



OUR MISSION:

Working to enhance the economic prosperity of greater Silver Spring through robust promotion of our member businesses and unrelenting advocacy on their behalf.

**Silver Spring Downtown and Adjacent Communities Plan
GSSCC Comments and Concerns for the Record
Thursday, February 17, 2022**

On behalf of the leadership of the Greater Silver Spring Chamber of Commerce, I appreciate the opportunity to express our concerns and provide comments for the record on the Planning Board Draft of the Silver Spring Downtown and Adjacent Communities Plan. Given the extent of the Chamber's misgivings about the draft plan, I am submitting written testimony in lieu of testifying in person. It would be impossible to cover all of our issues within the brief timeframe allotted for public testimony.

Much has changed in Silver Spring since the adoption of the 2000 Silver Spring Central Business District Sector Plan. Indeed, many of those changes support the need for a review and update of the plan for Silver Spring. Unfortunately, despite the assertions of the Planning Department staff in the draft plan, many of the goals in the 2000 Plan did not come to fruition. As such, we believe that the Planning Staff's analysis of the current Silver Spring environment paints a false picture of the current state of Silver Spring and is not grounded in reality.

In the draft, staff describes downtown Silver Spring as "a vibrant urban area. . .[boasting] a vibrant retail market [and]. . . a center for arts, retail, entertainment, and business that draws visitors and consumers from across the county and the region. . ."

Sadly, this does not describe the perspective and experience of many business and property owners in our community.

Commercial building owners talk of a dwindling commercial office market where current tenants are leaving and few, if any, have been willing to consider coming in. Ground floor retail and restaurant owners describe their struggles with the loss of a daytime stream of customers that some will attribute to the loss of the Discovery headquarters, an event which staff barely acknowledges in the public hearing draft. (More than three years later, only one tenant occupies one floor of this iconic building.)

Office workers and business owners lament the arrival of all the bike lanes where they see few, if any, bicyclists, but do experience inconvenient and unsafe disruptions in traffic flow. They hear customers complain about cars parked away from the curb, creating other safety and visibility issues.

Owners and managers of the apartment buildings in downtown talk of complaints from their residents who struggle with a "nighttime economy" of late-night bars and clubs, whose priorities are not in sync with those who have chosen to live here. Business and property owners also bemoan many of the green spaces and parks that are more often inhabited by those in need of social services than those who live and work nearby. (The exception is the dog park at the old library site, which is very popular.)

There are a few bright spots. United Therapeutics has continued to expand its operations and its footprint in downtown. The Housing Opportunities Commission is bringing its headquarters here. The Fillmore attracts patrons locally and from around the region. A world-class aquatic center is being

built in downtown Silver Spring. And, numerous high-rise apartment buildings have been completed, adding more 5,000 housing units, equating to new residents. (Sadly, however, some of those apartment buildings were previously envisioned as commercial office space, at least in part.)

But, from a neighborhood health standpoint, we need eyes and feet on the street in our commercial districts during the day. The absence of office workers, who spend thousands of dollars every year at stores and restaurants near their work, is a death sentence for some commercial districts where the restaurants and retail uses rely heavily on daytime revenue from office workers. The absence of these daytime workers can lead to business commercial districts that feel less safe to the people who are doing the shopping.

At the end of the introduction, staff “imagines a Silver Spring of the future that is diverse, distinctive, and thriving. . .will continue to be a great place to work, do business, and enjoy the arts; a downtown that is home to small independent businesses, cutting-edge tech companies, hubs for science and research, educational institutions, and arts organizations that draw patrons from around the region.”

These are worthy aspirational goals. However, after reviewing the current draft, it is difficult to see how the recommendations offered will accomplish this.

The staff’s “Concept Framework Plan” includes: “activity zones, residential area, destinations, parks and open spaces.” But where are the business hubs? Where do employers and jobs fit into this framework? Even the stated plan goals – Diversity, Connectivity, Resiliency, Community Health – don’t mention business and commerce.

The draft relates the plan to the THRIVE Montgomery 2050 vision for Silver Spring, saying that it “advances Thrive’s goal to integrate parks and public spaces along with economic development strategies and land use planning in order to attract employers and workers, build social connections, encourage healthy lifestyles, and create vibrant places.” But it doesn’t address how parks and public spaces will bring employers and jobs. While the goal is laudable, the means to achieve the goal are missing.

The draft “envisions a future in which downtown Silver Spring is among the region’s premier office markets, has continued to grow its profile as a unique retail destination, and has a diverse base of high-quality jobs in numerous industries making it resilient to evolving economic conditions and an attractive place to work and do business in Montgomery County.” It mentions “incentiviz[ing] approximately 44,000 jobs in downtown Silver Spring, a 50% increase from what is currently existing.” But it does not include specific strategies for how to realize this vision.

