



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Staff Report: 8711 Georgia Avenue
Project Plan Amendment 92005002A
Site Plan 820080320**

ITEM #: _____

MCPB HEARING

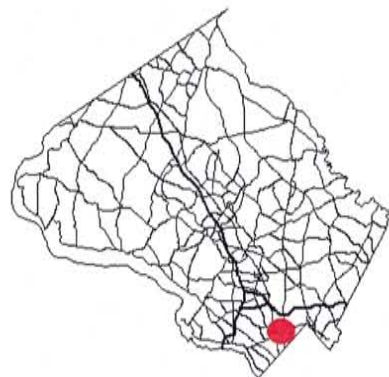
DATE: October 23, 2008

REPORT DATE: October 10, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RAB*
Development Review Division

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EH*
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APPLICATION

DESCRIPTION: Amend the Project Plan to reduce the minimum building setbacks, connect the parking access driveway to the future Fenton Street extension to the east, modify the design of the on-site public use space, and relocate the stormwater management facilities. The Site Plan proposes 152,740 gross square feet of mixed-use development, with 148,278 square feet of office use above 4,462 square feet of ground-floor commercial uses, on 0.87 acres in the CBD-2 Zone; located on the east side of Georgia Avenue, 250 feet north of the intersection of Georgia Avenue and Cameron Street, in the Silver Spring CBD Sector Plan.

APPLICANT: 8711 Georgia Avenue Parking Lot, LLC

FILING DATE: April 3, 2008 (Project Plan Amendment); April 16, 2008 (Site Plan)

RECOMMENDATION: Approval with conditions

EXECUTIVE

SUMMARY: Staff reviewed the Project Plan Amendment and Site Plan concurrently. The subject project provides 326 parking spaces within and underneath the building and features desirable on-site public use space and amenities, and offers an attractive sustainable contemporary design with frontages on both Georgia Avenue and the future Fenton Street extension. The Applicant will upgrade the sidewalks along and between both site frontages, on Georgia Avenue, Cameron Street, and, as allowed by MCDOT, the Parking Garage 2 driveway to the Silver Spring streetscape standards.

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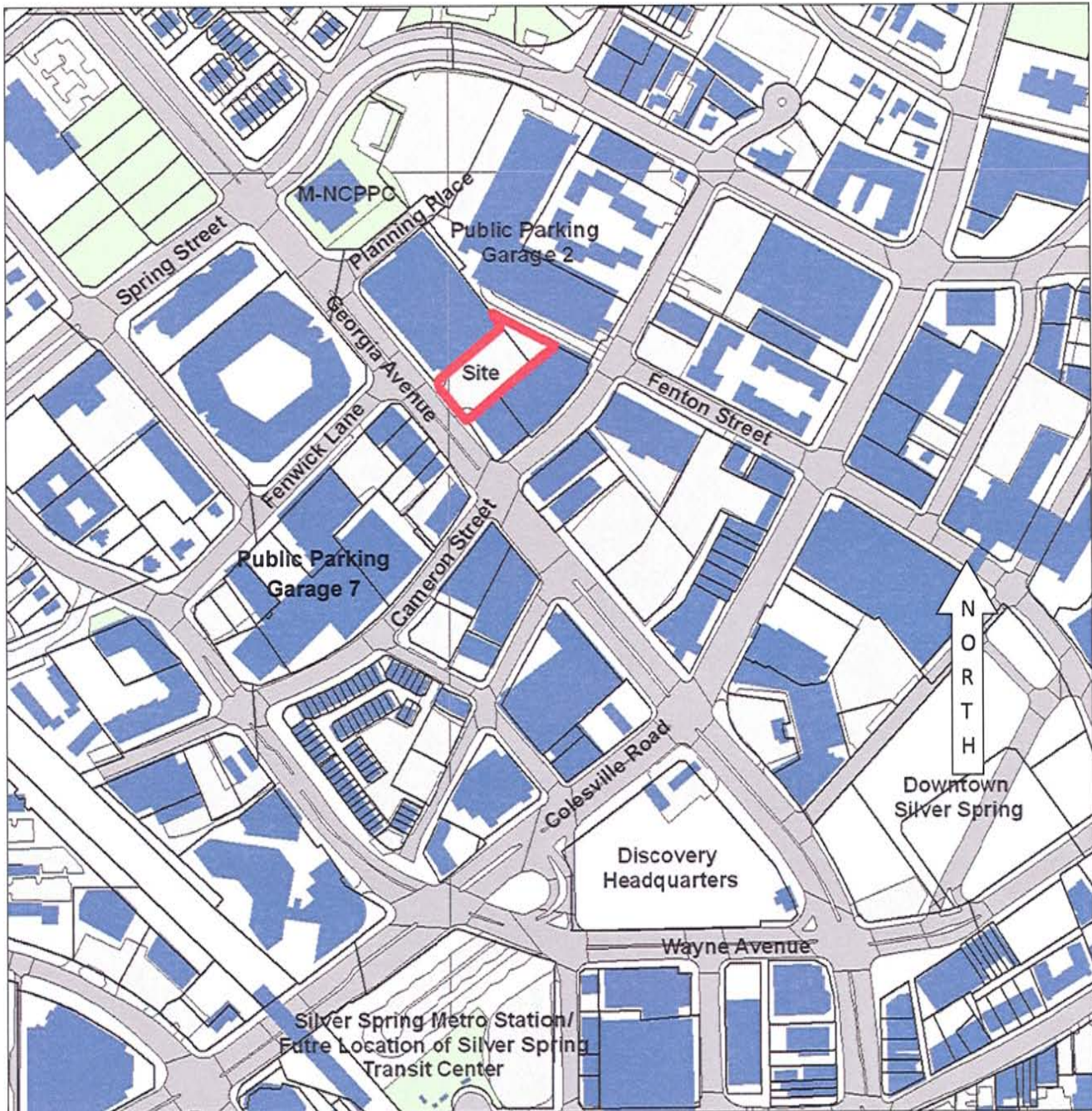
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SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity

The proposed development is located on the north end of the Silver Spring Central Business District (CBD) on the east side of Georgia Avenue just north of the intersection with Cameron Street. The surrounding area is zoned CBD-2 and is currently occupied by commercial office buildings ranging from 6 to 13 stories, two public parking garages, and the Montgomery Regional Office of M-NCPPC. The site is within a five-minute walk of the Silver Spring Metro Station and Downtown Silver Spring.



