolutely no basis to approve a plan that will lead to the destruction of more trees and the loss of more green space through the proposed increases in development and density. If the plan continues to include the Adjacent Communities, it must be revised to require a *minimum* of 65 percent *tree* canopy in the Adjacent Communities and to explicitly retain all of the existing requirements for lot coverage, height, and setbacks. The “Adjacent Communities” have already lost a large percentage of their previous tree canopy as a result of recent development that has cut down mature trees with the only mitigation occurring not only outside our community, but outside our watershed. Preserving existing, mature trees and the other existing green space is essential for storm water management and both wildlife and human health. Having sufficient trees and green space is just as essential for communities of color and those who live in affordable housing as it is for wealthy communities. Plan elements must explicitly protect existing trees, prohibit any expanded building footprint or lot coverage, not allow green rooves to be a replacement for trees, and preserve all existing park land or pocket parks. The constant destruction and increased development included in this plan are unproductive and unsustainable.

Respectfully Submitted,

Anne Spielberg