



8001 Newell Street, Project Plan, 920130020



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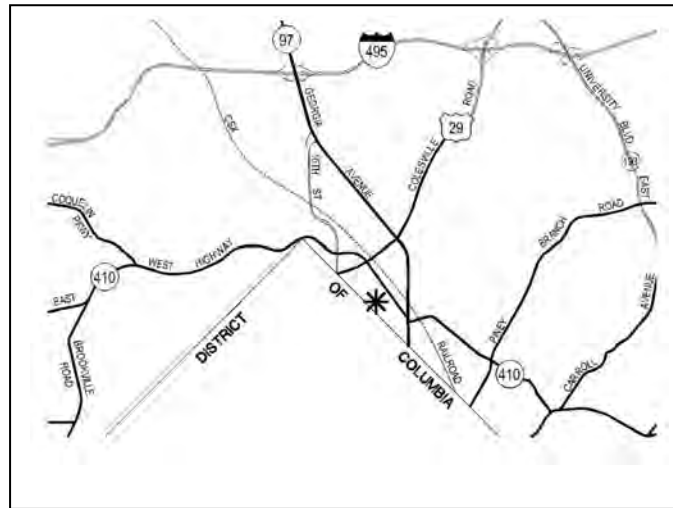


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Date of Staff Report: 12/07/12

Description

- Demolition of an existing 1 story self-storage building located at 8001 Newell Street for 3,100 square feet of retail and 156,815 square feet of residential development up to 187 dwelling units, including 12.5% MPDU's
- Located at the corner of Eastern Avenue and Newell Street
- On 53,305 gross square feet (1.22 acres) zoned CDB-1 and the Ripley/South Silver Spring Overlay in the 2000 Silver Spring CBD Sector Plan area
- Net Lot area will be 41,245 square feet
- Applicant: Comstock Newell, LLC
- Submitted on September 25, 2012



Summary

- Staff recommends approval of the Project Plan with conditions. The application proposes 187 dwelling units or 156,815 square feet of residential use and 3,100 square feet of retail use under the optional method of development. The project will meet all parking requirements on-site with underground parking. The development will provide a public amenity package that includes a public plaza at the corner of Newell Street and Eastern Avenue consisting of a green lawn area large enough to accommodate sitting or picnicking, Bio-retention areas and artwork.
- The proposed Building has a layout and design that is compatible with the surrounding residential structures through massing, varied heights and setbacks, and creates a welcoming streetscape experience.
- The proposal is not providing a uniform 60 foot building setback for the majority of Newell Street. The staff analysis of the setbacks and building heights along Eastern Avenue and Newell Street confirms that the Project Plan substantially conforms to the Sector Plan. The Sector Plan provides guidance for properties at the edge of the Overlay Zone; however, the

zoning ordinance is clearer on conformance and applicability to residential properties in the District of Columbia.

- A minor master amendment request has been submitted by the community in order to revise the Sector Plan in a way that will recommend a public park be built on the subject site. The request is not currently being reviewed due to the agencies' delayed work program; however, the Parks Department is not considering this site for a future public park.

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SITE DESCRIPTION

Vicinity

The subject property is located in the Ripley/South Silver Spring Overlay zone of the Silver Spring CBD Sector Plan area. The site is presently improved by a one story tall self-



Aerial Photo Looking North

storage facility that occupies the entire site. The adjacent uses include high rise and garden apartments, a county parking garage, a church, offices and retail establishments. Directly to the southeast is a six story (approximately 75' feet tall) condominium called 8045 Newell Street and the four story Eastern Village Co-housing Condominium building. The site is within walking distance of the Silver Spring Transit Center, which will accommodate the Silver Spring Metro Station, local and regional bus lines, a commuter train station and a future Purple Line station. The District of Columbia boundary is Eastern Avenue. The uses opposite Eastern Avenue consist of one-family homes, and churches further east.

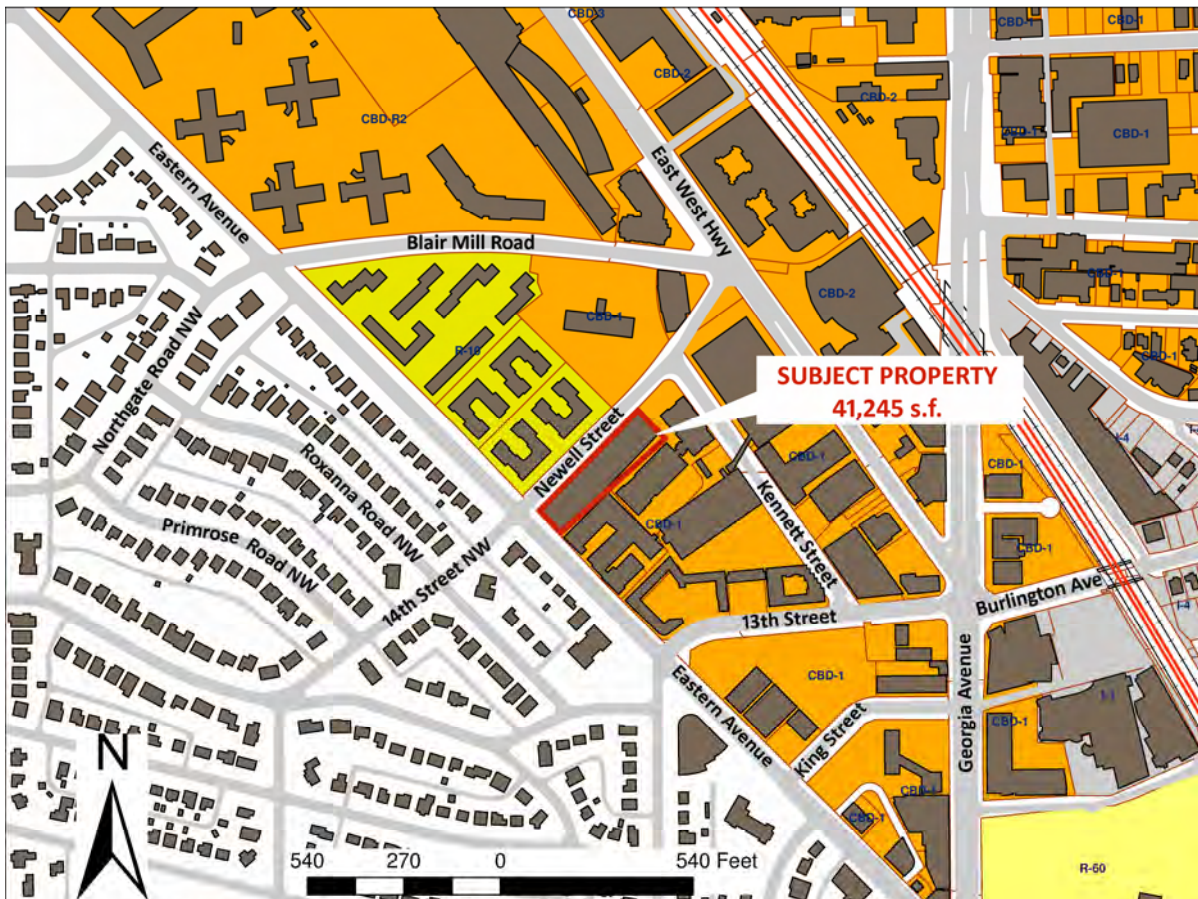
Site Analysis

The subject property is currently improved with a self-storage facility (Silver Spring Extra Space). The site is at the edge of the Ripley/South Silver Spring Overlay Zone and is within the CBD-1 zone. There is a gentle 1-2% slope across the frontage of the property. All utilities on Newell Street are underground while there are utility lines on telephone poles along the Eastern Avenue frontage. The rear of the self-storage building sits directly on the property line it shares with 8045 Newell Street.

