

**Testimony by Roberta (rg) Steinman to Montgomery County Council
Silver Spring Downtown & Adjacent Communities Plan, February 17, 2022**

To: Montgomery County Council President, Gabe Albornoz, and Councilmembers
From: Roberta G Steinman, Silver Spring, MD 20910
Subject: Testimony on the Silver Spring Downtown and Adjacent Communities Plan

1. The SSDAC plan is aspirational and ungrounded. It provides no explanation or evidence to demonstrate that including adjacent communities is the way forward to achieve its purpose.

The reason given for incorporating adjacent communities into the Silver Spring plan is to “include a greater variety of housing types, fully integrated into the existing fabric, to allow a wider range of residents to enjoy the valued proximity to the downtown. This will be consistent with the recommendations of the Attainable Housing Strategies initiative whose intention is make homeownership more attainable – with more equitable, mixed-income neighborhoods.”

The Silver Spring neighborhoods adjacent to the CBD, including my neighborhood, Woodside Park, are already ethnically, racially, and religiously diverse, and becoming more so every year. Our neighborhood already includes a variety of housing types, including single-family detached homes, several town home clusters, and increasing numbers of homes with accessory apartments. There is no data or other evidence that shows that allowing higher-density housing at market rates would make our community more economically or racially diverse at a faster pace than is now occurring. Nor is there any evidence that higher density housing would be more affordable, or even attainable. In fact, a recent county analysis showed that — partly because of high land costs — the market cost of a moderate duplex townhouse in or near downtown Silver Spring would cost in the range of \$715,000 to \$855,000.¹

Furthermore, the SSDAC plan presents no explanation or evidence to support how to get from where we are now to where the planners envision it to go. The plan presents no evidence that conversion from single family housing to multiplex housing brings us closer to the desired equity goal. The plan presents no evidence that shows that a change in zoning makes neighborhoods more integrated or diverse than they are now. The plan presents no evidence that we get any affordable housing from converting single-family housing to multiplex. And there is no discussion of what price, or range of prices, we need to get to in order to make multiplex housing attainable or affordable.

Are we going to run an experiment on our vibrant, intact and cohesive neighborhoods by allowing them to be carved up and fragmented based on an aspirational plan with no facts or other evidentiary support?

In my neighborhood, Woodside Park, the Adjacent Communities plan would carve out 16 homes and a church from our community, thereby laying the groundwork for the removal of historical housing stock, the loss of trees and greenspace, and the erosion of the cohesion and vibrancy of our neighborhood.

The process by which the SSDAC plan was conceived and is being carried out – without full neighborhood participation, with no data to back it up, and outside of a master plan process – coupled with the immense changes being proposed, erodes our sense of place and undermines the vigor of civic participation, where it was once believed that neighborhood participation mattered.

Adding the adjacent communities into the plan, attended by the subsequent alteration of the definition of the R-60 zone to include higher density, is not a path to equity, diversity, affordability, or environmental resilience. It will tear apart intact neighborhoods, lead to the destruction of existing housing stock, and lead to a tremendous loss of trees and greenspace. **Please remove Woodside Park, and the other adjacent communities, from this plan.**

¹ <https://www.montgomerycountymd.gov/OPI/Resources/Files/pdf/2021/CEStmtThrive-Montgomery-2050.pdf>, p.7.

2. The additional zoning changes that the SSDAC plan proposes in our neighborhood would further degrade the quality of life in our community.

In addition to annexing adjacent communities into the SSDAC Plan, the plan also proposes a zoning change at the end of Cameron Court from an R-60 to a CR zone.² This area, which is part of our Woodside Park Civic Association, abuts homes in Woodside Park on Noyes Drive, Fairview Road and Fairview Court, and includes a parking lot and a play area. The plan to convert this area, currently zoned R-60, to a CR zone, comes with a building height incentive that would raise the building height limit from 35 feet to 100 feet. Such a massive 100-foot building would loom over the neighboring residential structures and would block the skyline, block the sunlight, and darken the sky, especially during the winter months when the sun is already so low in the sky. The loss of sunshine and the skyline is a significant concern, especially for the many who enjoy spending time outdoors, and those of us who garden for food, beauty, and our health. Such an immense building would spell a severe decline in the quality of life for our community

3. A goal of the SSDAC plan is to preserve the residential nature of these neighborhoods and maintain the mature tree canopy found along many streets. But the plan's proposed incursions into the neighborhood would destroy the very qualities that make this a desirable and livable residential community.

You cannot preserve the residential nature and maintain the mature tree canopy of these neighborhoods while increasing housing density. These two goals are mutually exclusive, particularly as envisioned under the SSDAC plan. The increased density and attendant increase in impervious surfaces would invariably lead to a loss of living landscape, green space and tree canopy, and endanger the ecological features of these neighborhoods that support the health of humans and wildlife. Hundreds of mature trees would be removed if multiplex conversions were to occur. Increased impervious surfaces and fewer trees means intensification of the urban heat island effect and more flooding from storm water run-off. The loss of trees also means the loss of the beauty, charm, and character that trees add to our neighborhood. Taken together, the loss of trees and greenspace means a loss of well-being for all.