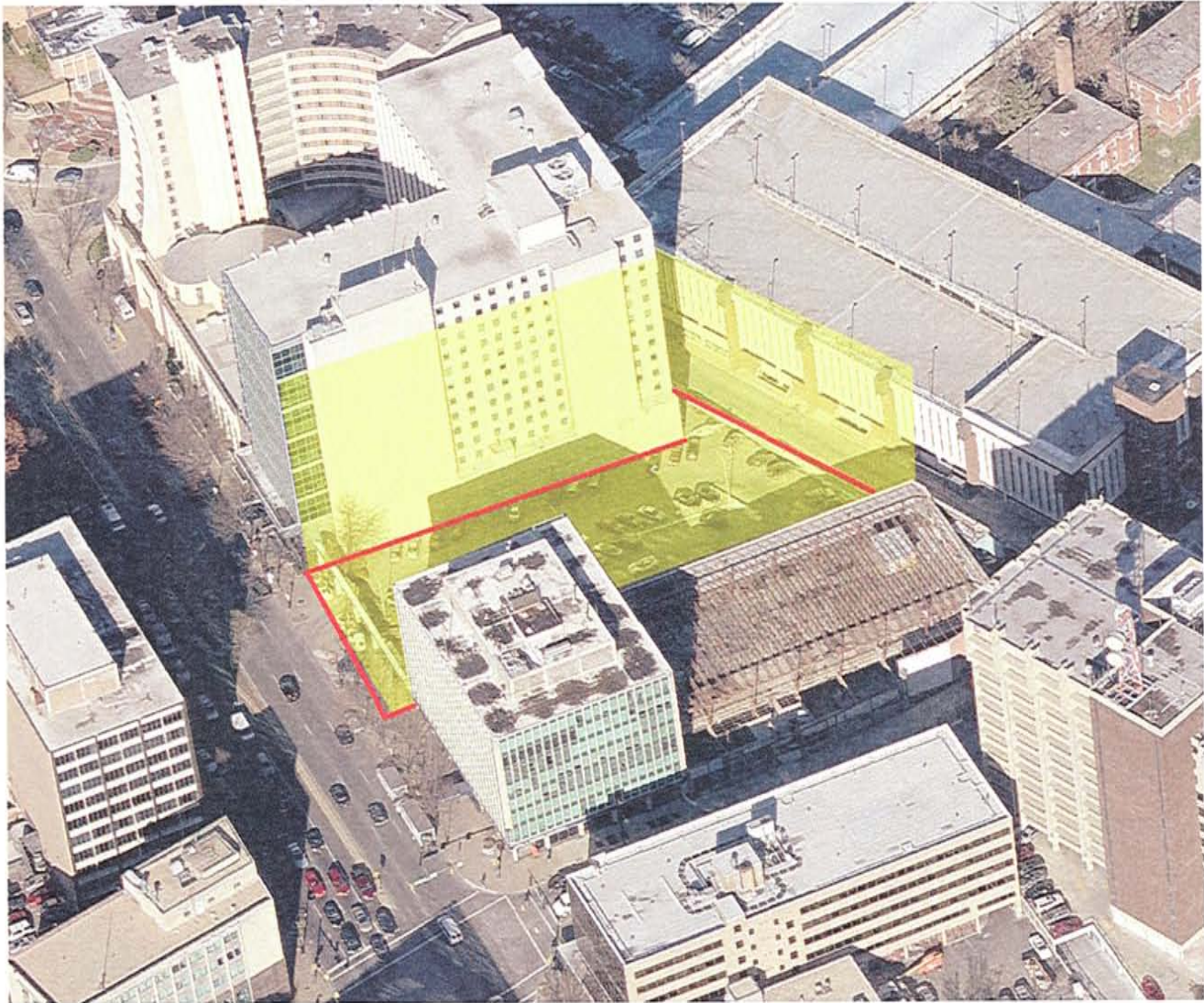
Vicinity Map

Site Analysis

The 8711 Georgia Avenue site is on the east side of Georgia Avenue, north of Cameron Street, and totals approximately 38,185 gross square feet, or 0.87 acres. Approximately 1,918 square feet will be dedicated for roadways, leaving a net tract area of 31,116 square feet. The site is currently occupied by a surface parking lot, which also provides drive-through bank service access for the building to the south. There are no overhead utility wires along either frontage. To the north of the site is currently an exit driveway for public Parking Garage 2. Staff expects that at some point Fenton Street will be extended within this area. Of the nearest intersections, that of Georgia Avenue and Cameron Street is signalized, but that of Georgia Avenue and Fenwick Lane is not. The site topography falls significantly away from Georgia Avenue, dropping approximately 10 feet to the northeast at Parking Garage 2. There are no significant existing trees or other vegetation on the site, which is entirely impervious. Ingress and egress would be provided from Georgia Avenue and the future Fenton Street extension.



Aerial Site View



Site Aerial Oblique View

PROJECT DESCRIPTION

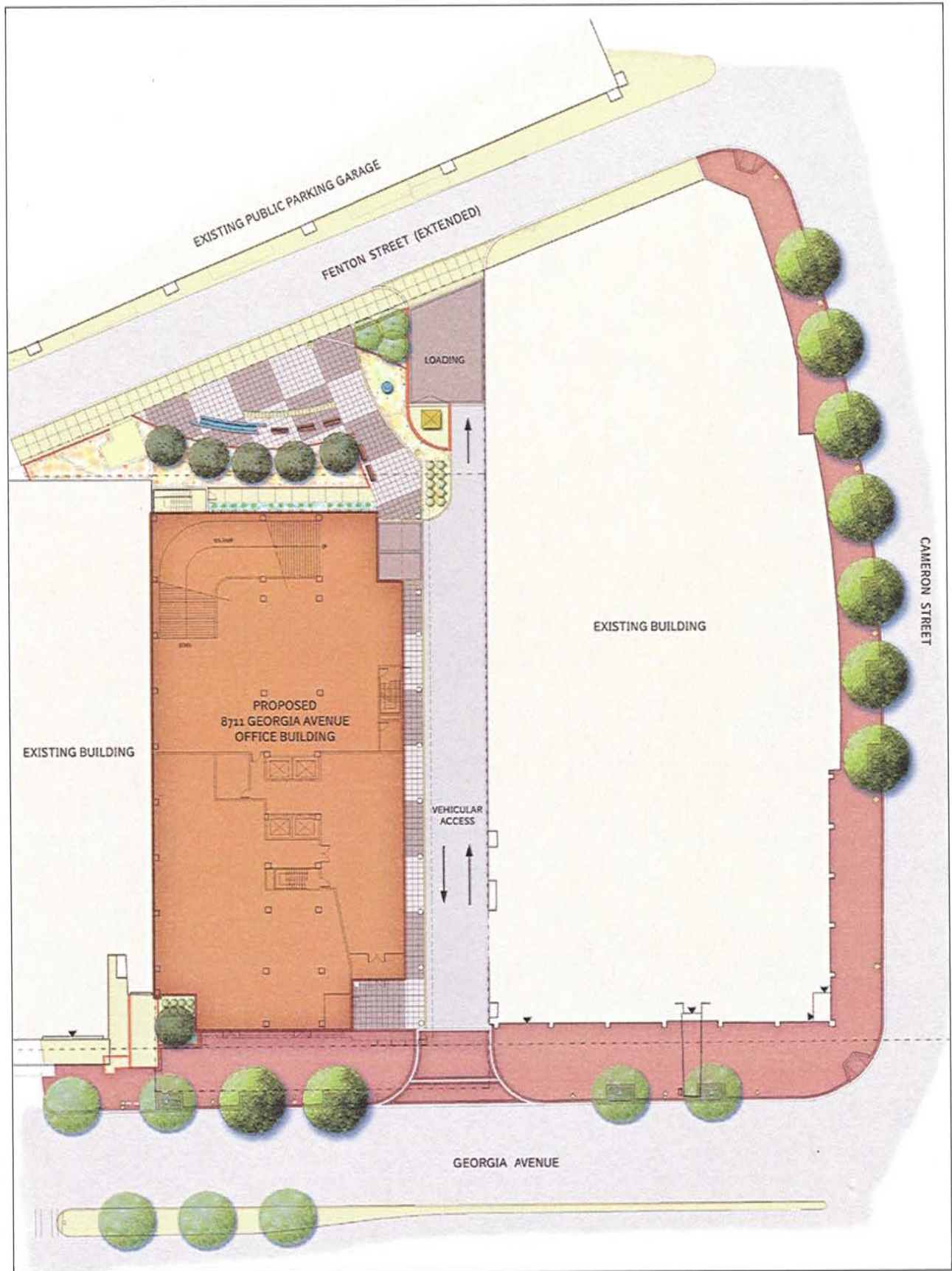
Previous Approvals

Project and Preliminary Plans

The Planning Board approved Project Plan #920050020 and Preliminary Plan #120060420 on January 19, 2006, for a mixed use development of up to 152,740 gross square feet, including 148,278 square feet of office space and 4,462 square feet of general retail use. The Planning Board Opinions, dated March 14 and March 17, 2006, respectively, are appended.

