

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

MCPB
Item #15
7/10/08

MEMORANDUM

DATE: July 2, 2008

TO: Montgomery County Planning Board

FROM: Rollin Stanley, Director

SUBJECT: Planning Board Public Hearing and Work Session
on the Public Hearing (Preliminary) Draft Amendment to the Master Plan for Historic
Preservation – Falkland Apartments



Recommendation

1. That concerning the designation of the Falkland Apartments to the Master Plan for Historic Preservation, the Planning Board recommend to the County Council that:
 - i. the two parcels located south of East-West Highway be placed on the Master Plan for Historic Preservation; and
 - ii. the parcel located north of East-West Highway (the “north parcel”), not be placed on the Master Plan for Historic Preservation;
2. That the Planning Board adopt a motion that the north parcel will be removed from the Locational Atlas automatically upon approval of a Site Plan application or applications for the redevelopment of the entire north parcel. In the event more than one site plan is filed for the north parcel, that parcel will only be removed from the Locational Atlas with approval of the certified site plan covering the last portion of the north parcel for which no certified site plan has been approved.

1.0 Issues

At the December 6, 2007 Planning Board meeting the Board reviewed the Falkland Apartments and found that the all the remaining parcels were eligible for designation on the Master Plan for Historic Preservation. At that meeting the Board directed staff to initiate a Master Plan amendment for the remaining three parcels.

At that time the Board limited review to the “historic merits” criteria only. Other potential public benefits of redevelopment of the north parcel were not considered. Further, the Silver Spring Sector Plan was not included in the analysis. In 1993 the Sector Plan specifically noted the potential of this north parcel for full redevelopment for increased residential use. The Plan detailed how a redevelopment of the north parcel should be massed. The Plan recommendations resulted in the rezoning of the north parcel to ensure a high residential component in any redevelopment while the south parcel was rezoned to preserve the existing buildings. The subsequent 2000 update of the Plan kept these policies in place.

The Master Plan for Historic Preservation states the role of the Planning Board in deciding whether to support the placement of a property on the Master Plan shall make the following consideration.

“After receiving the recommendation of the Commission, the Montgomery County Planning Board would hold a Public Hearing to make its determination, using the same criteria, considering the purposes of the ordinance and balancing the importance of the historic property with other public interests.”

(Note: the reference to “using the same criteria” refers to that used by the Historic Preservation Commission.)

The Silver Spring Central Business District (CBD) Sector Plan as well as other County initiatives helps to define current “public interests” to assist in this evaluation. This report sets out the Department’s assessment and weighs historic preservation objectives with other planning goals.

2.0 Site Description

The Falkland Apartments straddle East–West Highway and 16th Street, immediately north of Colesville Road in downtown Silver Spring. The apartments were built in two phases over three years. They are located on three parcels and are comprised of groupings of two-story duplexes and three-story walkups in an arrangement of stand-alone and attached buildings. The blocks south of East–West Highway has a significant stream bed.

Of the 182 units on the north parcel, approximately 170 are currently occupied.

Falkland Apartments parcels

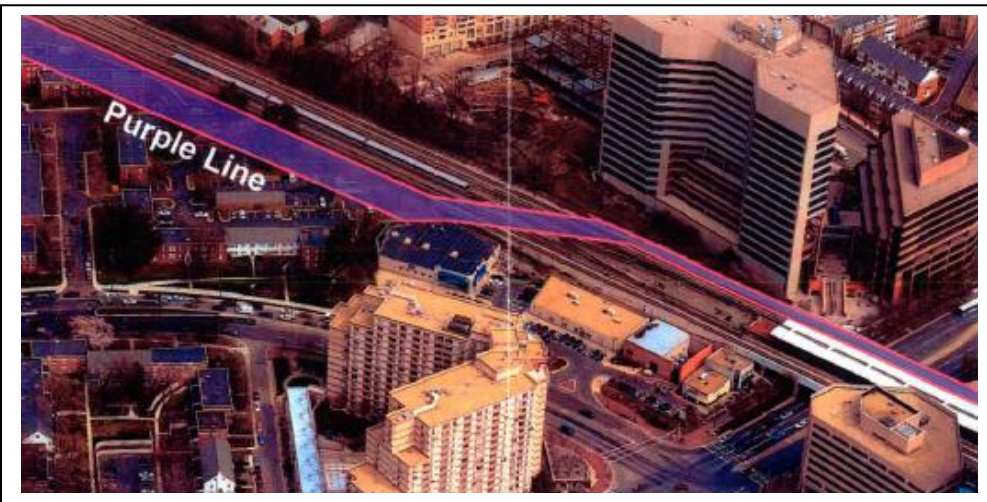
▪ South parcel	8.34 acres	144* units	Constructed in 1936/37
▪ North parcel	7.55 acres	182 units	Constructed in 1937/38
▪ West parcel	6.29 acres	119 units	Constructed in 1937/38

*34 units demolished in 1990

There have been some alterations to the Falkland complex over the years. A grouping of buildings located in the so-called Draper Triangle, east of Draper Lane, were demolished. These 34 units comprised approximately 7% of the whole. This site is now occupied by the Lenox Park Apartment complex, built in

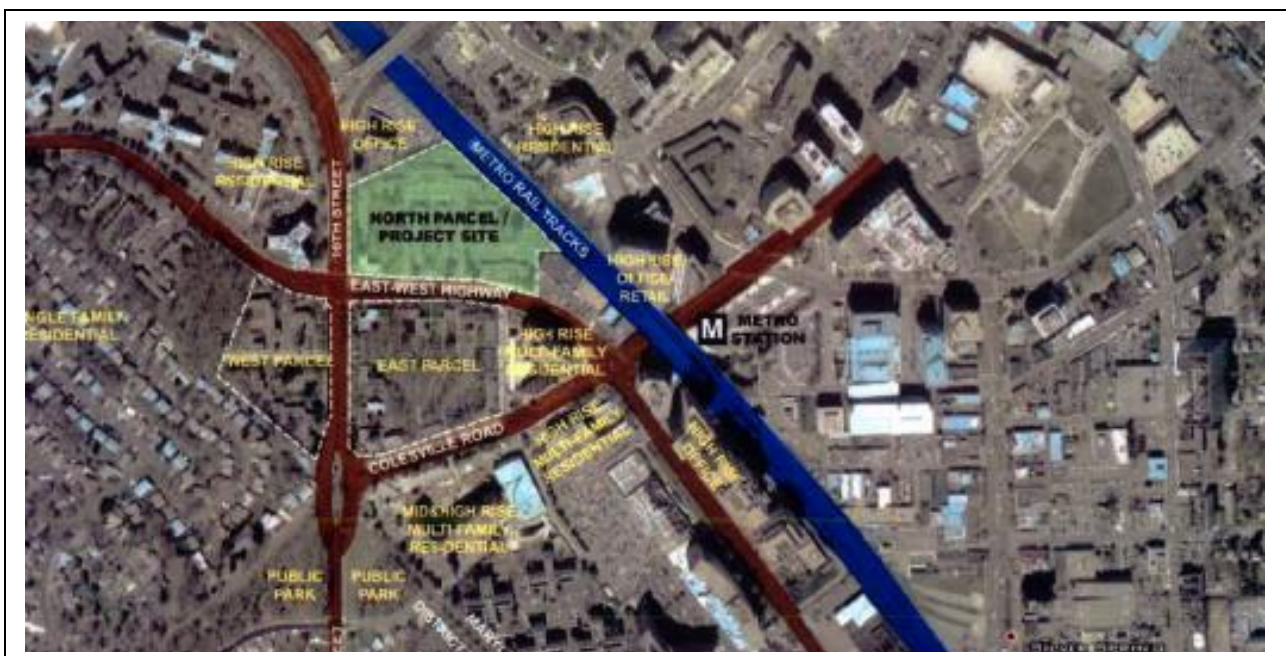
1992. Additionally, windows and doors have been replaced and paved parking areas have been added since the Falkland were originally built.

The north parcel backs onto the rail corridor serving Metrorail, MARC commuter rail, Amtrak and freight. Metrorail Red Line subway trains move through the Silver Spring station every six minutes during peak periods. The station is located 800 feet away from the east edge of the site. Nine inbound MARC trains in the am period and ten outbound in the pm period use the station. Future plans for the Purple Line clip the eastern most part of the site, necessitating removal of a portion or all of one building.