Compounding the ecological impacts are the consequences of increased density on existing infrastructure: more traffic, more cars parking in the street, noise, school over-crowding, stressed water and sewer pipes. Developers and home-builders would be the beneficiaries, while the rest of the community would be left with the negative consequences of denser housing.

Where is the data that shows the impact of the sought for density on green infrastructure, on built infrastructure, on traffic, on schools? Where is the data that show the impact of increased density on housing prices and on taxes, or to what extent it would price out the current residents who will be forced to leave the neighborhood?

What is needed to help achieve '*Equity*,' '*Resiliency*' and '*Community Health*' for all is an improvement in the quality of the environment – more, not less green space; more, not less, mature tree canopy; and less, not more imperviousness, along with on-site storm water infiltration to protect our stream valleys from further erosion. This is exactly what the Adjacent Community neighborhoods now provide.

Annexing the Adjacent Community neighborhoods into the SSDAC plan would imperil the Green Lungs of this urban area and lead to a decline in the quality of the environment – a loss to us all.

² <https://montgomeryplanning.org/wp-content/uploads/2022/01/SSDAC-Planning-Board-Draft-FINAL-FOR-WEB-reduced2.pdf> (See p.80, map 16)

4. We don't have to annex adjacent neighborhoods to achieve a variety of housing types.

If increased density is deemed a necessity, consider the already existing and underutilized buildable area in Downtown Silver Spring. There is a considerable underutilized space within the Central Business District (CBD) for both commercial and residential expansion.

The findings for the downtown Silver Spring retail and office market space from a study that the Planning Staff, with the help of the consultant Partners for Economic Solutions (PES), prepared for the SSDAC Plan indicates extensive building vacancies in the CBD:³

- Office: “Currently, 18 percent of office space in downtown Silver Spring is vacant, sharply up since Discovery Communication’s decision to relocate....” At the average pace of absorption between 2010 and 2020, even though 2018 was a very good year, it would take 53 years for office vacancy to decline to 9%.
- Retail: “PES estimates that 11% of retail space is vacant and that at the average pace of a absorption from 2017 to 2019 it could take 7 to 8 years for vacancy to fall to a healthier 5 per cent level.”

All of this building stock should be under active consideration for adaptive reuse as residential units, as well as for office space. Furthermore, Downtown Silver Spring has nearly **1.7 million square feet of commercial space that is approved but not built.**⁴ In addition, there are **4,013 unbuilt (but approved) multifamily housing units in Downtown Silver Spring.**⁵

So why is the Planning Board including areas in adjacent residential neighborhoods in the plan? Is it because it is cheaper for developers to buy land in residential neighborhoods for their projects than it is to buy land and assemble parcels within the CBD?

Clearly, we do not have to fold the adjacent communities into the SSDAC plan to achieve a variety of housing types in the Downtown Silver Spring area.

5. “By-right” construction of multiplex dwelling units bypasses community input and leaves the County without infrastructure funds.

Under ‘by-right’ development, local control is effectively eliminated. Projects permitted under the by-right zoning do not require any legislative action or public hearings. The SSDAC plan proposes to allow higher-density housing “by right,” meaning that builders would no longer have to seek planning board approval or solicit public input, effectively blocking any measure or eliminating any response to the pressures and costs to the natural environment or physical infrastructure under this form of development.

Furthermore, because this plan is “market driven,” there is no requirement for developer contributions to infrastructure fees as part of “by right” development. Currently, all the proposed changes to the single-family neighborhoods are “by-right,” meaning the county would have to fund the costs of new infrastructure.⁶ As a result of “by-right” development, the County loses control over important funding sources (such as impact fees) for infrastructure needs.

³ <https://www.montgomerycountymd.gov/OPI/Resources/Files/pdf/2021/CEStmThrive-Montgomery-2050.pdf>, p.5.

⁴ See September 2021, Montgomery County, Pipeline by Master Plan Report, <https://montgomeryplanning.org/tools/research/development-pipeline/>, cell P491.

⁵ Ibid, cell N491. County-wide, there are more than 38,000 approved but unbuilt dwelling units, nearly 32,000 of which are multifamily dwellings (see cells L576 and N576, respectively).

⁶ While this applies to Thrive2050, it would be disingenuous to consider the SSDAC plan without simultaneously considering Thrive 2050 and the zoning changes that would need to accompany the implementation of Thrive2050 and the SSDAC plan, in order for these plans to come to

**Testimony by Roberta (rg) Steinman to Montgomery County Council
Silver Spring Downtown & Adjacent Communities Plan, February 17, 2022**

Each neighborhood is unique. One-size does not fit all. Given the drastic and far-reaching changes proposed, the SSDAC's plan to bypass the community, review boards, and elected officials with "by-right" development undermines our democratic process and trust in local government.

