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# Planning Chief Says Deal On Music Hall Is Too Risky

## Leggett Disputes Criticism of Fillmore Proposal

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Montgomery County's planning chief stepped up his criticism yesterday of a proposal to bring a music hall to downtown Silver Spring, saying a deal worked out by County Executive [Isiah Leggett](#) (D) is a "blank check" for the developer that could do more harm than good for downtown redevelopment.

Planning Board Chairman [Royce Hanson](#) told the County Council that he supports bringing the Fillmore music hall to Silver Spring but believes that Leggett's proposed bill exempting the project from planning agency review poses too many risks. "It doesn't pass the laugh test," he said.

Among the risks are the potential for less public space and unimaginative design as well as the possibility of harming nearby projects, Hanson said.

The legislation also would allow the Lee Development Group to delay construction of other projects on the Colesville Road site for up to 15 years while moving ahead with plans to donate land to the county for the music hall. The council is expected to vote on the project this fall.

Usually, plans for a development with a performance space are approved in tandem, allowing the planning agency to negotiate for plazas, green space and other amenities. Leggett's proposal eliminates that discretion when the county executive accepts a donation of property for arts and entertainment. Leggett's proposal also seeks to at least double the usual life span of approval for construction to 10 years and give Lee the option to seek another five-year delay.

"We have learned from past experience that the things Lee Development Group wants are unreasonable and can have negative consequences for other viable projects" in downtown Silver Spring, said Hanson at a hearing on the measure.

"We see better ways to secure the Fillmore without turning the planning process on its head, and more importantly, there are ways to deliver a better product for Silver Spring," he said, describing the Fillmore project as a "crabbed vision" that limits the site's potential.

Hanson's comments were swiftly disputed by Leggett administration officials and Bruce H. Lee, president of Lee Development Group, who said the Fillmore could provide one of the last pieces to complete the once-struggling Silver Spring business district.

A parade of local business leaders and community activists testified in favor of the legislation, with some accusing Hanson and the planning agency of being more concerned with control than outcome.

Planners should be nimble, said Laura Steinberg, a community activist and former head of

Impact Silver Spring, a community group.

When planning "becomes rigid and unyielding," she said, "it is an academic pursuit out of touch with the needs of people. . . . This has more to do with perceived power, authority and control."

Lee said his family's business had no plans to develop the site until it was approached by former executive [Douglas M. Duncan](#) (D) to try to bring in a Birchmere music hall. He said he had met with Leggett administration officials and planning officials Monday but has no plans to negotiate further at this time.

Eventually, Lee said, the company envisions a hotel, office or possibly residences. But that is years away, and locking in a design now would not be financially wise, he said.