The potential alignment of the Purple Line would require removal of one of the existing buildings

Since 2000, several mid to high rise buildings have been constructed in close proximity to the Metro station on both sides of tracks. More buildings are being constructed a greater distance away as most of the “close in” development sites have been built out.



3.0 Background

The owner of the Falkland Apartments submitted a project plan application for redevelopment of the north parcel, requiring the demolition of the existing buildings. The application triggered a review under Chapter 24A-10, the Moratorium on Demolition and Alteration of Locational Atlas Resources. The intent of this process was to determine whether the resource merited designation on the Master Plan for Historic Preservation. Under this provision the Historic Preservation Commission evaluated the resource in August 2007, adopting the recommendation of the preservation staff that the Falkland Apartments be found eligible for historic designation.

In December of 2007, the Planning Board approved the Preservation staff recommendation “to find the entire Resource eligible for Master Plan designation” in a 4 to 1 vote. Staff was then instructed to prepare and process an Amendment to the Master Plan for Historic Preservation for all three parcels of the Falkland Apartments.

A number of important “milestones” in the planning regulations and the previous efforts to have the Falkland placed on the Master Plan, are important to the consideration of the merits currently, of such a designation.

3.1 Previous Effort to Place the Apartments on the Master Plan

In June of 1985 the Planning Board recommended to the County Council “that the marginal significance of the Falkland Apartments does not outweigh the importance of the property in implementing two major goals of the Silver Spring Sector Plan:

1. Spurring economic development in the Silver Spring CBD and
2. Providing additional residential opportunities in close proximity of Metro.

In this evaluation the Historic Preservation Commission had recommended “that the entire Falkland Apartment complex be designated for historic preservation”. The Planning Board recommendation that the complex not be designated was adopted by the County Council and only the “Cupola building” was deemed suitable for regulation under the Historic Preservation Ordinance.

The resolution of the County Council went on to recommend that the appendix of the Master Plan for Historic Preservation should “indicate that the balance of the Falkland Apartment complex has been reviewed and found not suitable for regulation under the Historic Preservation Ordinance”.

The Council action was subsequently reinforced when the 1993 Sector Plan was adopted by both the Planning Board and County Council, resulting in zoning changes to encourage the residential redevelopment of the entire north parcel of the complex.

In 1999, the Maryland Historical Trust (MHT) found the Falkland Apartments to be eligible for listing in the National Register of Historic Places. This determination was made as part of the Section 106 review for State Highway Administration (SHA) project MD 390 at MD 410. The MHT finding of significance was made in light of a Suburbanization Historic Context study developed for SHA which established the significance of the Federal Housing Administration (FHA) in United States (US) suburbanization.

In 2002, Preservation staff contracted with a consulting firm to undertake a survey of the Silver Spring CBD to ascertain which properties in the CBD may have historic or architectural significance. This project was done with a grant from the Silver Spring Regional Center and was part of the required mitigation for the 1998 demolition of the Silver Spring Armory. The Falkland Apartments were one of

several resources earmarked in this study. The Planning Board placed the Falkland Apartments on the Locational Atlas and Index of Historic Sites in 2005.

3.2 Silver Spring Sector Plan

Historic Preservation

The 1993 Sector Plan included a chapter on Historic Preservation. It stated that “In evaluating sites for historic designation, it is important to consider other public interests such as:

- revitalization of the CBD;
- greater commercial development as a means for increasing the economic base of the CBD; and
- the desirability of housing near transit, in relation to the historic resources.”

The Plan also noted that historic sites should be integrated into new development and stated that the land use chapter provided the guidance to this end. The land use chapter called for redevelopment of the north parcel and preservation of the southern parcel as will be described below.

The 1993 Sector Plan reaffirmed the previously designated historic sites (including the Cupola building at the Falkland) and indicated that three sites on the Locational Atlas (not Falkland buildings) were either being considered for designation or should be considered. The Sector Plan also recommended study of the old Silver Spring fire station for designation.

The 2000 CBD Sector Plan also had a section on Historic Resources. The text indicated that historic resources should be used to revitalize the downtown. Previously designated historic resources (including the Cupola building) were reaffirmed and the Sector Plan called for sites on the Locational Atlas and the old Silver Spring fire station to be considered for historic designation. It did not call for any new sites to be evaluated.

Zoning

The current zoning for the north block of the Falkland was recommended in the 1993 Silver Spring Sector Plan. That Sector Plan specifically singled out the north block of the Falkland Apartments for potential redevelopment for a greater amount of housing. Prior to 1993 the site had CBD-2 zoning which allowed a full range of redevelopment options including offices and commercial activity to a total floor area ratio (FAR) of five times the lot area.

The 1993 Sector Plan resulted in the north parcel being rezoned to CBD-R1 which remains the current zoning. This zoning reduced the overall FAR to a total of three, but capped the non-residential uses at 0.6 FAR and the residential at 2.4 FAR. The key however, was ensuring that the bulk of the floor area would be used for residential uses, thus achieving the objectives of the Sector Plan.

The relevant section of the plan is as follows.

“The primary issue affecting the Falkland Apartments concerns the preservation of garden apartments as a housing type in the Silver Spring CBD. The owner of the Falkland has expressed an interest in redeveloping a portion of the site. This Plan recommends rezoning the Falkland property north of East-West Highway from CBD-2 to CBD-R1.”

This north parcel of the Falkland was identified specifically as a site for potential housing with a yield of 778 units. The 1993 Sector Plan specifically described the possible massing for a new development on the

north parcel, calling for “the northern portion of the Falkland to include a mix of housing types to include low, medium and high rise structures, with the higher buildings oriented away from East-West Highway and then being stepped down along the Highway to provide an appropriate transition to the Falkland units on the south side of the Highway.”

The Sector Plan went on to state that “In order to encourage preservation of the Falkland Apartments south of East-West Highway, including the Cupola Building, this Plan recommends rezoning this portion from CBD-1 to R-20.” These blocks south of East-West Highway were specifically rezoned to reduce the development potential of the 8.34 acre south parcel and the 6.29 acre West Parcel. According to the 1993 Sector Plan, “the preservation of housing at the Blairs, the southern section of the Falkland and other locations is strongly encouraged.” (Note – the Falkland Apartments were R-20 prior to 1975 at which point the CBD zones were implemented in the zoning ordinance.)

The 2000 Silver Spring CDB Sector Plan retained the higher zoning for the north parcel and the lower zoning for the other parcels. This action, coupled with the objectives of that Sector Plan to create more housing and employment opportunities, reinforces the goal of redeveloping the north parcel for higher residential densities to achieve the broader public benefits / goals.

Both the Planning Board and County Council on three separate actions confirmed the full redevelopment potential of the north parcel.

- the 1985 denial to place the north parcel on the Master Plan for Historic Preservation
- the 1993 Sector Plan designation for redevelopment of the north parcel and the subsequent zoning for redevelopment
- the 2000 Sector Plan reaffirmed the zoning

3.3 Other Relevant Events

The following timeline highlights other relevant considerations to the matter.

- | | |
|------|--|
| 1985 | the entire complex was considered by both the Planning Board and the County Council for placement on the Master Plan for Historic Preservation but only the Cupola was considered eligible and subsequently listed in the master plan |
| 1990 | the block of the Falkland west of Draper Lane (six two storey buildings) is cleared for construction of the Lenox Park Apartments (1992) |
| 1993 | the north parcel of the Falkland (the block currently subject to redevelopment plans) is rezoned to CBD-R1, as recommended in the Silver Spring Sector Plan which identifies this block for redevelopment, while the south parcel and the west parcel are rezoned R-20 |
| 1999 | the Maryland Historical Trust finds the Falkland Apartments eligible for listing in the National Register |
| 2000 | the updated Silver Spring Sector Plan reaffirms both the CBD-R1 zoning and the concept of redeveloping the north parcel |
| 2002 | Silver Spring CBD Historic Survey completed (part of the armory mitigation) and the Falkland Apartments is identified as a property of potential historic or architectural significance |
| 2005 | Planning Board places the Falkland Apartments on the Locational Atlas and Index of Historic Sites |
| 2006 | application for a project plan to redevelop the north block is made by the Falkland Apartment owners |

- 2007 the Historic Preservation Commission (HPC) and the Planning Board find all three blocks are eligible for designation while the Planning Board postpones discussion on weighing the merits of preservation with other public objectives
- 2008 the HPC recommends that all three parcels be designated on the Master Plan for Historic Places

4.0 Facts and Findings

All of the Falkland Apartments would qualify for listing in the Master Plan for Historic Preservation based on the historical merits of the buildings. However, weighing “designation” and hence the preservation of the buildings on the north parcel, against the current Sector Plan, zoning and other public objectives, leads the Department to the conclusion that replacing the buildings on the north parcel with a new development at considerably higher densities can achieve a higher public objective than would preservation.