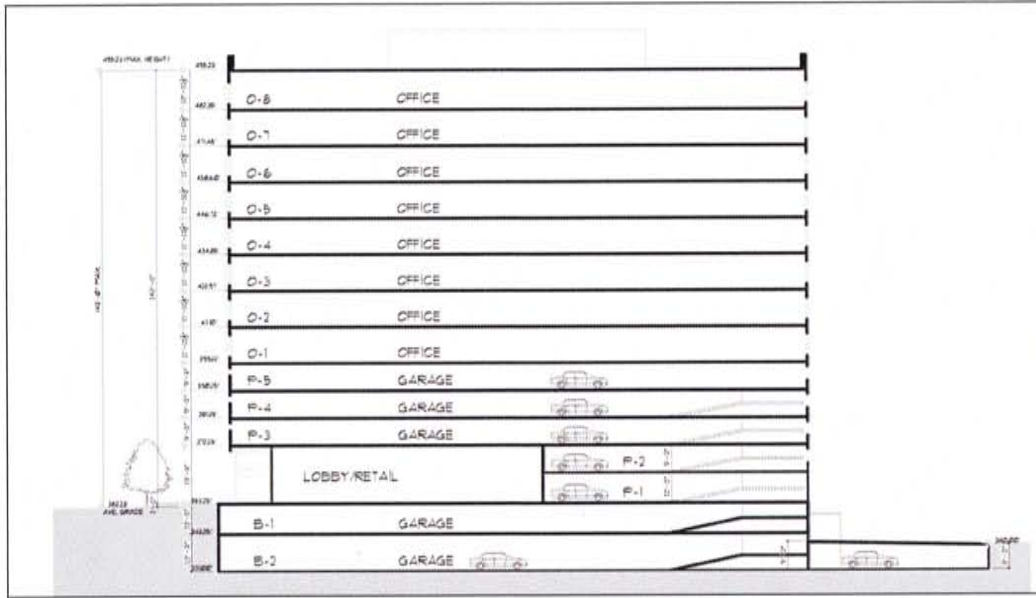
Proposal: Site & Landscape Plans

This plan proposes 152,740 gross square feet of mixed-use development, including 148,278 square feet of office space and 4,462 square feet of retail, in a 13-story, 143-foot tall building. The building maintains the existing street wall on Georgia Avenue and provides a generous, attractive public art plaza along the future extension of Fenton Street.

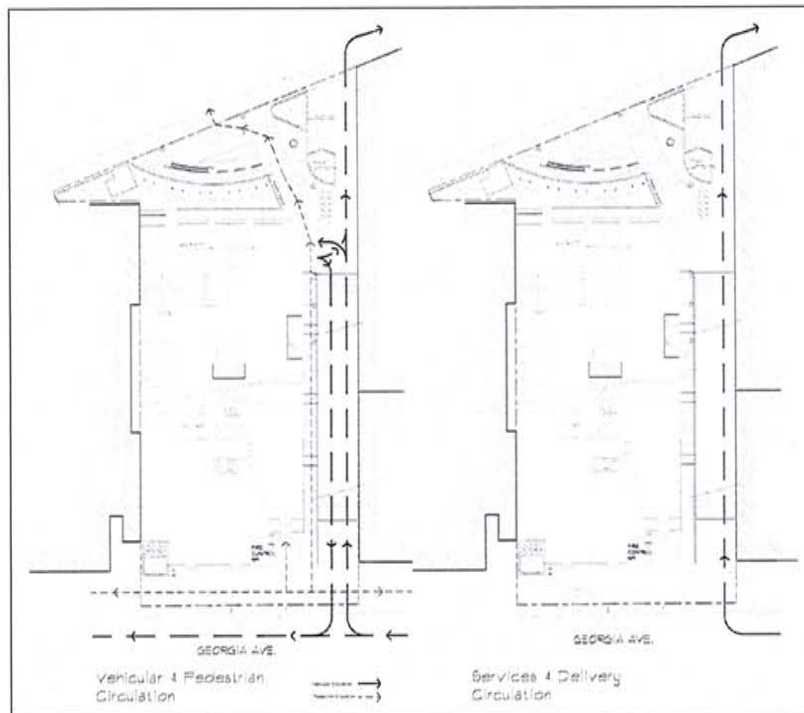


Site/Landscape Plan

Vehicular access for both parking and service will come from Georgia Avenue via a driveway along the southern edge of the site. Vehicles exiting the on-site garage may either return to Georgia Avenue or continue east on the driveway to Fenton Street extended. Service vehicles will exit only via Fenton Street extended. Pedestrian access between Georgia Avenue and future Fenton Street extended is furnished by an arcade running parallel to the driveway from the sidewalk on Georgia Avenue to the public plaza along Fenton Street extended. Parking is provided on-site within and underneath the building.