PROJECT DESCRIPTION

Proposal

The applicant proposes a mixed-use redevelopment of the property that will incorporate 187 dwelling units and 3,100 square feet of ground floor retail use and underground parking. There will be 16 dwelling units on the ground floor as well as fitness and social rooms that face on to Newell Street. The on-site public use space will be located at the corner of Newell Street and Eastern Avenue and will be a predominantly green space that incorporates art work and storm water best management practices. The building will be set back a minimum of 25 feet from the rear property line in order to buffer the effect on the neighboring building located at 8045 Newell Street. The Sector Plan limits the building heights on Eastern Avenue to 45 feet for the first 60 behind the right of way where the building can then increase to 90 feet. The proposed building will be setback 60 feet from Eastern Avenue. The same setback is discussed in the Sector Plan for Newell Street but is not applied to this site because the language is clearer in the zoning ordinance in the Ripley/South Silver Spring



Vicinity Map

Overlay Zone in that the setbacks would only apply to uses that confront a residential zone in the District of Columbia. The applicability of this section is further analyzed under Sector Plan conformance on Page 9.

Land Use

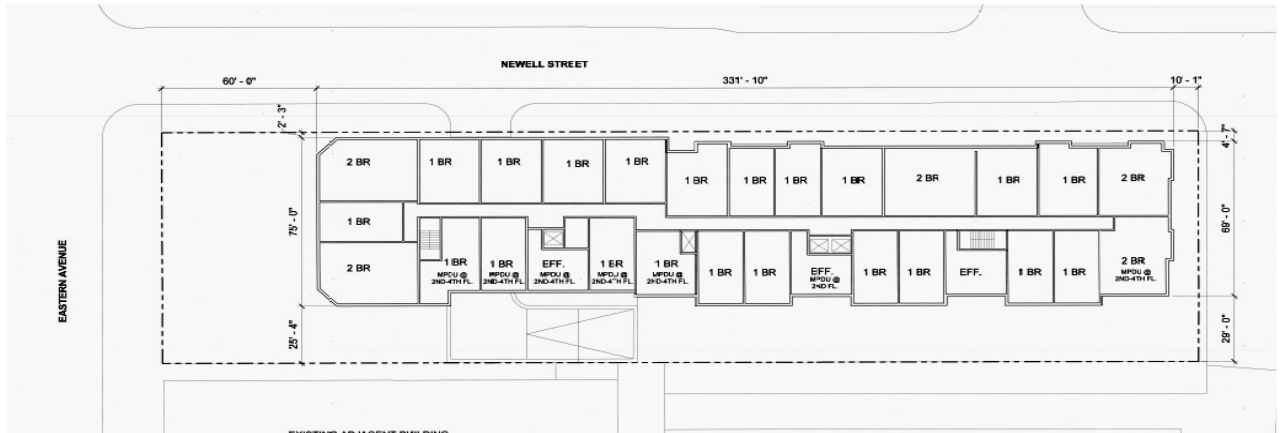
The proposed development would provide 159,915 square feet of gross floor area for residential and retail uses. The ground floor will have residential units with retail at the corner of Newell and Eastern Avenue. The main lobby, a fitness room and a social room will face onto Newell Street.

Architecture

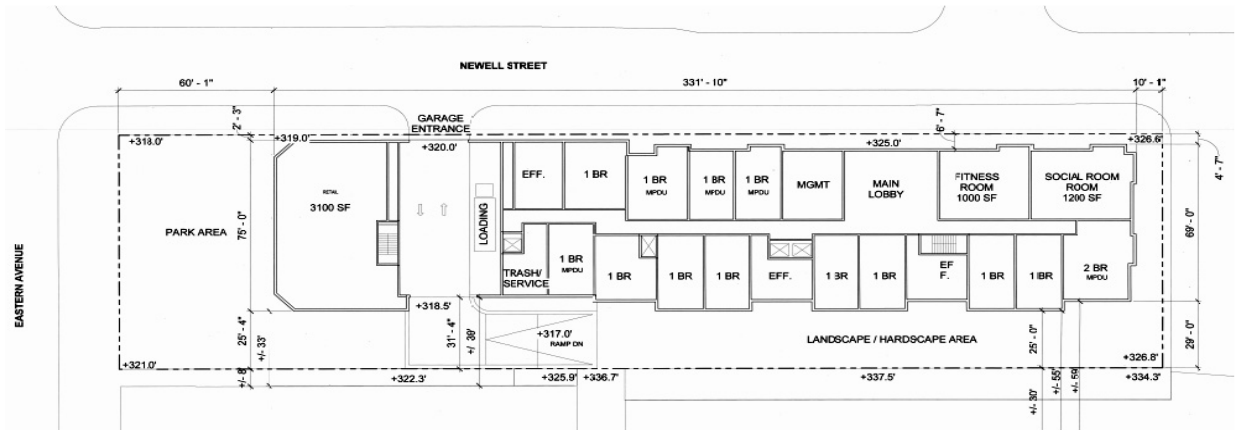
The proposed building will be a seven story (74 feet) mixed use retail and residential building with parking below. The first five floors of the building will be approximately 50 feet tall at the southwest end. The last two stories will step back approximately 12 feet before rising to 74 feet. The building is to have the level of quality and style of the materials shown in the rendered elevation.



Rendered Elevation



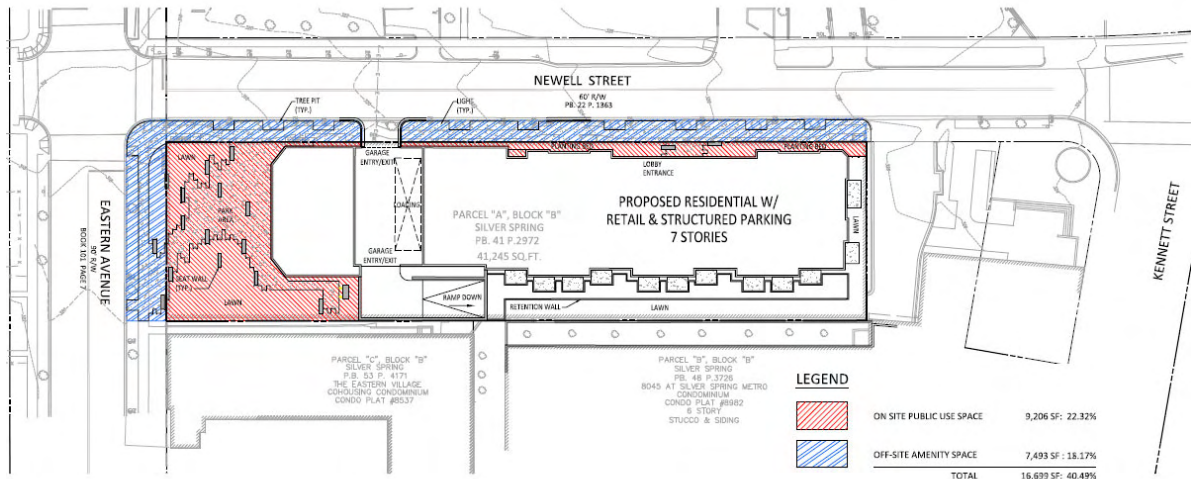
Ground Floor



2nd through 5th Floors

Public Use Space & Amenities

The proposed development provides 9,021 square feet of on-site public use space (21.87% of net lot area), satisfying the 20 percent requirement for Optional Method Development projects in the CBD. In addition, the project provides 7,493 square feet of off-site amenity space (18.17% of net lot area). The on-site space is composed of one public open space that includes lawn, landscaping and paved areas for circulation and seating. The off-site amenity space requirements will be met by replacing existing concrete sidewalks with the Silver Spring Streetscape, including brick sidewalks, trees, lighting and street furniture. The applicant is exploring options for fulfilling the Green Street goal for Newell Street proposed by the Sector Plan (p. 55). Newell Street will be transformed into a green street by adapting the streetscape details in the Silver Spring



Public Use Space and Amenities

Streetscape standards in the following ways:

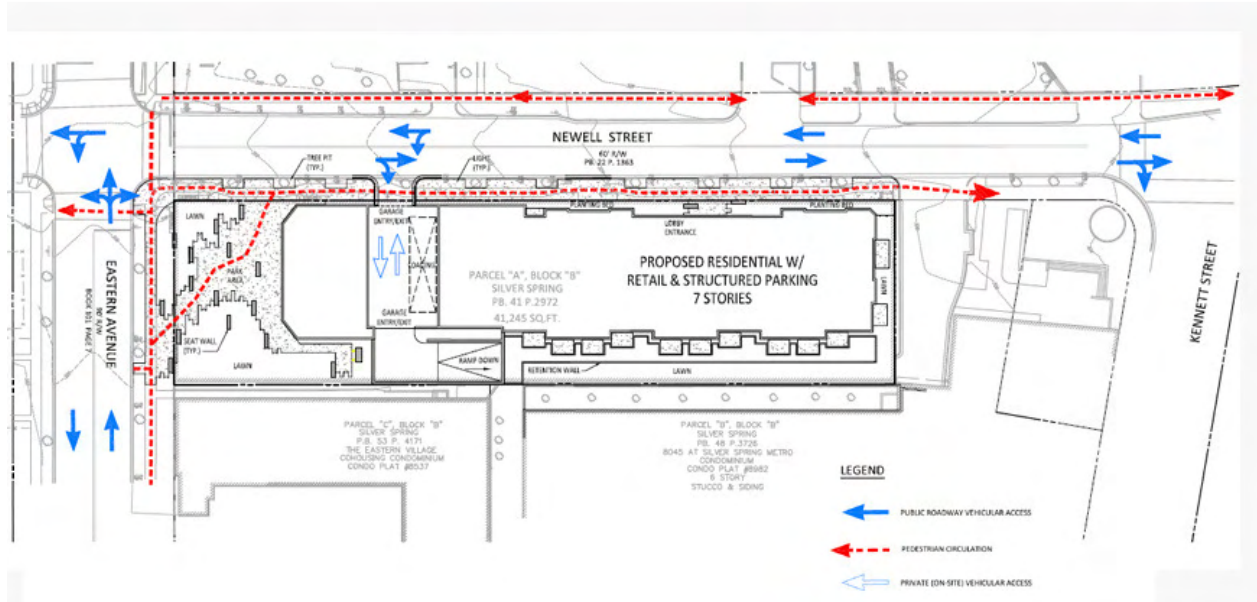
1. Create green amended soil panels between the proposed street trees by removing brick sidewalk (with concrete base) above the panel. Propose interesting native plant material in the green panels.
2. Incorporate pervious pavers and other best management practices to incorporate stormwater in the sidewalks.

Final details will be determined during the review of the site plan.

Vehicular and Pedestrian Circulation

Resident parking and loading will be accessed from Newell Street and existing on-street parking will be preserved. Access to the site will be limited to one curb-cut (the existing site has two). This curb cut will serve both as the access point to the underground parking as well as the access point to the building loading area.

Pedestrians will access the site via improved sidewalks on Newell Street as well as a pedestrian path cutting diagonally across the public use space between Eastern Avenue and Newell Street. The primary pedestrian point of access to the residential units will be from Newell Street. The primary point of access to the retail will be at the southwest



Circulation Plan

end of the site at the corner of Newell and Eastern Avenue. Cyclists will be provided on-site racks to safely lock their bikes.

PROJECT ANALYSIS

Sector Plan

The site is located within the boundaries of the Approved and Adopted February 2000 Silver Spring Central Business District Sector Plan. The Sector Plan articulates six themes or goals for the CBD that serve to guide the evaluation of development proposals (page 14):

- Transit oriented downtown
- Commercial downtown
- Residential downtown
- Civic downtown
- Green downtown
- Pedestrian-friendly downtown

The plan is generally consistent with the Sector Plan vision, fulfilling five of the six themes as described below:

1. Transit Oriented Downtown, Page 16 - The project is within walking distance of the future multi-modal Transit Station, thereby providing future residents with excellent access to a variety of mass transit options.
2. Commercial Downtown, Page 18 – The project will incorporate ground floor retail, enlivening the streetscape in South Silver Spring with active uses where none presently exist.
3. Residential Downtown, Page 19 - The project includes 187 residential units.
4. Green Downtown, Page 22 – The plan provides tree lined streets and a landscaped plaza, featuring bio-filtration planters.
5. Pedestrian-Friendly Downtown, Page 24 –Streetscape improvements will be installed in compliance with the Silver Spring Streetscape Standards, including street trees, brick paving, street lights and furnishings on the Newell Street and Eastern Avenue frontages.

The Sector Plan also states several urban design goals (page 73) which the project satisfies:

- Conforms to the Sector Plan, CBD-wide planning goals such as transportation, environmental resources and the standards of a revised Silver Spring Streetscape.
- Creates an attractive pedestrian environment by defining the street with appropriately human scaled buildings (replaces existing self-storage building with a residential building) with numerous doors, windows, and architectural details and public open spaces and streetscaping.
- Establishes streetscapes that emphasize the hierarchy of the circulation system.
- Creates formal and informal civic spaces - building and open spaces - that support property values, provide amenities, and improve the appearance of downtown.
- Incorporates the principles of crime prevention through environmental design (CPTED) by stressing visibility, pedestrian activity, and programming into the project.

There are three urban design guidelines that cannot be addressed by this application. The first is the recommendation that historic resources be incorporated in the new development. There are no historic resources that are impacted by this proposed development. The second is to provide safe and attractive pedestrian connections between new development on the Urban Renewal site of Downtown Silver Spring and surrounding CBD neighborhoods. This project is well removed from the Urban Renewal

site to the east. The third is regarding contributing to the establishment of the Silver Spring Green Trail on Wayne Avenue. This trail is not in the vicinity of the proposed development and a majority of the Green Trail has already been installed.

The urban design goals of the Sector Plan, on page 86, indicate that “Building heights along Newell Street and Eastern Avenue should ensure compatibility with the adjacent residential neighborhood”, and that “at the property line, building heights should be limited to 45 feet” and “above 45 feet, the building may step back 60 feet and its height may increase to 90 feet”. The proposed building maintains the setback from Eastern Avenue but does not apply the same step back or height restriction from Newell Street. By contrast, the language in the zoning ordinance for the Ripley/South Silver Spring Overlay Zone is modified slightly to state “Building height in the overlay zone along Newell Street and Eastern Avenue that confronts a residential zone in the District of Columbia must not exceed a height of 45 feet”, but may be increased if the setback is applied. This recommendation in the Sector Plan is less feasible if applied to Newell Street for the following reasons:

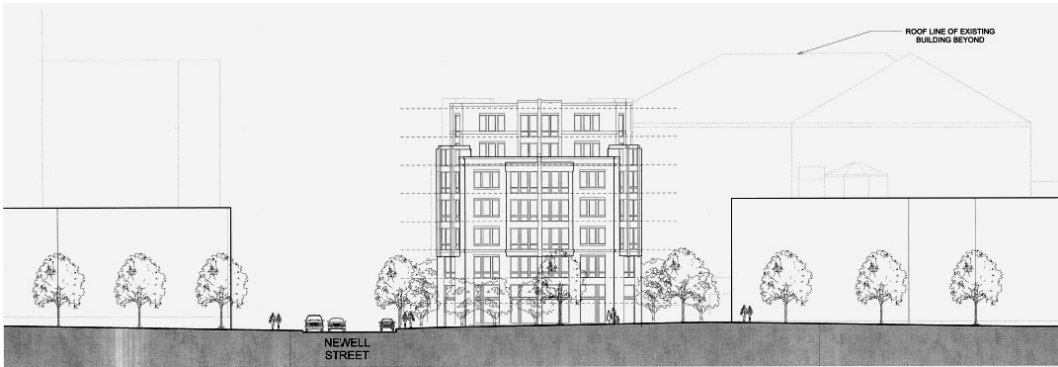
- The development on the north side of Newell is a multi-family apartment building with a land use of R-10, a high density multi-family zone with no height limitation. Therefore a building height setback across from these multi-family buildings on the opposite side of Newell Street is not necessary to achieve the recommended compatibility with those buildings. Nevertheless, the project is providing varying building line setbacks on Newell Street and is incorporating building articulation in order to respond to the existing multi-family buildings across the street. The Project has a maximum height of 74 feet, less than the 90 feet permitted in the zone and approximately the same height as the adjacent condominium building at 8045 Newell Street.
- The subject site, being approximately 100 feet deep, is not wide enough to accommodate a 45 feet height limitation for the first 60 feet of the property. This would allow only 40 feet for the step up to 90 feet, a depth that is too narrow for efficient development of additional floors above 45 feet. Such a restriction would effectively eliminate the applicant’s ability to develop the property to the density allowed by the optional method of development.
- The Project as proposed ensures compatibility with the context of the adjacent residential neighborhood. The Project proposes a public use space at the corner of the Site at Newell Street and Eastern Avenue instead of a 45 foot tall building directly on the property line at the corner, as recommended by the Sector Plan. The proposed public space at this corner, within the 60 foot building setback, acts more effectively as a buffer to the one-family homes on the other side of

Eastern Avenue than a 45 foot tall building located at the right of way line would.