4.1 Development Options

To provide the Planning Board with a comprehensive view of the public benefits associated with different scenarios, three situations were considered.

- complete preservation of the buildings on the north parcel – understanding that all or part of one building may be demolished for construction of the “Purple Line”
- partial demolition of the buildings on the north parcel backing onto the rail corridor and their replacement with mid rise buildings up to 143 feet in height
- demolition of all buildings on the north parcel and new construction of buildings of different sizes stepping up in height to the rail corridor along with a commitment by Home Properties to provide a range of housing opportunities, physical improvements and retail uses

The full retention option was not considered as achieving the level of the public objectives expressed through the sector plan.

Partial Redevelopment Option



Rendering of new construction along the rail corridor only.

Full Redevelopment Option



Rendering of new construction that could occur if the north parcel is clear & that complies with the massing described in the 1993 Sector Plan when the current zoning was implemented

The “full redevelopment” option depicted here reflects the massing objectives described in the 1993 Sector Plan and permitted by the current zoning. The Plan states that “higher buildings should be oriented away from East-West Highway and be stepped down towards the south to provide an appropriate transition to the south parcel of the Falkland.” The zoning highlights that the Planning Board and County Council contemplated the redevelopment to ensure higher residential densities consistent with the goals of the sector Plan.

4.2 Historic Merit

Preservation staff has identified the Falkland Apartments as meeting Criteria 1a, 1d, 2a, and 2d of Section 24A-3 of the Montgomery County Historic Preservation Ordinance. The highlights of rationale presented at the December meeting are as follows.

- the buildings were designed by architect Louis Justement an important Washington area architect on the mid 20th century
- the project was constructed in two phases – 178 units on the south parcel in 1936 and 1937, and 301 units on the west and north parcels from 1937 to 1938
- the buildings are representative of the early garden apartment building type, built in groups and integrated into a natural setting, around a courtyard and 2 to 3 stories tall
- the Falkland Apartments is the earliest example of garden apartments in the County and ranks with landmark properties like Colonial Village in Arlington and Chatham Village in Pittsburgh
- in terms of planning history the Falkland Apartments was the first large rental project in the State where the mortgage was backed by the new Federal Housing Administration under the New Deal Era
- the site plan is a distinguishing feature with landscaped courtyards, varying setbacks, pathways and green spaces all reflective of the garden apartment movement

Preservation staff finds that the Falkland Apartments retain a high level of integrity.

4.3 Sector Plan

Staff has reviewed the current Sector Plan to determine the overriding principles / goals established by both the Planning Board and the County Council when considering the potential for land.

The 2000 Silver Spring CBD Sector Plan is a revitalization plan intended to encourage market driven land uses. The Plan establishes policy intended to “balance the need for development with sensitivity to the potential negative impacts on transportation systems, historic preservation, neighborhood quality and the environment”. The Sector Plan policies are intended to create a downtown that will serve the surrounding neighborhoods and be the centre of community life.

The CBD Sector Plan vision is articulated through themes, which relate to the proposed development at the Falkland Apartments. The relevant themes are as follows.

- building a residential downtown with a mix of housing choices
- building high density housing development near transit stations
- creating commercial opportunities in the CBD
- enhancing pedestrian amenities / safety
- creating more publicly accessible open space in the CBD

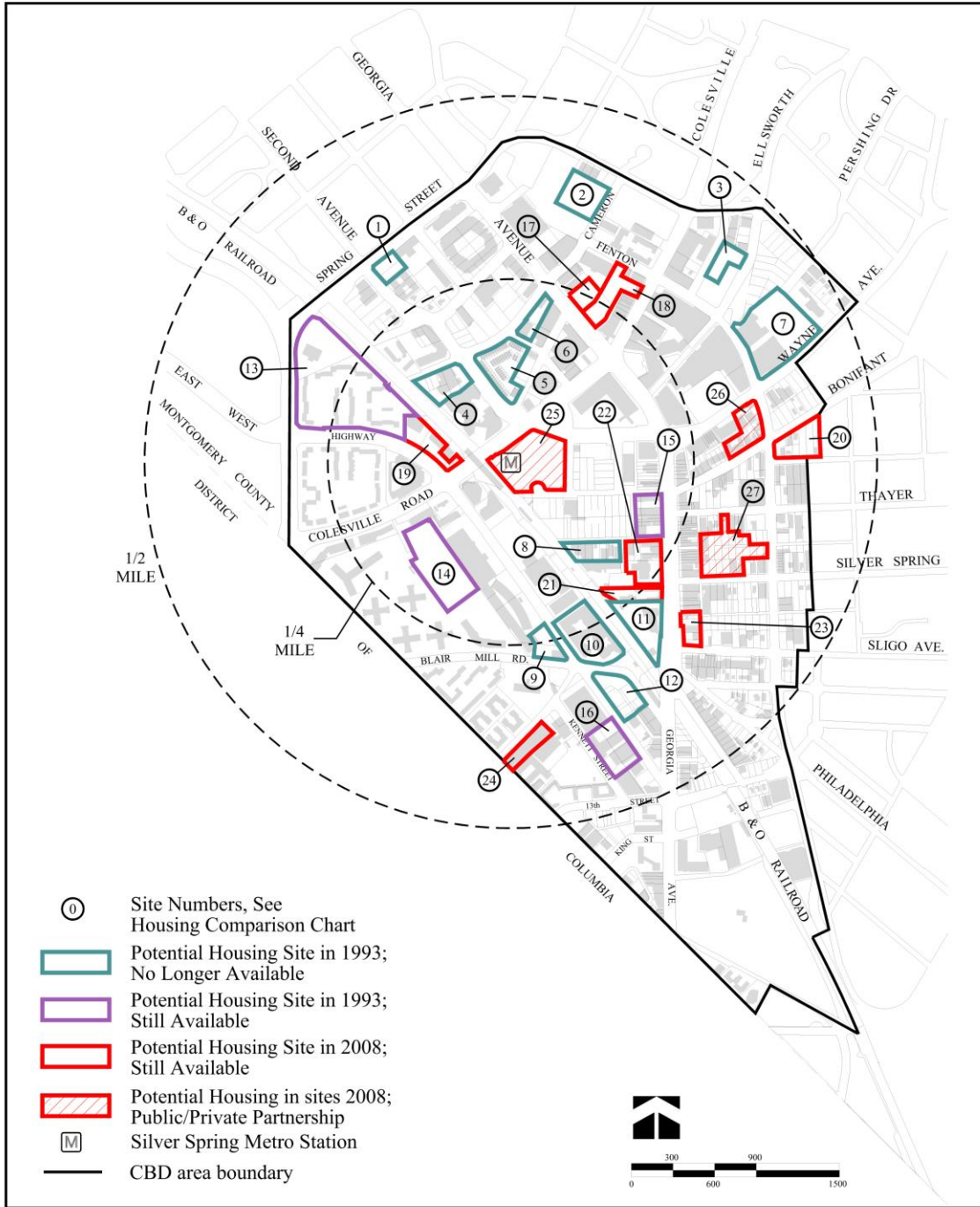
4.3.1 Residential Downtown

The Sector Plan policies create housing choice by providing for various types of new housing on the north parcel and supporting existing housing on the south and west parcels. A redevelopment of the north parcel of the Falkland as anticipated by the current zoning would achieve both objectives. New housing is permitted creating over 1,000 new units on the north parcel.