Schematic Building Section



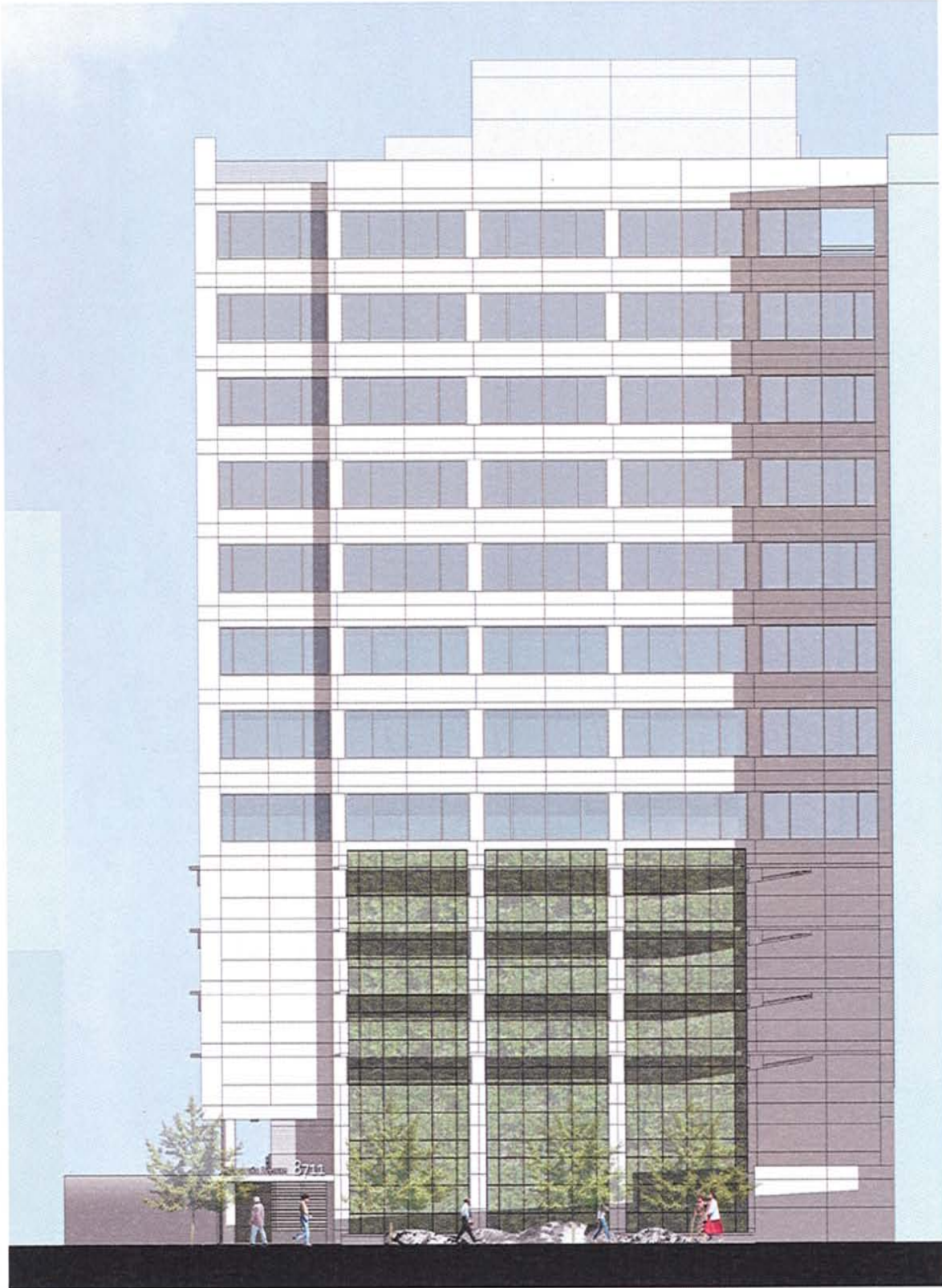
Circulation System

Proposal: Architecture



Georgia Avenue Elevation

The proposed architecture provides an attractive and dynamic contemporary design facing Georgia Avenue and Fenton Street. An illuminated entrance feature and other design elements also highlight the connection between Georgia Avenue and the Fenton Street art plaza.



Fenton Street, Extended, Plaza Elevation

Proposal: Public Use Space & Art Installation

In order to provide an attractive destination for the project's public use space, the Applicant has engaged local artist Martha Jackson Jarvis to design an "urban oasis," creating a space that "shines like an oasis of green and blue (life and water) in this stark and grey urban wedge of a space." (Applicant's Public Art Statement)

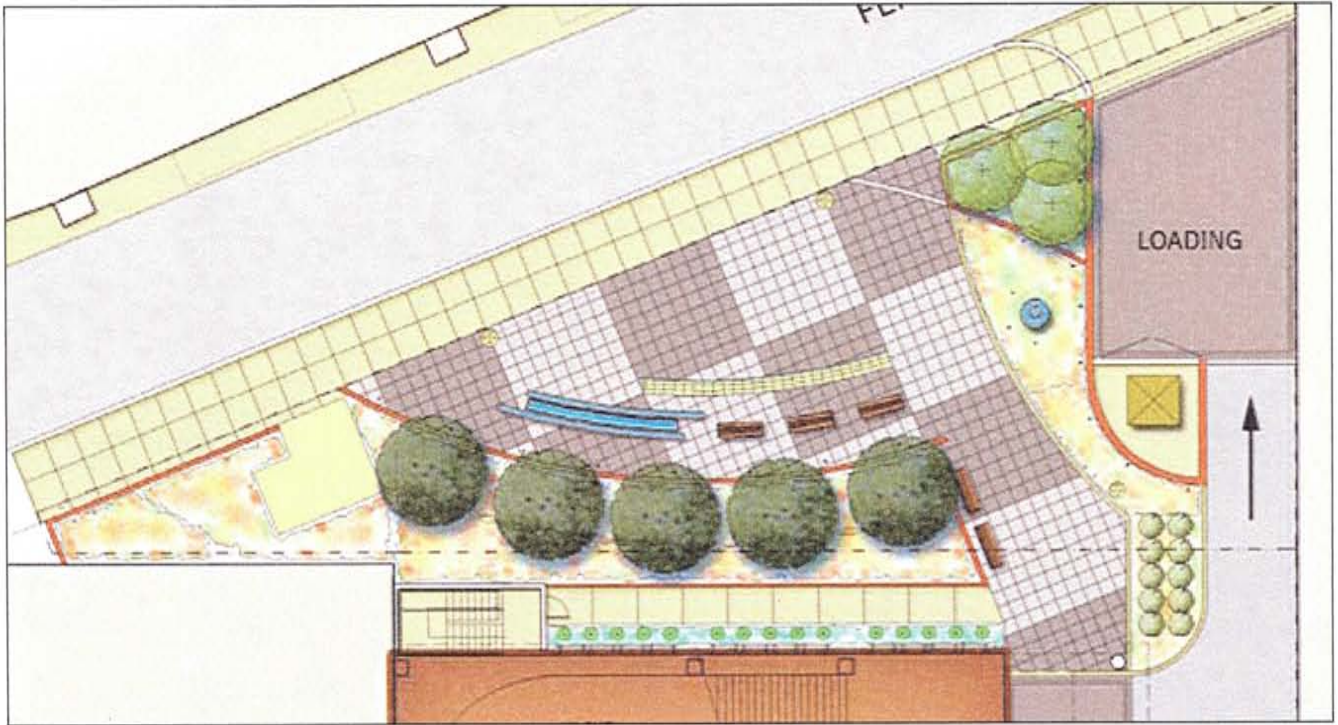
The plaza space is oriented to direct a flow of people through the space and towards the building access walk. This is achieved using an elliptical form which directs vision and movement toward a focal point in the plaza containing a sculptural element in front of a mosaic wall. It is at a pivotal point where visitors will turn towards a new direction. A long radial wall forms the outer edge of this directional ellipse. This Wave Wall is a primary component of the public art created by local sculptor, Martha Jackson-Jarvis. The top of the arcing wall will undulate like waves, allowing for the installation of a flowing mosaic of brightly colored materials of many sizes and textures. The mosaic pieces used by Jackson-Jarvis often have a depth to them, so that they protrude significantly out from the face of the wall, taking in light and creating shadow. They will be dynamic in the light of the sun and also in the accent lighting at night. The overall theme of this mosaic is vibrancy, life, and movement.

At the terminus of the Wave Wall, the attention is driven toward a second mosaic wall. This is a straight wall with a consistent height. As the mosaic on this wall moves along its path, it represents water, with forms of wave-like movement and colors of blue, green, and white.

Two sculptural pieces will adorn the plaza. One, that is more linear, will be placed in front of the Wave Wall. This piece will sit in the plaza paving, so that it may be approached, touched and studied from all sides. Another will sit in a planting bed in front of the second mosaic wall. Both pieces will essentially be one (thematically) with the mosaics that lay behind them. Colors, texture, themes, and light will be consistent with the mosaics.

Seating in the plaza is provided in the form of light backless benches (in keeping with the theme of movement), so as not hide the mosaic walls. Planting in the plaza is varied. A tight arrangement of trees forms a clean backdrop for the Wave Wall. These trees will be uplit and will provide their own glowing qualities of shadow and texture, both day and night. Along the straight mosaic wall, there will be three light-textured columnar trees that will add to the life of the mosaic behind them, while also creating strong opposing play with the Wave Wall.