With regard to building height and the surrounding context, numerous Sector Plan citations speak to anticipated infill development with higher-density employment



Newell Street Elevation



Eastern Avenue Elevation



Shadow Study - Dec 21st 10 00 am



Shadow Study - June 21st 10 am

Shadow Study, December 21st and June 21st – see appendix for full study

and housing and retail uses in South Silver Spring. The shade and massing relationships associated with this proposal are shown in the illustration below. The shadows cast by the proposed building will have very little impact upon the surrounding buildings (see appendix for full shadow study).

Employment, Housing, & Land Use

The applicable references in the Sector Plan refer to the need for small scale retail, small office space, new housing and pedestrian traffic in South Silver Spring. The specific objectives with regard to this site are met as indicated:

- The proposal provides small scale retail to meet market demand from surrounding neighborhoods.
- The proposal creates housing opportunities through 187 planned housing units, 24 (12.5%) of which are MPDUs.
- The design promotes an environment that supports pedestrians and activities that enliven the street by providing retail and residential uses.
- The infill development is more environmentally sustainable because it concentrates growth within walking distance to transit and the types of land uses necessary to support day-to-day needs. These uses reduce the need for vehicular travel and reduce the demand for development in or near agricultural areas in Montgomery County.

Green Space Guidelines for the Silver Spring Central Business District

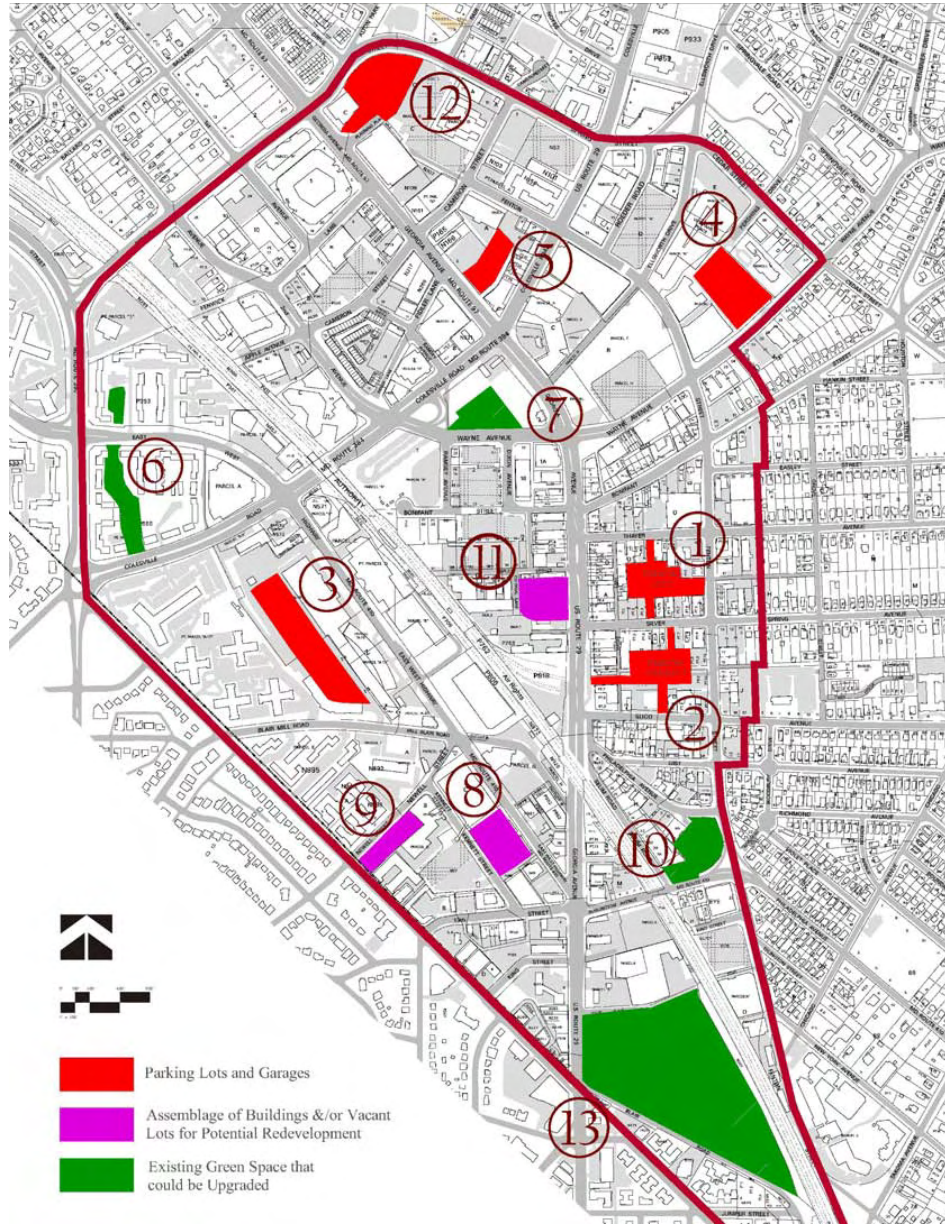
In 2010 the Montgomery County Planning Board approved the Green Space Guidelines for the Silver Spring Central Business District. They were drafted in response to the demand for more green open space in the Silver Spring CBD. The 2000 Silver Spring CBD Sector Plan called for a green downtown. However, it did not specifically recommend large green open spaces. The open spaces that were built tended to be small, hardscaped plazas. The goals of the Green Space Guidelines are to:

- Identify potential site for large green open spaces in accordance with the Sector Plan's Green Downtown theme
- Establish Design Guidelines for large green open spaces
- Enable the creation of large green spaces throughout the CBD

The Green Space Guidelines identified thirteen sites in the CBD that could serve as green open spaces of at least ½ acre in size. It ranked those sites according to six criteria:

1. Number of residential units within 800 feet of the site or a three minute walk
2. Proximity to existing parks
3. Existing and potential connections
4. Ease of implementation
5. Proximity to transit
6. Whether the space serves the district where it is located.

Among the thirteen sites, the subject property ranked 9th overall, scoring lowest in the



Potential Green Space Sites, Green Space Guidelines for the Silver Spring CBD, 2010

third and fourth criteria listed above. The fourth criterion, “ease of implementation”, takes into account factors such as ownership, current uses, estimated costs and current market conditions. This is a major stumbling block to creating a green open space, or park on the subject property. Of the thirteen sites considered, two have approved plans and one other is being considered for redevelopment with a large green open space. Though the subject property would make an attractive green space of the right size that would serve the growing residential community in South Silver Spring, the Green Space Guidelines cannot mandate that the Parks Department or other Government Agency purchase the site for park development; implementation depends on the economic practicality of such a venture for both the public and private sector. Ease of implementation is as much a challenge today as it was in 2010.