In 2000, new high-rise housing was not believed to be economically viable in Silver Spring. The Plan did include a statement however, that “high-rise housing remains a long-term housing development option that can maximize the CBD’s proximity to Metrorail, and makes the most efficient use of urban land.” The “full replacement” option specifically addresses the objectives of the Sector Plan in this area.

The following graphic and accompanying table highlights what sites have been developed in the downtown Silver Spring area and what sites are likely to be developed at some point in the future. The “close in sites” identified in the 1993 Sector Plan have largely been redeveloped. The only sites closer are the existing “strip mall” adjacent to the north parcel and the development rights on the metro station itself. The remaining potential sites are largely on the west side of Georgia Avenue outside of a ¼ mile radius from the station. As distance from the station increases, ridership is projected to decrease.

SILVER SPRING CBD POTENTIAL HOUSING SITES



MNCPPC

JUNE 2008

Map illustrates the development sites identified in the 1993 Sector Plan that have since been developed & the sites considered “prime” for redevelopment currently. Most of these sites are more than a 1/4 mile from the station except for the north parcel of the Falkland & the proposed transit center

Table 1 – Status of development sites in the Silver Spring CBD Area

- Potential housing sites in 1993; subsequently redeveloped or approved
- Potential housing sites in 1993; still available
- Potential housing sites in 2008
- Potential housing sites as part of a public/private partnership

Site #	Acreage	FAR	Units Built	Description
1			0	Easter Seals
2			325	Cameron House
3			0	Public Garage
4			0	New Courthouse
5			57	Cameron Hill TH
6			0	Chevy Chase Bank
7			0	Whole Foods
8			305	1050 Ripley
9			247	1200 East West HWY
10			220	The Silverton
11			0	Fire Station
12			457	Silver Spring Gateway
Total Units			1611	
Site #	Acreage	FAR	Potential Units	Description
13	10.116	3.0	960	Falklands
14	3.792	5.0	619	Giant Parking Lot at the Blairs
15	1.316	5.0	215	South Georgia (Ripley District)
16	1.93	3.0	189	Site at Kennett Street & E/W Hwy
17	0.663	5.0	108	Parking Lot
18	1.558	5.0	51	Parking Lot
19	1.437	6.0	282	Existing CVS and coffee shop
20	.237/1.338	1.0 & 0.5	89	East side of Fenton Street
21	0.894	5.0	146	Progress Place Site
22	1.715	5.0	120	West side of Georgia, S. of Ripley
23	0.735	3.0	80	East Side of Georgia, S. of Thayer
24	0.944	3.0	102	Existing Self Storage Facility
25	3.993	5	163	Assume 1/4 developed as housing
26	1.384	3	135	County Library Site
27	2.764	3	270	Parking Lot # 3
Total Units			3529	

NOTES:

- 1) All sites assume 90% of FAR developed as housing at 1200 s.f. per unit.
- 2) Listed sites could also be developed commercially or not at all.

Affordable Housing

Affordable housing is a critical need in the County and the region. The MPDU program requiring 12.5% of the units in a standard method new development to be provided at reduced rents is a priority of the

County. The program is admired around the country as a pioneering effort to secure affordable units.

This program is more important today as housing costs in the county continue to rise. This trend is contrary to many housing markets around the country impacted by the current economic and housing crisis. The slowdown in permits issued in the County is another cause for concern in the supply of affordable housing.

There are currently 182 units on the north parcel and approximately 170 are occupied. The rents charged are not below market. If the north parcel was redeveloped in its entirety, with the 12.5% MPDU requirement, based on just over 1,000 units the site could produce 133 MPDU units or more. If the site was developed at a lower density through partial redevelopment, the number of MPDUs would drop to less than half the total achieved through full replacement.

The two redevelopment options would generate differences in terms of the benefits of providing affordable housing. The following table highlights the potential differences. The options do not address the potential for up to 15% more MPDU's in exchange for a density increase.

	Full Redevelopment	Partial Redevelopment
Floor area ratio (FAR)	approx. 3 x	approx. 1.6 x
Total number of units	1,059	approx. 586
MPDUs	133	74
Workforce housing – north parcel*	50	28
Workforce housing – south parcel*	50	28
Rent supplement units	49	28
total # of affordable units	233	158
total commercial floor area	75,000 ft ²	20,000 ft ² **

*not required – could result from extension of the expiry term of existing housing agreements

**the number of buildings preserved determines the extent of the commercial space

Retaining the north parcel as it exists today results in no gain of affordable units.

Unit Sizes

Creating a diverse community enhances the sustainability and security of any large housing project. A range of units sizes itself creates affordable units through smaller spaces for single households for example. In addition, ground related units should be designed for families, seniors and persons with disabilities, all of whom would benefit from enhanced access and proximity to the Metro Station.

The retention or the partial redevelopment options do not address the concern regarding the design of the interior spaces of the existing units and the suitability for creating housing for a range of household size.

The full replacement option would best provide for a mix of unit types and sizes. Any redevelopment plan should allocate a minimum percentage of the units as follows.

10% efficiency units

10% one bedroom units

10% two bedroom units

7.5% three bedroom units

4.3.2 Transit Oriented Downtown

The Silver Spring Sector Plan states that “it is imperative that Silver Spring maximize its already considerable transportation infrastructure...and capitalize on its high transit ridership.” The Sector Plan emphasizes the need to create a transit oriented community through both its transportation recommendations and its land use recommendations.

Redeveloping the north parcel of the Falkland Apartments at a higher density would be consistent with this goal since it would focus development within 800 feet of the Silver Spring Metro station. Redevelopment around transit centers is also a General Plan goal.

4.3.3 Commercial Downtown

The Sector Plan establishes goals for enhancing the commercial sector of Silver Spring. The zoning for the parcel permits a commercial component. The full redevelopment option provides the design flexibility to create a hierarchy of retail spaces from a larger retail facility like the grocery store proposed in the current application, as well as smaller retail shops within the East-West Highway frontage as shown in the rendering above.

Retaining the existing buildings on the north parcel or even implementing the partial retention option, cannot bring the buildings up to the street frontage to create a pedestrian environment that offers small shops opening onto a wide sidewalk. Retaining the buildings also prohibits the excavation of the site to allow for the construction of an underground garage and the grocery store as proposed in the current application.

4.3.4 Enhancing Pedestrian Amenities / Safety

The Sector Plan includes recommendations intended to create a pedestrian friendly downtown. Increasing the number of housing units next to a metro station achieves the Sector Plan objective to create a pedestrian friendly environment. Creating a range of unit sizes as well as units designed for persons with limited mobility would also enable people to commute using sidewalks rather than vehicles.

The Silver Spring Sector Plan calls for a bicycle path along the East-West Highway as it crosses the frontage of the Falkland Chase. There are issues with the lane widths of the roadway; the placement of the existing sidewalk on the southern parcels; and the location of trees along the south frontage. Installing the proposed bike lane along the south side of the highway would impact the existing trees.

Any redevelopment of the north parcel could accommodate a wider sidewalk area that would include a bike path along the frontage with separation from the sidewalk area. This situation would achieve the intent of the sector plan.

Currently the stretch of sidewalk along this section of East-West Highway is not pedestrian active. The existing buildings are set back and up away from the sidewalk, offering little overlook of the pedestrian space. Adding 1,000+ new units along the north side of the road, bringing buildings up to the edge of the sidewalk and adding new retail uses would activate the pedestrian areas.

4.3.5 Publicly Accessible Open Space

The Sector Plan includes recommendations for open space networks and green streets. Any redevelopment of the north parcel would provide an opportunity to implement the promenade recommended by the Sector Plan. The Plan describes “promenade streets as being landscaped with a double row of trees to create distinct green, linear spaces that incorporate high-quality pedestrian spaces and bike paths.” A comprehensive redevelopment could easily accommodate all of these objectives.

The south parcel of the Falkland Apartments includes a significant stream valley feature that has deteriorated over the past years. This space is an opportunity to turn underutilized space into a component of the downtown Silver Spring open space network. Any redevelopment of the north parcel should include both an agreement to improve this stream resource on the south parcel and an easement for public use.