The plan does talk about, “Improv[ing] the public realm to make downtown Silver Spring more attractive for businesses, retailers and consumers.” But where is the research data that demonstrates how “a green, maintained, well-connected, walkable, safe, multimodal public realm” will attract employers and business growth to an area? If it exists, it is not cited in the plan. Are there case studies that show how a community with a dwindling commercial market was reinvigorated (and brought in actual employers and jobs) because it built a green “realm” that replaced streets and parking with bike lanes? Did staff get input from current property owners that are now losing tenants? Did they reach out to corporations and commercial site selection experts to get input on how to successfully attract employers to an area? Did commercial property owners say that taking additional property to require bike lanes and other green space helps to attract businesses? If so, the plan does not discuss what these experts recommend or where such success has occurred.

The plan mentions making Silver Spring into “a premier office market, with a special focus on start-ups, associations, and government agencies.” But this is unrealistic and perhaps not financially feasible for property owners. Most associations are not as financially healthy as corporations and will likely be looking for lower-cost office space. Latest reports are that the Federal government is shrinking, not expanding its office footprint. And start-up companies are typically looking for low-cost office space. These do not sound like options that would create a “premier” office market.

Likewise, the recommendation to “Encourage the conversion of obsolete office space to other uses (short-term or long-term), including residential (condominiums or rentals), hotels/hospitality centers, healthcare facilities, laboratory/research facilities, education facilities, and non-profit service centers” does not necessarily support the vision of Silver Spring as one of “the region’s premier office markets.” Nor does considering “an incentive for property owners with underutilized street level retail spaces to build and fit out the space for a retail incubator managed by a mission-oriented non-profit organization in which entrepreneurs can try new retail concepts.” Who bears the cost of this incentive? Is this something that the Planning Staff has discussed with County government officials? Or with any of the property owners having such spaces?

The suggestion that “Downtown North will build on the connection between the state-of-the-art South County Regional Recreation and Aquatic Center and the world-renowned United Therapeutics campus to create a unique health- and health-sciences- focused district” is interesting, but, again, there are no concrete ideas about how this plan is going to accomplish attracting more health-science businesses to this area. Did staff talk with experts at United Therapeutics about what kinds of businesses would be interested in relocating in this area and how to attract them?

The draft plan talks of “expanding the Metro Center District as commercial center.” But this is the “district” in which the former Discovery headquarters building is located. And, despite its proximity to the Metro, its existing park and green space, and its accessibility to the new cycle track, it has not attracted more than one tenant. How do planners expect turn around this situation?

The draft plan mentions “Increasing zoning flexibility and incentivizing additional height and FAR” in Downtown North. That’s a good thing. But it won’t necessarily help the oft-mentioned ground floor retail. The retail spaces on Cameron have been vacant for many years. Clearly, there isn’t enough daytime street traffic to support retail in these locations. While the plan hopes that improving the public realm will revitalize the commercial market, the reality is that parks don’t bring shoppers. Neither do wide sidewalks that don’t have businesses along them. Unless there is a solid strategy for attracting a for-profit office market to these and other locations, ground floor retail will not survive.

A number of recommendations made in the draft plan simply won’t work. Expanding the development site at Colesville Road and Georgia Avenue to include the adjacent two-story commercial property for a signature mixed-use development has been suggested. Many would agree that this is a laudable idea, since having a two-story commercial building so close to a Metro station doesn’t make sense. But these properties are privately-owned, and while this idea has been floated numerous times over the years, the owners have not been interested in coming together. This situation also exists with the individual low-rise buildings along Colesville Road between Georgia Avenue and Fenton Street and on the Sherwin-Williams paint site along Georgia. How does the planning staff propose to incentivize property owners to come together now? Did they speak with the owners? Did they ask them?

The draft plan also includes a number of desirable, but aspirational recommendations that would come at a large financial cost. A pedestrian and bicycle connection from East-West Highway to the western terminus of Silver Spring Avenue in the Ripley District and a “world class arrival center” around the

Metro station are nice ideas, but who would pay for the cost of these? Additional lighting and other safety improvements in the tunnel and Colesville underpass would be welcome safety and security additions. It appears that the Planning Department expects that future developers would bear the financial burden of building these, something we will address in the next paragraph. But there is another cost, the cost of upkeep, particularly for something like lighting maintenance. Sadly, it is not unusual for Montgomery County to find the necessary capital dollars to build things, but not be willing to allocate the resources for continued upkeep and maintenance.