An application for a minor master plan amendment was submitted by the community specifically to designate the subject property as an ideal location for a public park. Due to the challenges associated with our work program, this application and many others submitted are not under review and will not be evaluated this fiscal year. The Parks Department has indicated that it does not have the funds to purchase this property and would not support a public park in this location. Additionally, the Parks Department has indicated that there are other locations in the Silver Spring CBD that could potentially serve the goals and purposes of a public park more effectively.

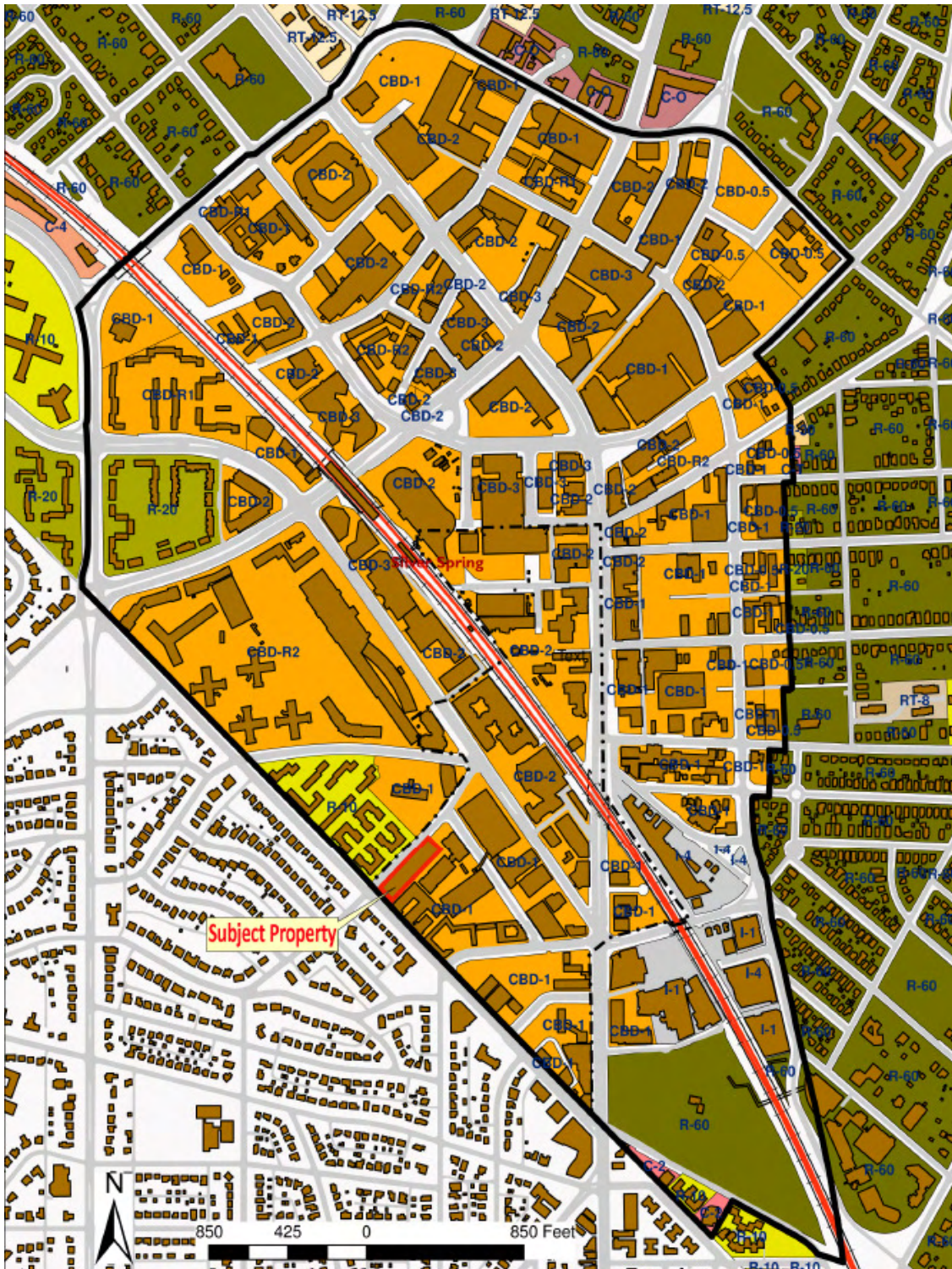
Development Standards

Master Plan Zones

The subject site is zoned CBD-1 as recommended in the Silver Spring CBD Sector Plan and is governed by the development standards in Section 59-C-6.23 of the Montgomery County Zoning Ordinance. The minimum lot size of 18,000 square feet for optional method projects is met. Under the optional method of development for mixed-use projects CBD -1 zone allows an FAR up to 3.0. This project meets these zoning requirements.

The site is within the Ripley/South Silver Spring Overlay Zone and is consistent with the standards in section 59-C-18.20. The goal of the Overlay Zone is to permit a range of uses, ensure that new development is compatible with nearby uses, incorporates attractive design and incorporates streetscaping and useful public open spaces. (page 58 of the Sector Plan) The proposed project meets these goals by adding mixed-use (residential and retail) to South Silver Spring, incorporating attractive design through well-proportioned and detailed building facades and maintaining compatibility with

existing buildings by holding the proposed building back 25 feet from the rear property line (the optional method of development for CBD-1 properties has no setback)



Zoning Map of Silver Spring CBD

requirements). It also sets the building back 60 feet from the Eastern Avenue right-of-way and holding the building height to a total of 74 feet (the overlay zone allows 90 feet). It upgrades Newell Street by proposing environmentally friendly Streetscape Standards and adds a green, welcoming open space a quarter acre in size.