The Master Plan for Historic Preservation notes that “In addition to the proven inherent historic, architectural or cultural value of the historic resources, priority should be given to those offering public benefits, such as enhancing neighborhoods and communities, meeting needs for housing, education, recreation, and being visible and accessible to the public.” Clearly the south parcel can meet this objective if the space is made publicly accessible and is improved.

The stream area is approximately one acre in size. The potential exists to create four new public entrances into the space including an enhanced entry from East-West Highway offering direct access for any new residents moving into a redeveloped north parcel.



Existing view of the stream area on the south parcel

A full redevelopment of the north parcel could easily provide the required amenity space on the parcel.

4.3.6 Other Relevant Plan Considerations

Current Zoning

The 1993 Silver Spring CBD Sector Plan identified the northern portion of the Falkland as suitable for residential redevelopment. The County Council subsequently rezoned the north parcel from CBD-2 to CBD-R1 “to allow for residential redevelopment in the future.” According to the Plan, proposed redevelopment “would increase the number of residential units in close proximity to Metro, including additional affordable housing units”. Clearly the Council considered the historic merits of retaining the north parcel both in 1985 when it voted not to place the complex on the Historic Preservation Master Plan and again in 1993 when the north parcel was rezoned for full replacement.

As noted above and shown in the “full redevelopment option”, that Sector Plan included recommendations that redevelopment of the north parcel should include a mix of housing types to include low, medium and high-rise structures. The Sector Plan notes that higher buildings should be oriented away from East-West Highway and be stepped down towards the south to provide an appropriate transition to the south parcel of the Falkland.”

The February 2000 Sector Plan retained the zoning applied by the 1993 Sector Plan and provided no additional property- specific guidance. The potential for redevelopment of the site was confirmed in the 2000 Sector Plan by leaving the redevelopment potential of the site in place.

Tenant Relocation

An important consideration of any plan to replace the housing units on the north parcel involves relocation of the existing tenants. Of the 182 units on the north parcel, 170 of the units remain occupied. There is currently a 42% turnover rate at the apartments. That translates into 112 units on the south and west parcels becoming available each year. The tenants of the north parcel have priority for moving into vacated units in the other parcels.

At the current rate of unit turnover, the owners expect approximately 200 units to become available prior to their anticipated redevelopment. At this rate, they anticipate that all existing residents on the north parcel will be accommodated elsewhere in the Falkland should they decide to remain.

In considering the current project plan, staff will be looking at the relocation assistance provided to the existing tenants.

Demolition

Any demolition of structures on the north parcel should only occur once a building permit has been issued for construction of new residential units on that site. The site should not be underutilized, such as becoming a surface parking lot. Any redevelopment proposal for the north parcel should include a condition that any demolition permit issued for reasons other than “a casualty”, should not begin until an approved project plan and site plan for a minimum of 182 units (equal to the number of existing units on the north parcel) are completed & a building permit is issued for those plans.

5.0 Analysis

5.1 Role of the Planning Board

In seeking to provide the Planning Board with the information necessary to make an informed decision, planning staff understand the role of the Planning Board as being different than that of the HPC in determining applicability for the Master Plan for Historic Preservation. The Master Plan for Historic Preservation states that “after receiving the recommendation of the Commission, the Montgomery County Planning Board would hold a Public Hearing to make its determination, using the same criteria, considering the purposes of the ordinance and balancing the importance of the historic property with other public interests.”

Preservation is only one of the many public interests that should be considered.

5.2 Historical and Cultural Significance

At the December Planning Board hearing, preservation staff presented detailed information to support their recommendation that the Falkland Apartments qualify for designation in the Master Plan. This information is part of the public record and is not repeated here, but is provided in the supporting materials. An updated memo from the staff is attached to this report.

In summary, the Historic Preservation Commission considered the question of whether the Falkland Apartment complex met the criteria for designation on the Master Plan for Historic Preservation and voted unanimously on August 15, 2007 to support designation. On February 27, 2008 the “Commission” again voted unanimously in favor of recommending all three parcels for designation.

While the Planning Board voted 4-1 on December 6, 2007 that all three parcels were eligible for designation, the panel limited their review to the “historic merits” criteria only. The potential public benefits of redevelopment of the north parcel were not considered. This consideration was to be heard under the current Board hearing.

Generally the rationale provided for supporting the designation, in accordance with the criteria listed in the Master Plan, is as follows.

Historical and Cultural Significance

- the apartments have “character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation”
- the apartments “exemplify the cultural, economic, social, political or historic heritage of the country and its communities

Architectural and Design Significance

- the apartments “embody the distinctive characteristics of a type, period or method of construction”
- the apartments “represent a significant and distinguishable entity whose components may lack individual distinction”

The buildings comply with more than one of the criteria. This is true if the entire complex were still intact and equally true if only the south and west blocks remained. The recent preservation staff report cites several recommendation options for the Planning Board to consider. These are as follows.

- find that the Falkland Apartments do not meet criteria of the Historic Preservation Ordinance and recommend to the County Council that Falkland Apartments not be designated on the Master Plan for Historic Preservation
- find that some part of the Falkland Apartments is eligible for designation
 - find the north parcel does not meet the criteria for designation and recommend it be removed from the Locational Atlas and only the South and West parcels be designated
 - find that some portion of the north parcel meets the criteria for designation and recommend designation of a portion of the North Parcel and all of the South and West parcel
- find that all three parcels of the Falkland Apartment complex meet the criteria for designation. Recommend to the County Council that all three parcels be designated on the Master Plan for Historic Preservation

The State Highway Administration commissioned a Section 106 study of the impact of the proposed Purple Line on Falkland Apartments, as required under the National Historic Preservation Act. The SHA study found that the potential alteration or removal of this building would not have a profoundly detrimental impact on the historic significance of the remaining buildings.

The historic preservation staff finds that the significance of the Falkland Apartments stems in large part from the comprehensive plan of this resource being designed by one architect. The preservation staff supports a recommendation that all three remaining parcels be designated.

5.3 Full Replacement

A full replacement scenario for the north parcel achieves the highest level of public benefits. These benefits could include the following, secured through the redevelopment process.

- more affordable housing
- improved design objectives including
 - underground parking
 - a range of unit types and sizes creating better living conditions for residents
 - retail space
 - more than the required open space
 - a strong street edge advancing public safety through more “eyes on the street”
 - preservation of the “green corridor” through the center of the site
 - enhancement of the south and west parcels

This option has the following advantages.

- provides the highest level of transit oriented development being within 800 feet of the existing Metro, the soon to be upgraded bus Transit Center and the MARC station
- provides the highest compliance with the Silver Spring CBD Sector Plan which recommends high-density mixed-use development for the north parcel and achieves the CBD-R1 zoning
- the potential of replacing 182 units with over 1,000 dwelling units including a mix of unit sizes and types and can provide a large number of affordable housing options
- provides for the “greenest” solution to achieving higher density through low to medium rise “LEED” buildings and by utilizing the capacity of the existing infrastructure in downtown Silver Spring
- creates an enhanced and safer pedestrian environment along East – West Highway and within the circulators of the site

- space would be provided to accommodate the preferred Purple Line route
- the potential to create a 1+-acre portion of private property for public park use in south parcel
- the amenities in the redeveloped north parcel could be made available to all residents of the Falkland Apartments
- an increase in property tax revenue as well as sales tax revenues from the proposed grocery store and other retail uses
- provides a link in the pedestrian / bike path system

5.4 Silver Spring Sector Plan Compliance

Building on the information presented above, a full redevelopment of the north parcel achieves considerable public benefits, exceeding those presented by either full retention or partial demolition.

Job Creation

The Sector Plan policies support the business / employment nature of the CBD of Silver Spring. The existing Falkland project does not provide any employment opportunities. The existing design of the complex is prohibitive to this purpose.

A design similar to the full redevelopment option would include commercial floor space such as the proposed grocery store as well as street related retail uses along the north side of East-West Highway. Providing both employment opportunities and services to the existing and future residents would be a public benefit in keeping with the Sector Plan.

Environmental Considerations

The restoration of the stream valley on the south parcel as described above is an important enhancement not only to the current and future residents of the development, but to the downtown as a whole. The stream bed has deteriorated and erosion and non native plant species have become an issue.