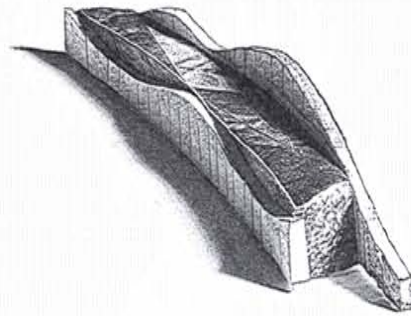
To accentuate the "Oasis" theme at night, the lighting will be designed such that the plaza has a glow. Rather than focusing light in a few areas from only a few fixtures, the lighting will be designed to wash the mosaic walls and the sculptural pieces evenly. Because the walls are long and take up a significant part of the plaza, when evenly lit, they will create a glowing light presence. As part of the paving scheme a lighted panel will be placed parallel to the wave wall, emanating a unique glow of its own.



Illustrative Detail Plan



VIEW OF MOSAIC TOP SIDE OF SOLIATURE

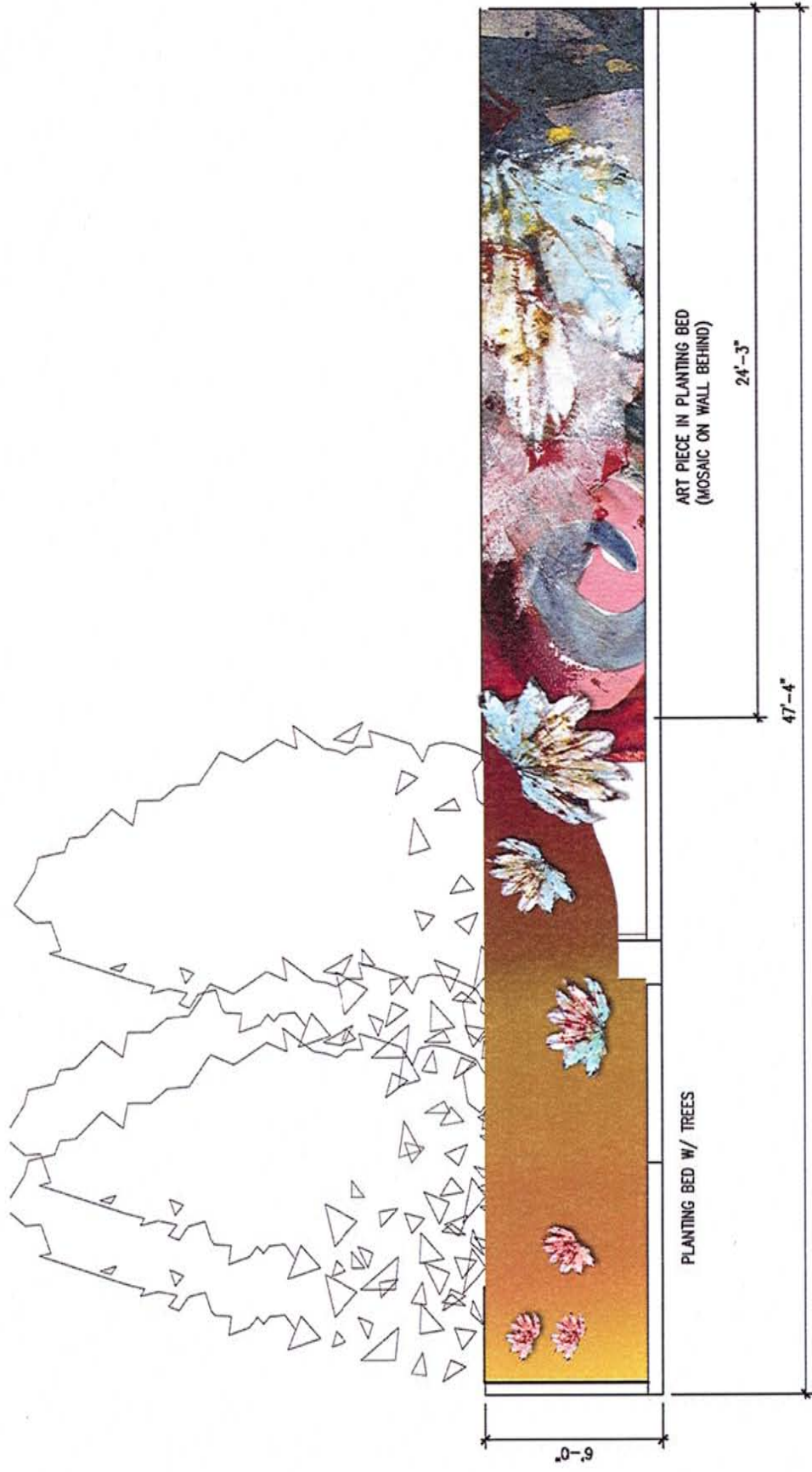


VIEW OF MOSAIC TOP SIDE OF SOLIATURE



SOLIATURE PUBLIC ART PIECE W/ MOSAIC SET IN PLANTING BED

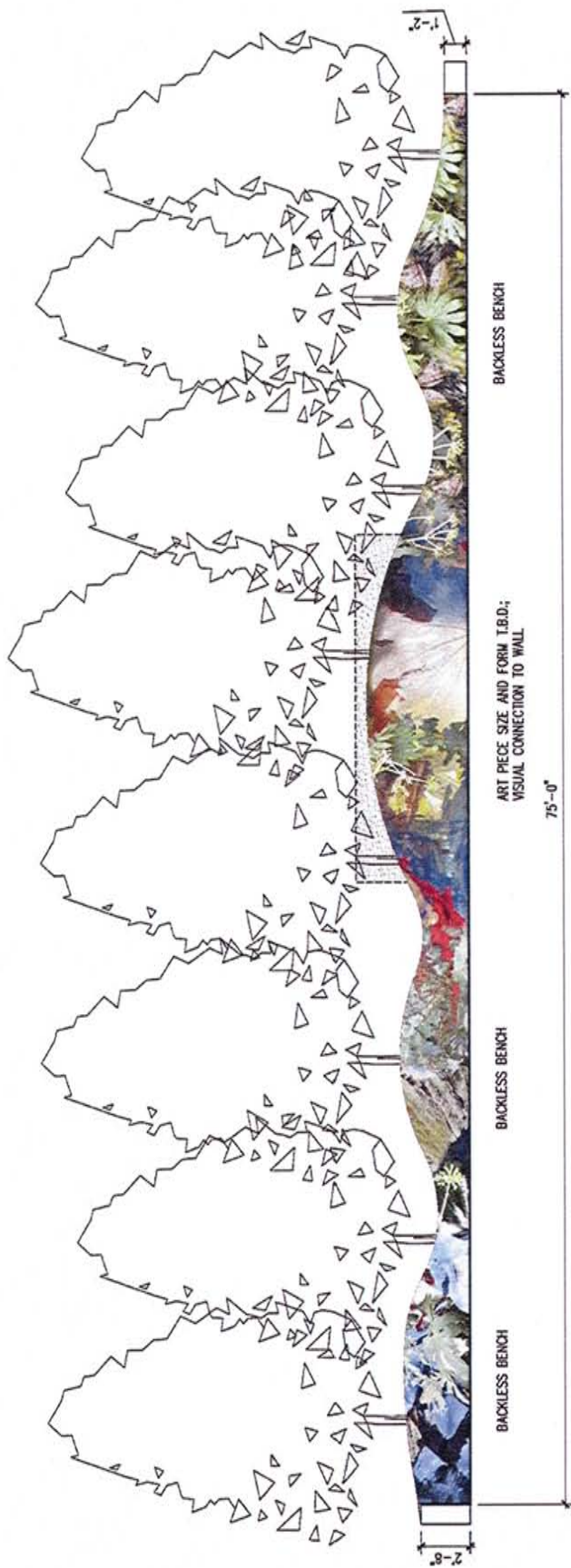
Public Art Details



MOSAIC FEATURE WALL BEHIND PLANTING BED

8711 GEORGIA AVENUE OFFICE BUILDING
 HORD COPLAN MACHT
 01-24-08





CONCEPTUAL WAVE FEATURE WALL (W/ MOSAIC ON FACE)
 8711 GEORGIA AVENUE OFFICE BUILDING
 HORD COPLAN MACHIT
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Mosaic Wall Elevations

COMMUNITY OUTREACH

The Applicant has complied with all submission and noticing requirements. Staff has not received correspondence from any citizens or community groups as of the date of this report.

ISSUES

Two Fronts: Fenton Street Extended

Currently, an exit driveway for Public Parking Garage 2 lies on the eastern end of the site. The driveway and garage are controlled by the Parking Lot District (PLD). The driveway is physically aligned with Fenton Street directly across Cameron Street and is itself public, but is not now a public right-of-way. The 2000 Silver Spring CBD Sector Plan envisioned a “New Link – Pedestrian/Bike” along this path as an extension of Fenton Street, and staff expects that at some point in the future, perhaps in conjunction with the development of Silver Place or eventual redevelopment of Garage 2, Fenton will be properly extended through, past the subject site.



Garage Exit Driveway Location

There remains a degree of uncertainty regarding the near-term disposition of the existing retaining wall and sidewalk along the Public Parking Garage 2 driveway, depicted below. The Applicant is in the process of finalizing an access arrangement with the Parking Lot District. This arrangement will have to address the status of the walk and wall. Staff strongly recommends that the wall come down. The Board specifically conditioned its approval of the original Project Plan on the Applicant’s coordination with the PLD for such a removal.



Parking Garage 2 Driveway, with Retaining Wall, looking South

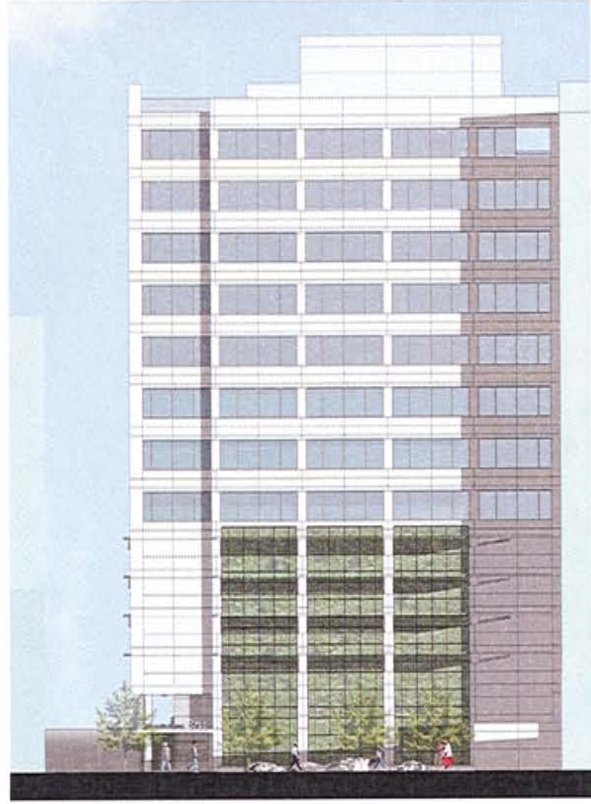


Retaining Wall, from Subject Site



Retaining Wall, from Cameron Street, with Scale Figure

Whatever the short-term fate of the retaining wall, the Applicant and staff share a vision of this future extension of Fenton Street, and the Applicant's design team has worked to produce a site and building design that provides, to the greatest degree possible given the constraints of the zoning, site, and building program, a building with two "fronts." The entry feature at the south corner of the building along Georgia Avenue announces a pedestrian arcade connecting visually and physically with building entry graphics and design elements on the arts plaza on future Fenton Street extended.



Two "Fronts": Georgia Avenue and Fenton Street (future)

The Neighbors: Zero lot line coordination