**Table 1
Project Data for the CBD-1 Zone**

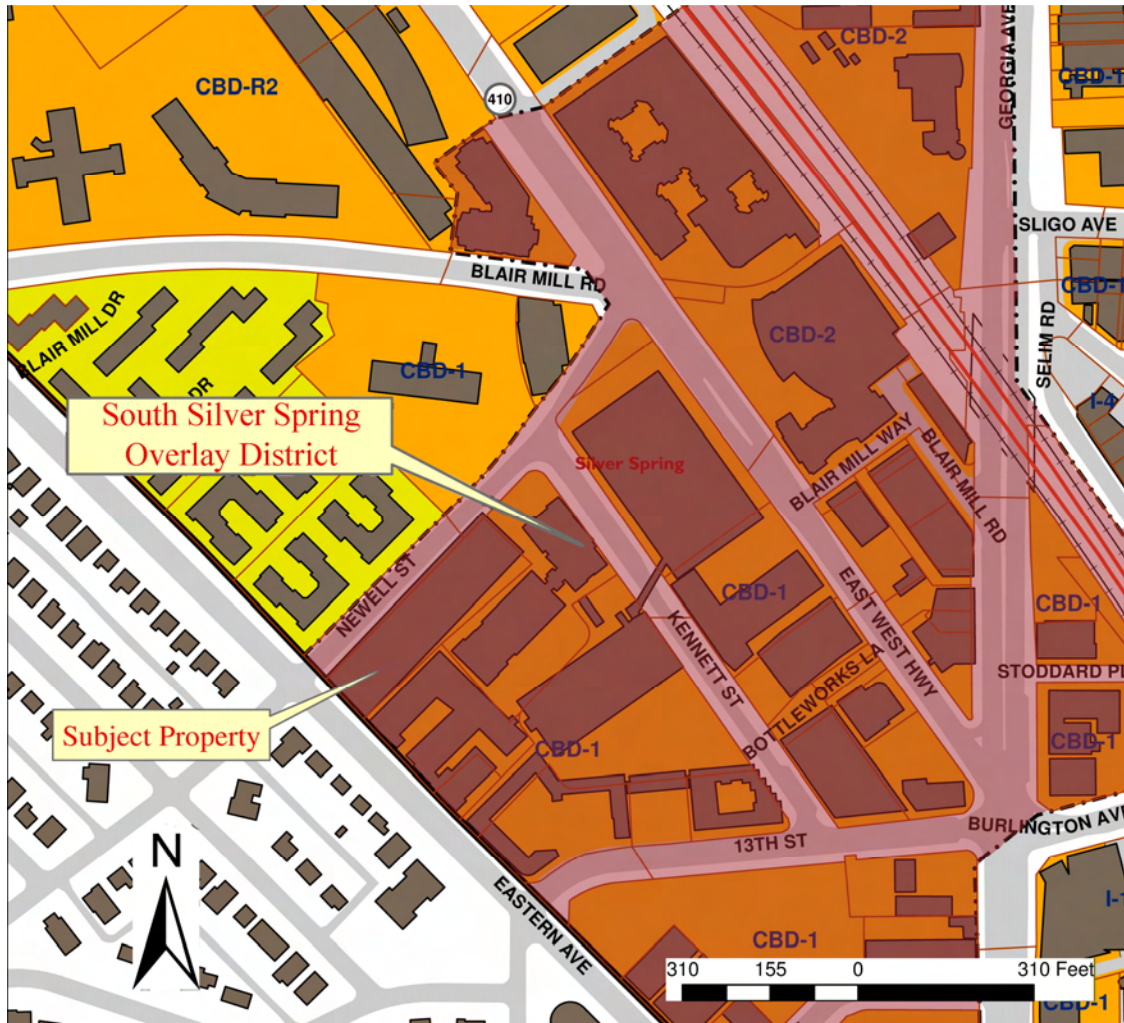
Development Standard	Permitted/ Required	Proposed for Approval
Building Height (feet)		
CBD-Zone-59-C-18.192(b)(1)(E)	90'	54' on Eastern Avenue 74' on Newell Street
CBD-Zone-RSSOZ		
Within 60' of right of way:	45'	0'
Beyond 60' of right of way:	90'	74'
Setbacks (feet)		
CBD-1		
Front Newell Street)	n/a	0
Front (Eastern Avenue)	60/90 ¹	60'
Site Area (square feet)		
Net Tract Area	n/a	41,245
Dedications	n/a	12,060
Gross Tract Area	18,000	53,305
Density		
CBD-1: Floor Area Ratio	3.0	3.0
Allowable S.F.	159,915	159,915
-Residential		156,815 (187 units)
-Non-residential		3,100
Public Use Space (% of net lot)		
On-Site Public Use Space	20	21.87
Off-Site Amenity Space	n/a	18.17
Total Public Use & Amenity Space	20	40.04
Parking		
Residential Parking	196	206
Retail Parking	14	14
Total Vehicle Spaces	210	220²

¹ Section 59_C-18.202(b) (1) requires a 60 foot setback for buildings that exceed 60 feet up to a maximum of 90 as permitted in the CBD-1 zone. The proposed building is set back 60 feet from Eastern

² No Parking is required for this site as it is located in the Silver Spring parking lot district. Total number of spaces will be determined at site plan.

Heights

The Sector Plan for the Silver Spring CBD recommends a height of 45 feet on Newell and Eastern Avenue, stepping up to 90 foot heights at a 60 foot setback. The zoning ordinance recommends per Section 59-C-18.202(b)(1)(A), that along Newell Street and



Detailed zoning map of South Silver Spring

Eastern Avenue buildings confronting residential in the District of Columbia must not exceed 45 feet in height. However, building heights may be increased to a maximum of 90 feet for any building or portion of a building that is set back at least 60 feet from the street. The Sector plan clearly states height limitations for building facing Eastern Avenue and Newell Street, however the zoning ordinance clarifies the height requirements.

The proposed building will have a setback on Newell Street that ranges from between 2 feet and 6 feet. It will be approximately 54 feet before a 2 foot setback, where the final

two floors rise to a total of approximately 74 feet. On the corner of Newell Street and Eastern Avenue the building will setback 60 from the right of way. It will rise to approximately 54 feet where it will set back approximately 12 feet before rising to 74 feet. This height arrangement limits the height of the building that faces the one-family residences on Eastern while allowing the taller heights to face the multi-family, four story apartments across Newell Street. Given the urban context and the goals of the 2000 Silver Spring SBD Sector Plan the proposal does not adversely affect the surrounding properties in a detrimental way.

The proposal is consistent with the recommendations of the South Silver Spring Overlay Zone. The goal of the Overlay Zone is to permit a range of uses, ensure that new development is compatible with nearby uses, incorporate attractive design and incorporate streetscaping and useful public open spaces (page 58). The proposed project meets these goals by allowing mixed-use (residential and retail) in South Silver Spring, incorporating attractive design through well-proportioned and detailed building facades and maintains compatibility with existing buildings by holding the proposed building back 25 feet from the rear property line. The optional method of development for CBD-1 properties has no setback requirements. It also sets the building back 60 feet from the eastern Avenue right-of-way to comply with the setbacks in the overlay zone. The building height is maintained at 74 feet which is less than the 90 feet permitted in the zone. It upgrades Newell Street by proposing environmentally friendly streetscape standards and adds a green space approximately on quarter acre in size.

Density and uses

The project is proposing a mixed-use total density of 159,915 square feet, meeting the density requirements of the zones. 156,815 gross square feet are proposed for residential uses and 3,100 gross square feet are proposed for retail uses.

Setback and Coverage

There is no setback requirement or coverage limitation for optional method developments in the CBD zone; the application is proposing to set the building back from the property line on Newell Street a minimum of 2.43 feet; 25 feet from the rear property line shared with the building located at 8045 Newell Street and 60 feet from the property line of Eastern Avenue. All of the requirements of each zone are met by the subject project plan (see data table).

Adequate Public Facilities Review

The applicant has requested an Adequate Public Facilities (“APF”) review be conducted with the project plan. Most APF reviews are performed during preliminary plan review, however, this site is a recorded lot and will not go through subdivision. For sites that don’t require a preliminary plan, APF is evaluated at the time of site plan. Staff did not evaluate or test for APF, nor was a validity period established as part of the project plan review, however, the public facilities including schools, traffic and utilities were preliminarily evaluated and considered adequate. A more detailed and thorough review will be considered during the site plan review.

A traffic study (dated November 1, 2012) was submitted by the consultant for the Applicant for the subject application per the LATR/PAMR Guidelines since the proposed development was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The traffic study was submitted for a higher density than that proposed with the application. The traffic study determined traffic-related impacts of the proposed development on nearby roadway intersections during weekday morning and evening peak periods.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and public sewer. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. The Application is not within a school moratorium area, and a school facilities payment is not required. Electrical, gas, and telecommunications services are also available to serve the Property.

Transportation

The traffic study submitted for our review proposes more square footage (5,000 sf vs. 3,100 sf.) and more residential units (200 vs. 187) than that requested in the project plan application. The final determination for APF and validity during the site plan review should only account for maximum number units and square footage approved with the project plan.

- **Trip Generation**

The peak-hour trip generation estimate for the proposed 8001 Newell Street development based on trip generation rates included in the LATR/PAMR Guidelines and

in the Institute of Transportation Engineers (ITE) Trip *Generation* is provided in Table 2.

As shown in Table 2, the proposed development is estimated to generate 63 peak-hour trips during weekday morning peak period and 70 peak-hour trips during the weekday evening peak period. In comparison, the existing self-storage facility on the site is estimated to generate 6 peak-hour trips during weekday morning peak period and 10 peak-hour trips during the weekday evening peak period. The proposed 8001 Newell Street development thus will represent a net increase of 57 peak-hour trips during weekday morning peak period and 60 peak-hour trips during the weekday evening peak period compared to existing development.

TABLE 2
SUMMARY OF SITE TRIP GENERATION
PROPOSED 8001 NEWELL STREET DEVELOPMENT

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
Retail – 5,000 SF	2	1	3	5	5	10
Multi-family dwelling units – 200 units	12	48	60	42	18	60
Total Trips	14	49	63	47	23	70
<i>Existing Trips – 40,000 SF Self Storage or Mini Warehouse</i>	4	2	6	5	5	10
Net “new” peak-hour trips	10	47	57	42	18	60

Source: Wells and Associates, Inc. LATR/PAMR Traffic Study. November 1, 2012.