The small gully on the north parcel would be removed in a full block redevelopment. Environmental staff has indicated this is not a concern.

Intensification of land use next to the Metro station is the “greenest” location possible. Further, any redevelopment should meet LEED “Silver” standards or better, by including green roofs, possible alternative energy production, etc.

Public Safety

Providing an active street frontage with retail uses; residential units overlooking the street and shared spaces; enhanced pedestrian amenities; and large windows casting light onto the pedestrian areas in the evening; all greatly enhance pedestrian safety and encourage pedestrian traffic. The current design of the apartments with buildings set higher than the sidewalk and a long distance back from the street offers no overlook of the public areas or interaction with activities on the site.

5.5 Traffic Generation

The Environmental Protection Agency has recently studied three cities and the impacts on reducing vehicle trips. The benefits of infill development are considerable when the cumulative totals of various parcels are added together. Compared with other Federal programs like CMAQ funding, the impacts created through infill development are considerably more cost effective.

WMATA trip generation survey data indicates that the closer a residential redevelopment is to a Metrorail station the greater the reduction in automobile trips. The north parcel is located 800 feet away from the metro station and this would result in:

- 10 % fewer trips than a site ¼ mile away; and
- 30 % fewer trips than a site a half mile away.

Redevelopment in Silver Spring will occur further and further away from the metro station. The opportunity to develop the “close in sites” as identified through the Sector Plan process is an important public objective. There is no “Park-N-Ride” in Silver Spring.

Planning staff use a calculation on trip reduction based upon whether the site is located within the Silver Spring CBD. This site would qualify for the 15% reduction in countywide “tripgen” rates for high rises within the area. (Note: the current application passed the LATR in 2007 and is subject to the growth policy and PAMR requirement for a 15% mitigation.)

5.6 Metro Station Capacity

The Silver Spring Metro “rail” station has the capacity to handle additional passengers. The station is not among the two dozen or so stations that have capacity needs (such as farecard gates and escalators). Further, Metro does not expect this section of the Red Line to reach capacity needs any time soon, given that the station is relatively near the end of this branch of the Red Line.

Capacity is a problem for the bus to bus transfers at Silver Spring. The planned improvements to the bus transit center are intended to improve the service. Future construction of the “Purple Line” would also benefit from the increased residential population.

6.0 Conclusion

The Planning Department recommends that the buildings on the north parcel be replaced with new construction and are aware of the impact of the demolition. This recommendation is made in consideration of both the Master Plan for Historic Preservation, the Sector Plan and general public objectives such as utilizing existing transit infrastructure. The Department believes that “balancing the importance of the historic property with other public interests,” especially the need for affordable housing and housing in general near transit stations, achieves a higher level of public interest than would preservation of the entire remaining blocks of the Falkland Apartments, specifically the north buildings on the north parcel.

The buildings on the south and west parcels should be placed on the Master Plan for Historic Preservation.

Next Steps

The Planning Board must make a recommendation to the County Council (in accordance with Chapter 33A) in the form of a Planning Board Draft Amendment. The Department recommends that the north parcel not be designated in the Master Plan for Historic Preservation and that the south and west parcels be designated. Staff believes this recommendation best conforms to the Sector Plan objectives expressed as far back as 1993. Upon receiving the recommendation of the Planning Board, the County Council will make the final decision on whether the Falkland Apartments are designated for all three blocks, a portion of the site, or not at all.

To ensure the public benefits we anticipate will be achieved through redevelopment of the site are realized, we recommend that the Planning Board vote that the north parcel be removed from the Locational Atlas automatically upon approval of a Site Plan application or applications, for the redevelopment of the entire north parcel. In the event more than one site plan is filed for the north parcel, that parcel will only be removed from the Locational Atlas with approval of the certified site plan covering the last portion of the north parcel for which no certified site plan has been approved.

Appendix

1. Memorandum from Community Based Planning

June 16, 2008

MEMORANDUM

TO: Rollin Stanley, Director
Montgomery County Planning Department

FROM: Glenn Kreger, Acting Chief
Community-Based Planning Division

SUBJECT: Amendment to the Master Plan for Historic Preservation - Falkland Chase

Recommendation

The Community-Based Planning Division recommends that the Planning Board do the following:

1. Recommend to the County Council that the two sections of the Falkland located south of East-West Highway be placed on the Master Plan for Historic Preservation.
2. Remove the section of the Falkland located north of East-West Highway from the Locational Atlas upon issuance of a building permit for such redevelopment.

Background

The Historic Preservation Ordinance (Section 24A of the County Code) identifies a number of purposes which the preservation of resources seeks to accomplish. These include the need to strengthen the local economy and the need to stabilize and improve local property values. The Planning Board is charged with recommending to the County Council those properties that should be placed on the Master Plan for Historic Preservation.

It is the responsibility of the Planning Board to balance the goals and objectives in the applicable Master or Sector Plan with a recommendation by the Historic Preservation Commission in support of historic designation. Preservation is only one of the many legitimate public interests. According to the Master Plan for Historic Preservation, the Planning Board evaluates the proposed Amendment by considering “the purposes of the [Historic Preservation] Ordinance, *and balancing the importance of the historic property with other public interests.*” (italics added) These public interests include the major goals of the approved and adopted Sector Plan.

According to the Master Plan for Historic Preservation, “If the Planning Board decides to place the historic resource on the Master Plan, it will then recommend a Master Plan Amendment to the County.” The Community-Based Planning Division recommends that the Board make such a recommendation regarding the two parcels south of East-West Highway (#1, above). The amendment to be transmitted to the Council would address only these two parcels. A mixed-use project with significant affordable housing and street activating retail could then be constructed on the northern parcel.

February 2000 Silver Spring CBD Sector Plan Guidance

As noted on page 4, the Silver Spring CBD Sector Plan is first and foremost a revitalization plan. It seeks to encourage market driven land uses. It also seeks to “balance the need for development with sensitivity to the potential negative impacts on transportation systems, historic preservation, neighborhood quality, and the environment.”

The Sector Plan envisions a downtown that will serve the surrounding neighborhoods and be the center of community life. This vision is articulated through six themes, all of which relate in some form to the proposed redevelopment in the northern parcel of the Falkland:

- A **Transit-Oriented Downtown** is proposed with the most intense development near the transit center. As noted on page 16 of the Sector Plan, “it is imperative that Silver Spring maximize its already considerable transportation infrastructure...and capitalize on its high transit ridership.” The Sector Plan emphasizes the need to create a transit oriented community through both its transportation recommendations and its land use recommendations. The proposed redevelopment at the Falkland would be consistent with this goal since it would focus redevelopment near the Silver Spring Metro Station. Redevelopment around transit centers is also a General Plan goal. Demolition of one or more buildings in the northern portion of the Falkland is also necessary for one of the proposed alignments of the future Purple Line.
- A **Residential Downtown** is proposed with a mix of housing choices. The Sector Plan seeks to create housing choices by providing for various types of new housing and supporting existing housing. The proposed redevelopment of the Falkland would do both, provide new housing opportunities north of East-West Highway while preserving the two sections of the complex south of East-West Highway. In 2000, the construction of new high-rise housing was not believed to be economically viable. The Plan notes on page 20, however, that “high-rise housing remains a long-term housing development option that can maximize the CBD’s proximity to Metrorail, and makes the most efficient use of urban land.” The currently proposed redevelopment at the Falkland would increase the number of dwelling units near the Metro and augment the supply of affordable housing.
- A **Commercial Downtown** is proposed that would serve the community with a mix of chain and independent retail uses to serve the community. The property owner proposes to enhance the offerings available to the community by providing a Harris Teeter, which would also enhance the employment opportunities in the CBD.
- A **Green Downtown** is proposed with a comprehensive system of open spaces and green streets that will provide economic, environmental and aesthetic benefits. The Sector Plan notes that all downtown streets should be landscaped to create an improved pedestrian environment. The proposed redevelopment of the northern portion of the Falkland would provide an opportunity to implement the promenade section along East-West Highway as recommended in the Sector Plan.