This property has operated as a surface parking lot long enough that the adjacent buildings have taken advantage of this flexible spatial arrangement. The parking garage for the building to the north has vents through the party wall directly on to the lot. The building to the south has a gas meter, a drive-through lane, and a building entrance which encroach on the subject property. The Applicant has worked with the adjacent property owners to resolve these conflicts.



Garage Vents on North Property Boundary



Site Obstructions on Southern Property Boundary

SECTION 2: PROJECT PLAN AMENDMENT REVIEW

PROPOSAL

Revise the Project Plan to reduce the minimum building setbacks to accommodate the underground parking garage and move the building closer to the street, to show vehicular access to the future Fenton Street extended, to modify the design of the public use space, and to relocate stormwater management structures. All other elements of the approved Project Plan, including building density and height, remain unchanged.

ANALYSIS

Reducing the building setbacks will help the building to better define the Georgia Avenue street wall and eliminates residual public use space in favor of a larger and more dynamic plaza along Fenton Street. Connecting the driveway along the eastern edge of the site all the way through to the Garage 2 driveway was a goal of both Planning staff and the Applicant at the time of the original Project Plan approval, but the Applicant was unable to secure access from the Parking Lot District. The Applicant and Parking Lot District are in the process of completing an access agreement. The public use space modifications are qualitative and the result of collaborations between the Applicant and staff to produce a superior design for a public space that is intended to attract visitors both before and after the expected extension of Fenton Street. Finally, changes in the site layout have necessitated relocation of the stormwater management facilities. The relocation does not negatively impact the overall quality of the site design.

PROJECT PLAN AMENDMENT RECOMMENDATION

This Project Plan Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in its review of the original Project Plan, and staff recommends APPROVAL of the proposed building setback reductions, the driveway connection to future Fenton Street extended, the emendations to the design of the public use space, and the relocation of the stormwater management facilities.

SECTION 3: SITE PLAN REVIEW

MASTER PLAN

This site is included in the “Other Areas of the CBD” section of the 2000 Silver Spring CBD Sector Plan, without specific recommendations. Nevertheless, it is centrally situated on Georgia Avenue, a central corridor of Silver Spring, and half a block from Spring Street, the northern gateway to the CBD. For the “Corridors and Gateways”, the objective of the Sector Plan is to “Improve the image of the entire downtown by improving the appearance of its primary corridors.” In replacing a surface parking lot, which currently features only a well-intended gatehouse and archway structures –now abandoned and in disrepair – this project as designed will contribute significantly to the attractiveness and vitality of the Avenue.

DEVELOPMENT STANDARDS

The proposed development is designated Central Business District 2 (CBD-2), a zone created to provide increased height and density in the areas surrounding the urban core. The development standards are minimal within the CBD-2 Zone to encourage flexibility through the Optional Method of Development, with final details determined at Site Plan.