6. Upzoning without safeguards impedes home ownership. Home prices soar and absentee landlords collect the high rents and send dollars out of the area.

Upzoning without safeguards is a free-for-all for developers, and the competitive bidding leads to skyrocketing home prices, high rentals, and absentee landlords. This makes home ownership even more out of reach and sends rental dollars out of the local region. When density objectives are met by absentee landlords and investors who purchase properties to generate cash flow, less privileged residents get stuck in a perpetual rental cycle...thereby putting them farther away from home ownership and exacerbating generational wealth disparities.

Upzoning and increased density, if they are to occur at all, need to be accompanied with safeguards, to discourage developers and investors from using upzoning and increased density as a land/cash grab opportunity, as well as to protect our environment and the character of the neighborhood.

Recommended safeguards include, but are not limited to, the following:

- Owner occupancy requirements,
- Tree canopy and green space preservation,
- Safeguards to prevent real estate developer exploitation,
- Safeguards from rising property taxes due to higher values of homes, as a result of competitive bidding,
- Safeguards to preserve the character of neighborhood, architecturally and environmentally.

7. What is appropriate for Jesup Blair Park is an ecological restoration plan, not a development-oriented plan. Protect the remaining trees in Jesup Blair Park and encourage the return of native trees through a natural regeneration process.

Jesup Blair Park is a unique and vital oasis in downtown Silver Spring, which is so lacking in nature. In the early 2000s, M-NCPPC's 'renovation' of Jesup Blair Park and the bridge that Montgomery College built into the old Oak grove, led to a tremendous loss of trees in Jesup Blair Park, especially the old growth Oaks. Despite this loss of trees, Jesup Blair Park has continued to be a treasured and valuable place of respite. Trees that are over 200 years old still remain in this park. **Preserving the existing trees, especially the mature trees, must be the number one focus of any further 'renovation' in Jesup Blair Park.** By using a natural regeneration process, and enlisting the "free" help of squirrels, birds, and the wind, we can begin the restoration of Jesup Blair Park by encouraging the return of native trees such as Black Gum, Hickory, Oaks, Maples and Tulip Poplar.

Jesup Blair Park provides a haven to escape the stress of daily life, a place to reconnect with nature and big trees, and improve our overall health and outlook. In 2017 "residents ranked trails, natural space, wildlife habitat, and nature recreation as the top three (sic) priorities for parks, across a variety of demographic segments."⁷ Turning Jesup Blair Park into hardscape, pavement, and buildings is at odds with public sentiment to preserve nature and incompatible with Montgomery County's Climate Action Plan.

As is so well known by now, from an ecological perspective, these trees provide irreplaceable biological functions. They offer shade, filter pollutants from the air, provide fresh oxygen, retain and filter water, moderate the urban heat island effect, sequester carbon from the air, and act as a sound barrier. These

fruition. <https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20210726/20210726PHED3.pdf>. See Transportation Comments, p.4 (pdf p.28)

⁷ <https://www.montgomeryparks.org/uploads/2018/06/508-2017.PROS-COMLETE.pdf>, p.6.

**Testimony by Roberta (rg) Steinman to Montgomery County Council
Silver Spring Downtown & Adjacent Communities Plan, February 17, 2022**

older forest trees also provide abundant food for urban wildlife. And, with their grace and beauty, these trees offer peace and serenity by their very nature. In short, parks with trees, particularly big, old trees, are an oasis from the hectic pace of life and contribute to a higher quality of life.

The planners' vision to "activate" Jesup Blair Park with additional hardscape and impervious surface areas is incompatible with tree and green space preservation and incompatible with Montgomery County's Climate Action Plan. The loss of green space is unjustifiable in light of the scarcity of green space in Downtown Silver Spring, and in light of the critical ecological importance of trees.

Recommendations:

- Remove the 118 acres of Adjacent Communities, including Woodside Park and other nearby neighborhoods, from the Silver Spring Downtown and Adjacent Communities Plan (SSDAC). Instead, explore increasing density, neighborhood by neighborhood, with *full neighborhood participation*.
- Preserve mature trees. Plant more trees.
- Actively consider underutilized and vacant building stock for adaptive reuse as residential units.
- Multiplex construction and upzoning, if they are to occur, must be accompanied without "by right" development and with safeguards, as described above.
- Begin the restoration of Jesup Blair Park by protecting the remaining trees in Jesup Blair Park, some of which are two hundred years old, and encourage the return of native trees through a natural regeneration process.

Thank you for considering my testimony and taking action on my suggestions.

Respectfully submitted,
~ rg Steinman,
Woodside Park, Silver Spring