

Item 8 - Correspondence

From: [Rogers, Elizabeth C.](#)
To: [MCP-Chair](#)
Cc: [Robins, Steven A.](#)
Subject: Testimony re: ZTA 22-03 (Agenda Item No. 8) on Behalf of Arlington Partnership for Affordable Housing
Date: Wednesday, June 1, 2022 11:18:08 AM
Attachments: [Testimony on Behalf of APAH re ZTA 22-03.pdf](#)

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Dear Chair Anderson and Members of the Montgomery County Planning Board,

On behalf of Arlington Partnership for Affordable Housing, please find attached our comments on the draft Zoning Text Amendment (No. 22-03) for the Downtown Silver Spring Overlay Zone.

We appreciate your consideration of these comments.

Sincerely,

Liz Rogers

Steve Robins

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June 1, 2022

Chair Casey Anderson and
Members of the Montgomery County Planning Board
2425 Reedie Drive, 14th Floor
Wheaton, MD 20902

Dear Chair Anderson and Members of the Planning Board,

Our firm represents Arlington Partnership for Affordable Housing ("APAH") who is the contract purchaser of property located at 900 Spring Street in Silver Spring, Maryland (the "Property"). The present owner of the Property is the National Ready Mixed Concrete Association. Since 1989, APAH has provided quality affordable housing for a significant number of individuals and families in the DC Metro region. APAH is looking forward to expanding its presence in Montgomery County, to provide needed, additional affordable housing opportunities to serve existing and future County residents.

We have closely followed the Master Plan process for the Downtown Silver Spring and Adjacent Communities Plan and are supportive of the Planning Board's recommendations and District Council's decisions as it relates to the Property and overall revitalization of the Downtown area. We would like to offer just one comment on ZTA 22-03 for the Downtown Silver Spring Overlay Zone. Our comment actually relates to a provision that is not included in the ZTA. We would suggest that the ZTA specifically exempt projects that project 25% or more MPDUs from making any payment toward the Civic Improvement Fund for residential density needed to achieve the mapped heights on the property.

The Bethesda Overlay Zone includes a similar exemption. Specifically, Section 4.9.2.C.3.c.iii states that "[i]f the development includes at least 25% MPDUs, a Park Impact Payment is not required for any residential gross floor area." (*emphasis added*). The Civic Improvement Fund established for Silver Spring should be treated no differently. As such, we would respectfully request that the Planning Board recommend including a similar provision in the Downtown Silver Spring Overlay Zone. This additional language will promote and encourage the development of affordable housing, in excess of what is required by the Master Plan, in Silver Spring, just like such affordable housing is encouraged in Bethesda.

Adopting development incentives substantially similar to what is provided in the Bethesda Overlay Zone is sound policy. Thus, APAH urges the Planning Board to modify the proposed language

in ZTA 22-03 to exclude payments toward the Civic Improvement Fund for residential density, for projects that provide 25% or more MPDUs.

Thank you for your consideration of our comments.

Sincerely,



Steven A. Robins



Elizabeth Rogers

From: [Kominers, William](#)
To: [Berbert, Benjamin](#)
Cc: [MCP-Chair](#)
Subject: ZTA 22-03
Date: Tuesday, May 31, 2022 12:07:22 PM

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Ben,

I have read your Staff Report for the Silver Spring Overlay Zone in ZTA 22-03. I have a very few comment/thoughts on the revised draft (Attachment B to the Report).

Line 32. I think you need to add “and Section 4.5.2.C” after “Section 4.9.8.C.1.b” on Line 32. That will make it clear that added height to accommodate an increased percentage of MPDUs above the minimum required, and their bonus density, is still available in Silver Spring as elsewhere. This is very important to be explicit, so as to continue to encourage the physical envelope for extra MPDUs in projects.

Line 116. I think you should replace the word “their” at the beginning of the line with either “its” or “a.” Either the Planning Board is making “its” determination or making “a” determination.

Lines 122-123. There should be reference for the source of the “cost per square foot of constructing park area....” A reader should be directed to specific standards that are referenced, but not included, in the Ordinance.

Please contact me with any questions about these suggestions.

Thanks,

Bill

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