As described on page 22 and illustrated on page 82, “promenade streets are landscaped with a double row of trees to create distinct green, linear spaces that incorporate high-quality pedestrian and bike paths.” The property owner also proposes to improve the stream valley on the southeastern parcel, thereby enhancing this area as a green respite within the urban fabric of the downtown.

- A **Pedestrian-friendly Downtown** is proposed to connect residents and important facilities, including the Metro station. Implementation of the Silver Spring streetscape would be required as part of new development. This would help to create a more walkable, attractive and active street system in the downtown pursuant to the Sector Plan goals. If redevelopment of the northern parcel occurs, the applicant would be expected to provide both a wide brick sidewalk and the off-road bike path recommended along East-West Highway (page 105 of the Sector Plan). This bike path would provide an important east-west link between regional trails and connect high-density residential development to Metro.
- A **Civic Downtown** is also recommended in the Sector Plan because civic facilities are viewed as partners in economic revitalization. Although civic structures are not proposed for construction at the Falkland, *civic spaces* – formal or informal, large or small, public or private—help to enhance civic life by providing places for people to meet and socialize. It is anticipated that redevelopment of the northern parcel would include such spaces in addition to the green sidewalks.

The Silver Spring CBD Sector Plan also recommends that historic resources be used to help create a revitalized downtown. It specifically recommends that historic resources be incorporated into new projects (as was the case at the recent Canada Dry project). The Cupola building at the Falkland is one of the historic resources specifically referenced in the Sector Plan. (At the time the Sector Plan was written, the Cupola building was the only portion of the Falkland to have historic designation.) The pending proposal would require partial demolition at the Falkland; however, it would also enable preservation of two very large portions of the complex in addition to the Cupola building itself. The southeastern parcel would also be enhanced through restoration of the stream valley.

April 1993 Silver Spring CBD Sector Plan Guidance

The 1993 CBD Sector Plan identified the northern portion of the Falkland as suitable for residential redevelopment. The map on page 10 of the 1993 Sector Plan identified the northern portion of the Falkland (block 52) as a “Proposed Housing Site” and Table 1 on page 11 estimated the potential yield of the site at 960 dwelling units (i.e., 778 units in excess of the existing number of units). The property north of East-West Highway was recommended for rezoning from CBD-2 to CBD-R1 “to allow for residential redevelopment in the future.” (page 143) In contrast, the 1993 Sector Plan recommended that the portion of the Falkland south of East-West Highway (block 51) be “rezoned to R-20 to reflect the existing use and encourage its continued use as multi-family garden and townhouse apartments.” (page 141) Both rezonings were subsequently implemented through Sectional Map Amendment.

According to the 1993 Sector Plan, proposed redevelopment of the north parcel “would increase the number of residential units in close proximity to Metro, including additional affordable housing units. The Plan recommends that redevelopment of the northern portion of the Falkland include a mix of housing types to include low, medium and high-rise structures. The higher buildings should be oriented away from East-West Highway; the buildings should be stepped down along East-West Highway to provide an appropriate transition to the Falkland units on Block 51. Tree preservation and green spaces should be maximized in any redevelopment of Block 52.” (pp. 141-143).

The February 2000 Sector Plan retained the zoning applied pursuant to the 1993 Sector Plan and provided no additional property specific guidance. The Falkland was identified as an existing housing resource.

Conclusion

Community-Based Planning staff has concluded that:

1. The integrity of the overall Falkland Chase property became irreparable once Lenox Park was built; this situation will be compounded because implementation of the Purple Line will likely require demolition of additional buildings on the northern parcel.
2. Whatever historicity remains can be commemorated by preserving the portions of the Falkland south of East-West Highway; it is not necessary (given the competing interests listed above) to require preservation of the parcel nearest the Metro station.
3. The proposed redevelopment of the parcel north of East-West Highway would accomplish important master plan goals as described above.

We therefore recommend that only the two parcels south of East-West Highway be recommended to the County Council for historic designation. As recommended on page 136 of the CBD Sector Plan, “properties which are not designated will be removed from the Locational Atlas and the property owners will not be governed by the historic preservation ordinance.” Proposed redevelopment would continue to be subject to the development standards in the Zoning Ordinance and the guidance in the Sector Plan. The Planning Board should advise the property owner now concerning its expectations for future development on the northern parcel and seek a formal commitment from the property owner to fulfill those expectations.

2. Memorandum from the Preservation Staff

DATE: June 6, 2008

TO: Rollin Stanley, Director

FROM: Gwen Wright, Chief Countywide Planning
Scott Whipple, Historic Preservation Supervisor
Clare Lise Kelly, Research & Designation Coordinator

SUBJECT: Planning Board Public Hearing, Worksession and Action on Public Hearing Draft
Amendment to the Master Plan for Historic Preservation: Falkland Apartments

BACKGROUND

Timeline of actions regarding the Falkland Apartments:

1985	Cupola Building designated on <i>Master Plan for Historic Preservation</i>
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1992	Buildings west of Draper Lane demolished for Lenox Park Apartments (six two-story buildings demolished)
1993	The North Parcel rezoned CBD-R1, pursuant to the Silver Spring CBD Sector Plan
2000	CBD-R1 zoning reaffirmed in the updated Silver Spring CBD Sector Plan
2002	Silver Spring CBD Historic Survey (done as part of Armory mitigation) identified the Falkland Apartments as one of several properties of potential historic and/or architectural significance
2003	Planning Board voted to place all three parcels of the Falkland Apartments on the Locational Atlas
2003	Falkland Apartments found eligible for listing in the National Register of Historic Places by the Maryland Historical Trust
2007	-Owner filed project plan application to demolish buildings on North Parcel. -Under Chapter 24A-10, Moratorium on Demolition, all three parcels of the Falkland Apartments found eligible for designation by the HPC and Planning Board -Planning Board directed staff to generate an Amendment to the Master Plan for Historic Preservation to designate the Falkland Apartments
2008	February: HPC reviewed the Falkland Amendment and recommended all three parcels be designated on the Master Plan for Historic Preservation

The December 2007 Planning Board review of this issue was conducted under Chapter 24A-10, the Moratorium on Demolition and Substantial Alteration of Locational Atlas Resources (the owner had submitted a project plan application that proposed the demolition of all existing buildings on the North Parcel.) The Planning Board voted 4-1 vote on December 6, 2007 that all three parcels are eligible for designation.

A summary of the transcript of the Board discussion at the December 2007 meeting is as follows:

Chairman Hanson: I'm going to, as I've already indicated, support the motion. And I think that there are a couple of things that are important here. One is, this is an important project designed by an important architect as a whole project, certainly in phases. It is a very good example of the design and architecture for suburban apartment complexes. The idea of preserving historically and architecturally important communities, even in dense urban areas may be as important, if not more important, than preserving them somewhere else. The...I can recall very well when Metro was first being built in Montgomery County. The first Master Plan that I had the exquisite joy of working on was for Takoma Park, which was going to get one of the first Metro stations in Maryland. And a private plan had been developed, which would have produced a lot of very dense development, along Carroll Avenue up to the Metro station. We looked at that, and looked at the character of that community and, after a lot of interesting discussion, including musical accompaniment, we ultimately made the decision that protection and preservation of the community was more important than the density that we would achieve in doing so. And I think that turned out to be a good decision. We have an extraordinary number of opportunities throughout Silver Spring to substantially increased density. We may even have some opportunity on this property to make some changes. I wouldn't exclude that, but I think this is a rare case, and a rare opportunity to preserve something of real value, and I am very much persuaded by the testimony that we've received from some imminent architectural historians and, particularly from

the National Trust which has gone out of its way and taken an unusual position in its support of this project. And I think we should respect that. I think this is the way to go.

Commissioner Lynch: At the end of the day it really comes down to this: Are all three, or only part of one, two, or three of these parcels eligible for designation? That's the question that's before us. And we have some testimony that says they're not. And then we have, and when I read, Barbara, your letter the other night, as usual a very competent job, and I read the attachment that came with it. And I said hum, knowing these buildings, and I know them pretty well, and knowing it was built in phases, is where you lose me because, as someone who has done buildings in phases, you change and adapt to what you hear your customers saying, and I think that's exactly what happened here. In the absence of the opposite evidence to the contrary, I would say that's what happened. So people showed up to rent and said where am I going to put my car. So in a later phase the guy said I'd better figure out where they going to put a car. Be that as it may, we also have evidence from a whole bunch of other people; Longstreth, McGrath, Rodney Little, the National Trust, go on and on and on that say all three of these parcels are eligible for historic preservation. So making a judgment just on the question of eligibility for the Master Plan or the Atlas or whatever the term is that we use, for me, the clear weight of evidence is that all three of these parcels are eligible. Clearly that's the case.

