

The Gazette

Fillmore supporters turn out for council's final meeting of summer

Lawmakers pressed to break impasse over zoning changes

Council Notes | Janel Davis

Two panels of Silver Spring business and community members urged the County Council on Tuesday to ignore the fighting between the Planning Board and county executive, and approve two key zoning proposals for a downtown Fillmore music hall.

Eleven of the 12 speakers during a public hearing spoke in favor of the proposals introduced by County Executive Isiah Leggett (D). Royce Hanson, chairman of the county's Planning Board, was the lone opponent.

Under current rules, the Planning Board may accept or reject public-use space offered to the county as an amenity by developers at the end of a project in order to increase a project's density in central business districts. Under Leggett's proposal, the board no longer would have that discretion when the county executive accepts a property offer for arts or entertainment use. Also, the developer offering the land would receive project and site plan approvals for up to 15 years.

In the Fillmore deal, Lee Development Group, which owns the land on Colesville Road, would give the property to the county as an amenity before nearby land it owns would be developed.

The Planning Board voted against the recommendations during a meeting two weeks ago, agreeing on the need for a music hall, but disagreeing with Leggett's process.

"If proposed by another application, this would not pass the laugh test," Hanson said Tuesday.

A group of residents wearing "Finish the Fillmore" stickers jeered Hanson's comments from the back of the council chambers in Rockville.

Councilwoman Valerie Ervin, who represents the Silver Spring area, called some of Hanson's testimony "far-reaching."

"It seems to me that this is about who had discretionary powers," said Ervin (D-Dist. 5) of Silver Spring. "This shouldn't be put in the ongoing crosshairs of a turf struggle going on between the executive branch and the Planning Board."

Hanson disagreed.

“I wouldn’t classify this as a turf struggle,” he said. “... This is not a good idea. The Fillmore is a good idea. Achieving it is a good idea. This is not a good mean to that end.”

In a letter dated Tuesday, Gov. Martin O’Malley (D) urged the council to approve the zoning amendments. The state is funding \$4 million of the project; this county is putting in \$4 million.

“The state funds are contingent upon the county’s adoption of the requisite zoning text amendments,” O’Malley said in the letter.

A worksession on the zoning amendments is scheduled for Sept. 29 in the council’s Planning, Housing and Economic Development Committee.