- **Local Area Transportation Review**

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak-hours within the respective peak periods from the traffic study are presented in Table 3.

As shown in Table 3, under Total (Build) traffic conditions, CLV values for intersections

**TABLE 3
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED 8001 NEWELL STREET DEVELOPMENT**

Intersection	Traffic Conditions					
	Existing		<i>Background</i>		Total	
	AM	PM	AM	PM	AM	PM
Eastern Ave NW/Colesville Rd/16 th St NW/Portal Drive NW	1,345	1,243	1,390	1,296	1,391	1,297
Eastern Ave NW/14 th St NW/Newell St	363	420	363	422	391	452
Eastern Ave NW/13 th St NW	405	474	403	480	425	499
Georgia Ave/Eastern Ave NW/Blair Rd	706	724	777	797	786	805
Georgia Ave/Burlington Ave/13 th St/East-West Hwy	1,240	1,155	1,412	1,271	1,418	1,277
East-West Hwy/Newell St/Blair Mill Rd	405	597	449	641	467	662

Source: Wells and Associates, Inc. LATR/PAMR Traffic Study. November 1, 2012.

Note: Silver Spring CBD Policy Area Congestion Standard: 1,800 CLV

included in the study were estimated to be below the respective Silver Spring CBD Policy Area standard of 1,800 CLV. Based on this analysis, the subject application can satisfy the LATR requirements of the APF test.

- **Policy Area Mobility Review**

A summary of the PAMR trip mitigation requirements for the proposed development is presented in Table 4.

The proposed development, as a result of being located within the Silver Spring CBD is required to mitigate 5% of the net “new” trips generated by a similar development using County wide trip generation rates. In addition, by virtue of being located within the Silver Spring CBD, the Applicant is eligible to receive a CBD trip credit equivalent to the

**TABLE 4
PAMR MITIGATION REQUIREMENT CALCULATION
PROPOSED 8001 NEWELL STREET DEVELOPMENT**

	Morning Peak-Hour	Evening Peak-Hour
Proposed Density – (Countywide Rates)		
A. Residential – 200 HRDU’s	69	80
Retail – 5,000 SF	9	35
Pass-by trips (25% of retail)	--	9
Primary trips (75% of retail)	9	26
Total “New” Trips (A1)	78	106
Existing Density – (Countywide Rates)		
B. Self-Storage Units – 40,000 SF¹	6	10
Total “New” Trips (B1)	6	10
Net “New” Trips (C1 = A1 – B1)	72	96
C. PAMR Mitigation Requirement (D1 = C1 x 0.05)	4	5
D. Proposed Density – (CBD Rates)		
E. Residential – 200 HRDU’s	60	60
Retail – 5,000 SF	3	10
Total “New” Trips (E1)	63	70
Existing Density – (CBD Rates)		
F. Self-Storage Units – 40,000 SF¹	6	10
Total “New” Trips (F1)	6	10
Net “New” Trips (G1 = E1 – F1)	57	60
G. Trip Credit for CBD Location		
H. Trip Credit (H1 = C1 – G1)	15	36
Adjusted PAMR Mitigation Requirement		
I. (I1 = H1 – D1)	+11	+31
[PAMR: Excess/Pass = +ve; Deficit/Fail = -ve]	(Pass PAMR)	(Pass PAMR)

Source: Wells and Associates, Inc. LATR/PAMR Traffic Study. November 1, 2012 ¹ Based on ITE Trip Generation rates for Mini-Warehouse (LUC 151)

difference in net “new” trips between similar developments located outside the CBD (determined using Countywide trip generation rates) and located within the CBD (determined using CBD trip generation rates).

Thus, as summarized in Table 4, a development similar to that proposed on the site would generate 72 net “new” peak-hour trips during the morning peak-period and 96 net “new” peak-hour trips during the evening peak-period using Countywide trip generation rates (Line C1). This results in a mitigation requirement of 4 peak-hour trips during the morning peak period and 5 peak-hour trips during the evening peak period (Line D1) for the application to satisfy the PAMR requirements of the APF test. The proposed development, as a result of being located within the Silver Spring CBD, will generate 57 net “new” peak-hour trips during the morning peak period (i.e., 15 fewer peak-hour trips compared to Countywide peak-hour trips noted above) and 60 net “new” peak-hour trips during the evening peak period (i.e., 36 fewer peak-hour trips compared to Countywide peak-hour trips noted above) towards its PAMR mitigation requirement (Lines G1 and H1). With the above credit, the proposed development will fully offset its PAMR trip mitigation requirements (Line I1).

Based on the above analysis, the subject application can satisfy the PAMR requirements of the APF test.

Environment

The property was granted an exemption from submitting a forest conservation plan on May 14th, 2012 because it qualified as a small property under chapter 22A-5(s)(1) of the County code. The exemption (42012169E) met the conditions as it is less than 1.5 acres with no existing forest, or existing specimen or champion trees, and the afforestation requirements would not exceed 10,000 square feet.

As outlined in the exemption, an on-site preconstruction meeting is required after the limits of disturbance have been staked and flagged but before any clearing or grading begins.

Community Concerns

Since May 30, 2012 the applicant has met on nine separate occasions with nearby residents and members of local community groups, including the South Silver Spring Neighborhood Association (SSSNA), Eastern Village Co-Housing (EVC), 8045 Newell Street Condominiums, Shepard Park Civic Association and the ANC4 community. They also presented the project to The Silver Spring Citizens Advisory Board’s Commercial and Economic Development Committee, the Greater Silver Spring Chamber of Commerce’s Economic Development Committee and the Silver Spring Urban District Committee.

A pre-application meeting was held on August 20, 2012. The meeting was well attended. The applicant's consulting team described the process involved in the plan review and the proposed architecture and landscape architecture to date. There were some questions about specific items such as slope along Newell Street and location and number of curb cuts. There was a statement of concern by a community member that the open space would not be green enough.

Most questions and comments revolved around the following:

- The project does not represent good planning because it is too dense
- Retail on the ground floor level may not be needed and may be difficult to lease
- Silver Spring does not need another apartment building
- A 5-7 story building is too tall and does not fit into the context of the area
- The project will bring in more cars and create more demand for limited parking spaces
- Strategies for lowering the height of the building to four stories
- The proposed building will create un-wanted shadows
- There will be more dogs and not enough dog parks
- The relations of the proposed building to existing single-family houses on Eastern Avenue

One citizen expressed the opinion that as the site is an 8 minute walk from the Metro it is reasonable to expect mixed use development of this density.

The applicant revised the plans numerous times to try and address the concerns with respect to setbacks, design of the public use space and building heights

FINDINGS

All of the considerations of Section 59-D-2.43, of the Montgomery County Zoning Ordinance have been addressed by staff in reaching its conclusions and recommendations. A copy of Section 59-D-2.43 may found in the appendix. As the following Findings demonstrate, the subject project plan adequately addresses each of these considerations, as conditioned by the Staff Recommendation.

Section 59-D-2.42 of the Zoning Ordinance establishes the findings that must be made by the Planning Board and in concert with the considerations enumerated above form the basis for the Board's consideration of approval. In accordance herewith, the Staff

makes the following findings:

(a) As conditioned, the proposal complies with all of the intents and requirements of the zone.

Intents and Purposes of the CBD Zones and Overlay Zone

The Montgomery County Zoning Ordinance states the purposes which the CBD zones and Overlay zones are designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes:

(1) “To encourage development in accordance with an adopted and approved master or sector plan ... approved under Chapter 56 by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan ... and the site plan ... is approved on review by the Planning Board.”

With respect to density, the Sector Plan recommends redevelopment of vacant or under-used buildings in South Silver Spring while protecting surrounding residential neighborhoods. This redevelopment replaces a one story self-storage facility with a five to seven story mixed use development that is compatible in with the surrounding residential neighborhood.