Commissioner Cryor: I want to say something if I could. You know I wasn't here before and so tonight's argument I heard in just one way. And the argument was that the North was different from the East and West. And that's of interest, but frankly the thing that links them together, as far as I was concerned, was it had the same architect. It had the same kind of vision that he would have presented. And the changes that the time made him think about are simply part of what one does. And I couldn't help but think that this would be like looking at a family that would have three children. They would not be duplicates of each other unless they were triplets, and you wouldn't say, well this one's..., you would understand as time goes on, the same vision that put this together is the vision that I'm still looking at. And that to me is the link that makes all the rest of this, not getting into... I think you have shown us great treasures tonight that would be available, but the fact is this is one project, one man built it. He built it over a certain amount of time, but not a long time. He built it as you see it. You say to yourself, there is just no getting around it, it is one project, like one family. It may not look alike, it wasn't; each one look like the other. It shows, frankly what I think makes it more valuable, the evolution of time is part of it. So I could not imagine not recognizing this as one piece despite the grandeur of what you have talked about and how much better it would make a lot of people's lives. That's not the question were facing tonight. I think it's a tough call, but the question is tonight is about the historic value of it all and I don't see it coming any other way, that it was one person, one vision, and in a short amount of time this is what we had.

Commissioner Robinson: I think where I moved, was because, I was looking at the South at the time, then I looked at the North and I looked at the continuity of the stream Valley, and the protected plants, and the fact that clearly between the North and the South is characterized here the symmetry of design. See I thought, so that's what motivated me to move towards putting it on the Historical Atlas, because I see the symmetry of the design and I just have had that reinforced quite frankly tonight and to the extent that there's more automobiles there. I have made my position pretty clear like commissioner Lynch I just think that was a response to the market. If you wanted to say that any of the three parcels was outside that symmetry of design, organizing around a particular bunch of vegetation, some of which is really rather unique at this point, the West parcel would be outside the scope of historicity in terms of the symmetry that I see between the North and South. So that's why I voted the way I did and I'm having a hard time, quite frankly, to speak for myself, moving off that position.

Commissioner Bryant: I am going to speak against the motion. I believe that we could achieve a more equitable and, if we were to separate out the North, defer that decision as it relates to the three, vs. the two etc, because I thought there were enough questions asked, enough challenges had occurred on both sides that it still left room for further clarification. But more importantly, I think it would give the staff, without a doubt you've done a whole lot of work, but perhaps give staff even additional opportunity to look at a little more in-depth at the decision made in 2005, in reviewing the record. Because that would help to bring back some of the cells in my brain as well as Mr. Robinson's brain in terms of: why the decision was made as it was made, at that particular period of time. And, although I sort have been, not reassured, but told that it might be a year while we go through this process, the fact that if a vote occurs, and it is a majority vote, it will certainly hamper what can happen in terms of this parcel and what we're trying to do in terms of the redevelopment of that area, from that standpoint. And that's a part of the decision too as far as I'm concerned, and that's looking at the economics of the situation, looking at the housing relationship of the situation, looking at all the benefits that could accrue to us as a result. So in fact, I believe that what's being offered in terms of the benefits supersede the idea of that one parcel remaining as historically preserved, because to take it out does not destroy the entranceway to Silver Spring, by leaving the West and South intact. You still have that. And more importantly if we were to handle the North parcel separately there's nothing that says that we could not have more influence in terms of how it could be tied in to the remaining parcels, so that there is a greater degree of satisfaction on the part of all those who are concerned, also.

After the Board's December 2007 worksession, the Board directed staff to prepare and process an Amendment to the Master Plan for Historic Preservation for the Falkland Apartments. The Historic Preservation Commission evaluated the Falkland Apartments Amendment on February 27, 2008. The HPC unanimously voted in favor of recommending inclusion of all three parcels of the Falkland Apartment complex on the Master Plan for Historic Preservation.

At the conclusion of the June 12th Planning Board hearing and worksession, the Board will make a recommendation on this Amendment. In accord with Chapter 33A, the Planning Board recommendations will be forwarded to the County Council in the form of a Public Hearing Draft Amendment. The County Council will make the final decision on whether the Falkland Apartments is designated on the Master Plan for Historic Preservation and on the boundaries of that designation.

History and Architecture

A discussion of the historic and architectural significance is contained in the staff report to the Planning Board for its December 2007 determination of eligibility. That staff report is attached and is briefly summarized below. More detailed information is in the National Register form, also attached.

Historic Preservation staff believes that the Falkland Apartments meet Criteria 1a, 1d, 2a, and 2d of Section 24A-3 of the Montgomery County Historic Preservation Ordinance.

The Falkland Apartments complex was designed by architect Louis Justement, an important Washington D.C. area architect of the mid-20th century. Falkland was built in two phases, the first 178 units were built on the South Parcel in 1936 and 1937, and 301 units were built on the West and North Parcels, from 1937 to 1938. The entire complex of three parcels is a coherent and cohesive design constructed within the 1936-38 period.

The Falkland are an early example of the garden apartment building type. Garden apartments are a significant and definable building type that came into use during the early and mid-20th century. In contrast to earlier urban apartment forms, they were built in groups, integrated in a natural setting, often around a courtyard, and typically 2-3 stories tall. Falkland Apartments is the first example of a garden

apartment complex in Montgomery County, and one of the earliest of its type in the United States. The complex is recognized as being of equal significance to landmark properties such as Colonial Village in Arlington, Virginia and Chatham Village in Pittsburgh, Pennsylvania.

The Falkland Apartments are significant in the history of community planning. Highly representative of the New Deal era, the Falkland Apartments was the first large-scale rental housing project in Maryland whose mortgage was backed by the newly established Federal Housing Administration (FHA). A natural setting was a key feature of the Falkland plan: notable design elements of the Falkland Apartments include landscaped courtyards, staggered setbacks, tree-shaded winding pathways, ample green space, and preservation of natural features, all representative of garden apartments movement.

Despite some alterations, the Falkland Apartments retain a high level of integrity and the Maryland Historical Trust has determined the Falkland Apartments eligible for listing in the National Register of Historic Places.

Options for Evaluating the Falkland Apartments

Following are options that the Planning Board may consider for its recommendations to the County Council:

1. Find that the Falkland Apartments do not meet criteria of the Historic Preservation Ordinance. Recommend to the County Council that Falkland Apartments not be designated on the Master Plan for Historic Preservation.
2. Find that some part of the Falkland Apartments is eligible for designation. Under this option there are two possibilities.
 - A. Find the north parcel does not meet the criteria for designation. Recommend it be removed from the Locational Atlas and only the South and West parcels be designated.
 - B. Find that some portion of the north parcel meets the criteria for designation. Recommend designation of a portion of the North Parcel and all of the South and West parcels.
3. Find that all three parcels of the Falkland Apartment complex meet the criteria for designation. Recommend to the County Council that all three parcels be designated on the Master Plan for Historic Preservation.

Conclusion

In considering the question of whether the Falkland Apartment complex met the criteria for designation on the Master Plan for Historic Preservation, the HPC voted unanimously on August 15, 2007 and the Planning Board voted 4-1 on December 6, 2007 that all three parcels were eligible. On February 27, 2008, the HPC unanimously voted in favor of recommending inclusion of the all three parcels of the Falkland Apartment complex on the *Master Plan* for Historic Preservation.

Based on all of the information that has been presented on the history and significance of the Falkland Apartments complex, historic preservation staff finds that the significance of the Falkland Apartments stems in large part from the comprehensive plan of this resource designed by one architect and recommends that the Planning Board follow Option 3, recommending to the County Council that the entire Falkland Apartments complex, including all three parcels (P393, P532, and P555) be designated on the Master Plan for Historic Preservation.