We assume that staff expects that the cost of some of these infrastructure improvements would be borne by those who undertake future development, either by providing the benefits on site or paying into a fund for the benefit of the broader community. However, we believe that public infrastructure is a public responsibility and should not be added to the already high cost of private development. Oftentimes, these public amenities come at the expense of the property owner. Widened sidewalks and streets reduce the commercial footprint or remove areas for business to occur along the street, all making the project less financially viable and less likely to occur. While we agree that an appropriate mix of affordable housing will assure that many who work in our community can afford to live here, the recommended increases for expanding density and height for optional method development projects (minimum of 15% MPDUs) is not financially feasible. Likewise, the recommendation to require up to 30% MPDUs, along with the income thresholds, in public/private partnerships is not realistic. Silver Spring is not Bethesda. The cost of constructing a building is the same in both communities, but the market rental rates are not. The return on investment takes longer to achieve in Silver Spring because the rents are lower. This reality makes it even more unrealistic to expect developers in Silver Spring to absorb the cost of all these extras that benefit the public at large.

A major concern: Why is public utility infrastructure not considered public benefits, the cost of which should be borne by the public? It is not unusual for a project to be halted or delayed because the developer was being asked to subsidize the cost of providing not only the infrastructure needed by the project, but also public infrastructure that should have been kept up using public dollars. For example, the current WSSC sewer moratorium on Colesville Road has halted any development at the corner of Colesville Road and Georgia Avenue because the entire cost of something that should have been kept up using public dollars is too much for one developer to absorb into the costs of its project. Planners spend much time addressing things like the availability of traffic capacity, bike lanes, and pedestrian access. Why not also consider sewer capacity because of its limitations on land use.

Another issue we must raise: In the draft plan, a major priority of the Planning Department is increasing bike lanes and trails in Silver Spring and decreasing accessibility for autos. Based on observations by many of our business owner members, the existing bike lanes, about which they complain, are rarely, if ever, used. This subjective data is not accepted by the Planning Department or the County's Department of Transportation. Therefore, we are exploring an effort to undertake a life-in-the-day count to assess usage of this project that has come at a large cost to the County.

Something we can support: While we question whether the draft plan's emphasis on providing more green space will help to bring more business and economic prosperity to Silver Spring, we do support one recommendation in this category. We agree that Jesup Blair Park should be both a gateway to Silver Spring from Washington D.C. and a unique destination in the downtown. This effort is long overdue and it is something that the Montgomery County Parks Department can undertake immediately. The Parks Department owns the property. It is public space. The improvements can and should be included in the Parks Department Capital Budget and paid for with public funds to benefit the public.

In our comments to the Planning Board, we recommended that it direct staff to refocus portions of the draft plan to place “Business and Commerce” among the plan’s stated goals and to provide clear and concrete details about how its other recommendations will bring increased business, jobs, and economic prosperity to Silver Spring. We need more large employers to make sure that our small businesses survive. We want our “unique retail market,” celebrated in the plan, to survive. But it won’t survive without daytime economy. We need that oft referenced “ground floor retail” to thrive, but it won’t without a vibrant daytime economy brought about by commercial office development. Yes, the pandemic has, in many ways, changed the way we work, but not everyone is going to be working from home. Many have already headed back to the office, evidenced by the number of cars we are seeing on major arteries during rush hour times. We want a thriving, vibrant, and welcoming Silver Spring, where everyone – business owners, employees, residents, visitors, patrons – want to live, work, and play, and run a business. We see none of these issues addressed in the draft that the Council is now considering.

A final note: This plan was developed in the midst of a worldwide pandemic that changed the face of Silver Spring in many ways. As we have outlined in this document, we do not believe that planners have considered key factors that have created a new reality for our community and our economy. It is clear to us that many of the assumptions made by the plan drafters, and the Planning Board members, do not reflect current market realities, and that future market conditions will not support the development that will be required to achieve the plan’s goals. For example, where is the evidence that “improving the public realm” will bring back the businesses so critical to a vibrant community and to the County’s economy? We don’t see this in the plan that the Council is now considering. Indeed, the draft plan raises far more questions than answers about the future of Silver Spring.

For all these reasons, we strongly urge the Council to reject the draft in its entirety, or at the very least, send it back to the Planning Board with instructions to address these issues and adjust the plan accordingly. If Council is determined to adopt a plan at this time, then, at the very least, we urge you to direct the Planning Board to include a mechanism for the plan to be reviewed and quickly revised through the Master Plan Amendment process, should future circumstances warrant.

We thank you for your consideration of our concerns, comments, and suggestions. We would be happy to discuss this at your convenience.