The purposes of the CBD-2 Zone include:

- encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas;
- promote the effective use of transit facilities in the central business district and pedestrian access thereto as well as an improved pedestrian and vehicular circulation;
- assist in the development of adequate residential areas for people with a range of different incomes;
- encourage land assembly and the most desirable use of land in accordance with a sector plan;
- provide a density and intensity of development which will permit an appropriate transition from the cores of central business districts to the less dense peripheral areas within and adjacent to the districts; and
- provide an incentive for the development of residential uses to meet the needs of those employed within the central business districts and those who will be able to use the district transit facilities to travel to and from places of employment.

The proposed development provides 152,740 sf. of office and ground-floor retail uses within a five-minute walk of the Silver Spring Transit Center and Downtown Silver Spring. The building height is comparable to adjacent residential and office buildings along Georgia Avenue and Cameron Street. The site has been designed and detailed to create a comfortable, functional environment.

The following data table indicates the proposed development’s compliance with the Zoning Ordinance.

Project Data Table for the CBD-2 Zone

Development Standard	Permitted/ Required	Approved per Project Plan	Approved per Preliminary Plan	Proposed for Project Plan Amendment / Site Plan Approval
Min. Gross Tract Area (square feet)	18,000	38,185		38,185
Previously Dedicated Area		-5,151		-5,151
Proposed Dedicated Area		-1,918		-1,918
Net Lot Area		31,116		31,116
Max. Density				
Office (sf.)		148,278	148,278	148,278
Office (FAR)		3.88	3.88	3.88
Retail (sf.)		4,462	4,462	4,462
Retail (FAR)		0.12	0.12	0.12
Total (sf.)		152,740	152,740	152,740
Total (FAR)	4	4		4
Max. Building Height (ft.)¹	143	143		143
Max. Stories		13		13
Min. Building Setbacks (ft.)				
Georgia Avenue ROW		13		0
East (Public Garage 2)		32		0
North		0		0
South		30		0
Min. On-Site Public Use Space, (% of Net Lot Area)	20	26.6		24
Min. On-Site Public Use Space, (sf.)	6,223	8,275		7,477
Min. Off-Site Public Amenity Space, (% of Net Lot Area)		36.2		37.1
Min. Off-Site Public Amenity Space, (sf.)		11,264		11,556
Min. Total On- & Off-Site Public Use & Amenity Space (% of Net Lot Area)		62.8		61.1
Min. Total On- & Off-Site Public Use & Amenity Space (sf.)		19,539		19,033
Max. Parking Spaces		326		326

¹ Measured from the center of the building on Georgia Avenue.

FINDINGS

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

This Site Plan is consistent with the approved Project Plan, as amended by Project Plan Amendment 92005002A. The revised design improves upon the overall quality and character of the Project Plan.

2. *The Site Plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the Central Business District 2 (CBD-2) zone as demonstrated in the project Data Table on page 17. The building height and density remain unchanged from the approved Project Plan, and the modifications to the building setbacks, vehicular access, and public use space provide a superior design.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

- a. Locations of buildings and structures

The proposed building provides an appropriate higher-density mixed office use with ground-floor retail on an optimal site for accessibility to mass transit and neighborhood facilities. The design and layout of the building are compatible with the existing and proposed development of the north end of the Silver Spring CBD in terms of massing, detailing, and height. Both the use and the design elements of the architecture provide an adequate, safe, and efficient building on the subject site.

- b. Open Spaces

The plan proposes twenty-four percent of the net lot area for public use on-site, including an attractive plaza with a dynamic public art component adjacent to the expected extension of Fenton Street, and about thirty-seven percent of the net lot area for off-site streetscape improvements, a significant contribution which largely completes installation of the Silver Spring Streetscape Standard for the block. The approved Project Plan included a slightly larger percentage of public use space, 26.6 percent, but the Applicant's addition to the 24 percent of a dynamic public art installation well compensates for this modest shortfall. The potential for the short-term retention/replacement of the existing retaining wall on the Parking Lot District property between the plaza and the driveway impairs neither the quality of the space nor its longer-term adequacy, safety, or efficiency. Each of these features contributes to a significantly improved pedestrian experience that is adequate, safe, and efficient.

c. Landscaping and Lighting

The proposed landscaping on this urban infill site primarily provides a spatial context for the “urban oasis” public plaza along Fenton Street extended. Both the bordering tree stands and the foliated green screens along the lower floors of the building itself elevate and reinforce the central theme defining this unique urban destination. The on-site lighting, including a proposed illuminated entry feature highlighting the passage from Georgia Avenue through the site to the plaza, similarly direct and reinforce the pedestrian experience through the site, from both directions. Further, the Applicant is providing street trees and pole lighting off-site, per MCDOT standards for Georgia Avenue and the Silver Spring Streetscape Standard for Georgia Avenue, Cameron Street, and, with Parking Lot District Approval, along the driveway for Parking Garage 2, as part of their public amenity contribution. The landscape and lighting are central to the successful design of this site, and are more than adequate, safe, and efficient.

d. Recreation Facilities

Since there is no residential component to this project, no recreation facilities are required.

e. Pedestrian and Vehicular Circulation Systems

This design does an excellent job of improving pedestrian and vehicular circulation into, through, and out of the site, providing attractive connections and destinations to both Georgia Avenue and future Fenton Street extended. Sidewalks exist on both sides of the site and are actively used on a daily basis. The architecture, landscaping, signage, and lighting encourage pedestrian traffic through the site along the covered arcade along the southern edge of the building. The vehicular circulation provides access from Georgia Avenue for both parking and service, and egress to both Georgia Avenue and future Fenton Street extended. This site plan improves mid- and through-block circulation, both pedestrian and vehicular, and is adequate, safe, and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The building is compatible with other constructed, proposed, and planned high-rise mixed-use development along Georgia Avenue and Cameron Streets, including the adjacent hotel, office buildings, and other mixed-use structures in massing, scale, design, detailing, and layout.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The subject Site Plan, including off-site improvements, is subject to forest conservation requirements. The site does not currently include any trees, and the Applicant expects to meet their forest conservation requirements through on- and off-site planting and/or fee in lieu. Final conformance will be verified by Certified Site Plan.

The proposed storm water management concept approved by DPS on July 23, 2008, consists of on-site water quality via a Storm Filter and a “green” roof. On-site recharge is not required since this is a redevelopment.

SITE PLAN RECOMMENDATION AND CONDITIONS

Approval of 152,740 gross square feet of mixed-use development, including 148,278 square feet of office space and 4,462 square feet of retail uses, on one 0.87-acre lot. All site development elements as shown on the site, landscape, and lighting plans stamped by the M-NCPPC on August 29, 2008, are required except as modified by the following conditions:

1. Project Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Project Plan 920050020, as amended by 92005002A.

2. Preliminary Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Preliminary Plan 120060420, unless amended and approved by the Planning Board.

3. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. For documentation purposes, before the issuance of any building permit, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of any building permit the Applicant must provide to staff a written report from the Applicant's LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost.

4. Site Plan

- a. Highlight the public pedestrian connection in both directions between Georgia Avenue and the art plaza on Fenton Street extended, at a minimum to include:
 - i. on the south corner of the building, on Georgia Avenue, an illuminated entry feature similar to that illustrated on the "south" and "east" elevations on Sheet A.04 of the submitted architectural plans;
 - ii. on the west-facing partial-floor building return located overhead within the pedestrian arcade (at the fifth bay from the north side of the building, as illustrated on the east elevation on Sheet A.04), adjacent to the driveway, an illuminated "way-finding" feature readily visible from the entry feature described above in condition 4.a.i;
 - iii. on the east corner of the building, on the art plaza, an illuminated signage and entry feature;
 - iv. details of the above features must be included as exhibits in the Certified Site Plan;
- b. Minimize to the greatest extent possible the opacity of any guardrail required by the building code to be located between the arcade on the southwest edge of the building and the adjacent driveway. Before issuance of any building use and occupancy permit, the Applicant must submit to M-NCPPC Development Review and Urban Design staff the final guardrail design for approval;
- c. The exterior architectural character, proportion, material, and articulation must be substantially similar to the schematic elevations shown on Sheet A.04 of the submitted architectural drawings, as determined by M-NCPPC Development Review and Urban Design staff;
- d. Reconfigure the on-site portion of the transition between the north-side driveway curb and the off-site Georgia Avenue exitway curbing to provide a more direct continuation;

5. Public Use and Amenity Space

- a. The Applicant must provide a minimum of 7,477 square feet (24 percent of the net lot area) as on-site public use space;
- b. The on-site public use space must be easily and readily accessible to the general public and available for public enjoyment;
- c. Provide a minimum of 11,556 square feet (37.1 percent of the net lot area), for off-site public amenity, of streetscape improvements;
- d. Expand the on-site public use space to include the arcade access between Georgia Avenue and the plaza on Fenton Street extended;
- e. Provide “Green Screen” or similar structures on the building elevation facing the Fenton Street extended, as illustrated on Sheets A.04 and L3.1.1 of the submitted architecture and landscape architecture drawings. The Applicant must populate these structures with climbing plants sufficient to cover a substantial proportion of the screens;

6. Streetscape

- a. As detailed below, provide the full-width Silver Spring streetscape standard, including, but not limited to, brick pavers, street trees, and street lighting, along the sidewalk running continuously along the block from the western corner of the property on Georgia Avenue around Cameron Street and, subject to PLD approval, along the existing driveway for Parking Garage 2 (Fenton Street extended) and concluding at the northern limit of the site behind the existing building at 8757 Georgia Avenue;
- b. On Fenton Street, extending from north end of sidewalk adjacent to property to intersection with Cameron, provide streetscape improvements, as permitted by PLD, of Type “B” in accordance with the Silver Spring Streetscape Plan (April 1992) Technical Manual or as amended;
- c. On Georgia Avenue, install brick paving in herringbone pattern in the sidewalks, transitioning to basket-weave on Cameron Street. The two different patterns to be separated by a double row-lock band of brick pavers aligned with the face of the building on Georgia Avenue (8701). (NB: Though this is not reflected in the Silver Spring Streetscape Plan, Technical Manual, April 1992, the concrete unit paver in “Plan A” is no longer being installed on Georgia Avenue and the brick specified in “Plan B” is being installed. Herringbone pattern is being used to differentiate Plan A from Plan B type paving.);

7. Public Art

- a. Provide for and install the public art concept designed by artist Martha Jackson-Jarvis, as presented to the Planning Department’s Art Review Panel on February 15, 2008, and illustrated in the Certified Site Plan;
- b. Any significant changes to the concept presented on February 15, 2008, must be presented to the Art Review Panel and approved by Development Review staff before Certified Site Plan;
- c. Significant changes to the concept, as determined by Development Review staff, proposed after Certified Site Plan will require a Site Plan Amendment;

8. Transportation

- a. Provide dual handicapped ramps at the corners of Georgia Avenue at Cameron Street and Cameron Street at Fenton Street intersections, or as approved by MCDPS;
- b. Provide level/at-grade sidewalk across the garage driveway access along Georgia Avenue;

9. Environment

- a. Meet all afforestation requirements for the subject site off-site and not with landscape planting or street trees planted within the public right-of-way;
- b. Comply with the conditions of approval of the Final Forest Conservation Plan (FFCP);

10. Lighting

- a. All private on-site down-lighting fixtures must be full cut-off fixtures;
- b. Deflectors must be installed on all up-lighting fixtures causing potential glare or excess illumination;
- c. Lighting required for the public art installation may be exempted from the conditions 9.a. and 9.b. at the discretion of Development Review staff at the time of Certified Site Plan;
- d. Provide additional site lighting along the through-block pedestrian and vehicular routes as well as in the public plaza along future Fenton Street extended, as necessary to meet IESNA best practices for public space illumination;

11. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated July 23, 2008, unless amended and approved by the Montgomery County Department of Permitting Services.

12. Development Program

The Applicant must construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the Certified Site Plan. The Development Program shall include a phasing schedule as follows:

- a. Streetscape improvements to Georgia Avenue, Cameron Street, and, unless disapproved by the Parking Lot District, the future Fenton Street extension, as illustrated on the Certified Site Plan, must be completed before issuance of any use and occupancy permits;
- b. On-site public use space, including the associated public art installation, paving, lighting, and landscaping, must be completed before issuance of any use and occupancy permits;
- c. All on-site landscaping must be completed within six months of the issuance of any use and occupancy permits;
- d. Specify phasing of pre-construction meetings, dedications, sediment/erosion control, or other features;
- e. The "Green Screen" required by condition 5.f. must be installed on the building prior to issuance of any building use and occupancy permits and be planted within 6 months of the issuance of any building use and occupancy permits;

13. Clearing and Grading

- a. The Applicant may demolish the existing structures on the site prior to M-NCPPC approval of the Certified Site Plan, but only after approval of the Final Forest Conservation Plan and the pre-construction meeting;
- b. The Applicant must ensure that there is no clearing or grading of the subject site prior to M-NCPPC approval of the Certified Site Plan;

14. Maintenance

- a. The Applicant is responsible for maintenance of on-site landscaping and public use space;

- b. The Applicant must coordinate with the Silver Spring Urban District/Regional Services Center for maintenance of off-site public amenity space, including all streetscape improvements, both on- and off-site, except as specified below;
- c. Enter into an agreement with the Montgomery County Parking Lot District (PLD) for the maintenance of streetscape improvements where proposed site paving extends into PLD Property;

15. Certified Site Plan

Prior to Certified Site Plan approval the following revisions, and those described in the above conditions, shall be included and/or information provided, subject to staff review and approval:

- a. Minor corrections and clarifications to site details and labeling;
- b. A revised photometric plan to include all site lighting, specifically along the pedestrian arcade and driveway as well as the public plaza fronting future Fenton Street extended;
- c. Development Program, Inspection Schedule, Approved Forest Conservation Plan, and Site Plan Resolution;
- d. All areas within the project Limits of Disturbance, including all off-site improvements;
- e. Provide Development Review staff with a final version of the executed agreement, including permission for streetscape improvements within the driveway, with the Parking Lot District for access to the existing exit driveway for Parking Garage 2;
- f. Adjust sidewalk paving details per condition 6;
- g. Revise sidewalk paving details to show the brick paver to be used in the streetscape as the Belden 470-479 'Silver Spring';
- h. Change specified wattage on the Washington Globe street lights, planned for Fenton and Cameron Streets, from 175w to 250w.

APPENDICES

- A. Project Plan Resolution
- B. Preliminary Plan Resolution
- C. Public Art Review Panel Recommendation
- D. Reviewing Agency Approvals