The design guidelines in the Silver Spring Central Business District Sector Plan recommend height setbacks adjacent to residential neighborhoods in order to ensure compatibility with adjacent residential neighborhoods. The proposed project imposes generous setbacks on Eastern Avenue to maximize compatibility with the one-family home located across the street in the District of Columbia. On Newell Street the proposed project utilizes a smaller setback to maintain compatibility with the four story multi-family building across the street. While this is a deviation from the Sector Plan, greater compatibility is achieved through increased setbacks from the adjoining properties, increased activating uses are proposed fronting Newell Street to address safety, public use space is proposed as an appealing feature along Eastern Avenue and the height of the building varies from approximately 54 feet to a maximum of 74 feet, which is considerably less than the 90 feet permitted in the zone.

(2) “To permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities

in central business districts to meet the needs and requirements of workers, shoppers and residents.”

The site is currently improved by a self-storage facility. This is not the variety of land uses and activities called for in central business districts that meet the needs of workers, shoppers and residents. The Sector Plan recommends a variety of re-use options including start-up business space, retail and housing. The application will provide a mixed-use project that includes residential and retail uses.

- (3) *“To 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.”*

The relationship of the proposed buildings to existing buildings is appropriate for a central business district. In the CBD, adjacent buildings with windows are required to be setback at least 15 feet from each other or 30 feet if both buildings have windows. This proposal exceeds that standard in order to minimize the impacts on available sunlight and existing views by setting the building 25 feet back from the rear property line, and 60 feet from the adjacent 8045 Newell Street building. It is also proposing creating a passive green area within the 25 feet setback for the viewing pleasure of the residents of 8045 Newell Street.

The proposed development will enhance pedestrian, cyclist, and vehicular circulation by limiting auto access to one point on site and providing all required residential parking on-site, thereby limiting future demand for on street parking and spaces in the public parking garage. It will enhance the circulation system between the central business district and adjacent areas by fulfilling the Sector Plan goal of creating a green street on Newell Street.

- (4) *“To promote the effective use of transit facilities in the central business district and pedestrian access thereto.”*

The proposed development is approximately 1/2 mile from the Silver Spring Metro and 180 feet from the nearest bus stop. It is a vital local and regional goal that infill development is encouraged on sites as an alternative to

suburban sprawl. As conditioned, the location and accessibility of the proposed development to the local transit system is an effective implementation of the Sector Plan transit and sustainability goals.

(5) *“To improve pedestrian and vehicular circulation.”*

Vehicular circulation is limited to one ingress and egress point for daily circulation. A loading space utilizes the access point as well.

The pedestrian environment provides numerous enhancements to increase the walkability of the South Silver Spring Overlay District, including an upgraded streetscape on Newell Street and an open space at the corner of Newell Street and Eastern Avenue that will accommodate diagonal pedestrian “cut-through”.

(6) *“To assist in the development of adequate residential areas for people with a range of different incomes.”*

The proposed development provides 187 residential units, 12.5% of which are Moderately Priced Dwelling Units, providing a range of different incomes for the tenants.

(7) *“To encourage land assembly and most desirable use of land in accordance with a sector plan.”*

The proposed development will be built on an existing recorded lot.

Further Intents of the CBD-1 & CBD-0.5 Zone

Section 59-C-6.213 of the Zoning Ordinance states:

(1) *To foster and promote the orderly development of the fringes of the Central Business Districts of the county so that these areas will provide land uses at a density and intensity which will encourage small business enterprises and diverse living accommodations, while complementing the uses in the interior portions of these district; and*

(2) *To provide a density and intensity of development which will be compatible*

with adjacent land uses outside the Central Business Districts.

This proposed project will provide land uses at a density and intensity that encourages diverse housing (through inclusion of moderately priced dwelling units), small business enterprises (through 3,100 square feet of retail space) and complements the uses of the interior of the CBD and is compatible with adjacent land uses outside the Central Business District through the use of restricted heights and generous setbacks.

Requirements of the CBD-1 Zone

The table on page 18 of the staff report demonstrates the project's conformance of the project plan finding and with the development standards under the optional method of development. Among other standards, the proposed development meets the area, public use space, building height, and density requirements of the zone.

The project maintains compatibility with existing buildings by holding the proposed building back 25 feet from the rear property line (the optional method of development for CBD-1 properties has no setback requirements). The building on the rear property line, 8045 Newell Street, is approximately the same height as the proposed building. The project also sets the building back 60 feet from the Eastern Avenue right-of-way holding the building height to a total of 74 feet (the overlay zone allows 90 feet).

According to the Zoning Ordinance (59-C-6.215(b)) another requirement of optional method projects is the provision of additional public amenities:

“Under the optional method greater densities may be permitted and there are fewer specific standards, but certain public facilities and amenities must be provided by the developer. The presence of these facilities and amenities is intended to make possible the creation of an environment capable of supporting the greater densities and intensities of development permitted.”

The proposed development is proffering the following package of amenities and public facilities:

Amenities and Facilities Summary

On-Site Public Use Space Improvements

- A public green open space at the corner of Eastern Avenue and Newell Street approximately ¼ acre in size.
- Public Art
- Landscaping, including bio-filtration areas
- Seating
- Specialty paving

Off-Site Amenity Improvements

- Brick sidewalks
- Street Trees
- Pedestrian scale street lights
- Street furnishings
- Green panels for street trees and native plantings between the curb and sidewalk on Newell Street

(b) *The proposal conforms to the approved and adopted Master or Sector Plan or an Urban Renewal Plan approved under Chapter 56.*

Zoning and Land Use

The subject property, zoned CBD-1, remains consistent with the recommendations in the Silver Spring CBD Sector Plan. The uses proposed are allowed in this zone, and the proposed development is in keeping with the general guidelines to provide employment uses in the Sector Plan area. The site is also covered by the South Silver Spring Overlay Zone. The South Silver Spring Overlay Zone recommends residential and other uses, including retail. The proposed uses are appropriate for the subject site and conform to the Sector Plan.

Sector Plan Conformance

The Approved and Adopted Silver Spring CBD Sector Plan is organized around several goals, the majority of which are satisfactorily met by this application. The Approved and Adopted Silver Spring CBD Sector Plan recommends the South Silver Spring Overlay Zone which calls for a mix of housing and commercial uses. The application meets this goal by proposing rental housing and ground floor retail space.

(c) *Because of its location, size, intensity, design, operational characteristics and*

staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.

The location is appropriate for the proposed intensity of use and density at the edge of the Central Business District. The building massing, step-backs and heights proposed are compatible with adjacent and surrounding uses, especially with the one-family detached neighborhood to the west. The project massing has been designed so as not to adversely affect adjacent buildings and uses. The CBD-1 Optional Method of Development has no setback requirement. However, the applicant has set the building back 25 feet from the rear property line it shares with the multi-family building at 8045 Newell Street in order to minimize the impact. The Ripley/South Silver Spring Overlay Zone limits building heights fronting onto Eastern Avenue to 45 feet for the first 60 feet from the street where proposed development confronts a residential zone in the District of Columbia, at which point the building height may increase to 90 feet. The applicant has chosen to locate their public use space within the 60 foot setback, therefore negating the height limitations along Eastern Avenue. Furthermore, the building is proposed for 54 feet at this setback line when it steps back and additional 12 feet to reach a total height of 74 feet. The applicant has exceeded the requirements of the Ripley/South Silver Spring Overlay zone to reduce the detrimental impact the proposed building could have on the neighbors in South Silver Spring and in the District of Columbia.

(d) As conditioned, the proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.

A draft traffic management agreement has been submitted by the applicant and will be finalized during the site plan review process. Other public facilities exist on or near the site, and no expansion or renovation of these services will be required to be completed by the County. The application will not overburden public facilities, including the public parking garage on Kennett Street. The application is satisfying their residential parking requirement on site; the retail parking requirement will be satisfied by the PLD tax. Requirements for public safety and fire will be minimally impacted due to the nature of the land use and must be approved by the respective agencies prior to site plan approval.

(e) The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.

A standard method project would only allow a density of 2.0 FAR or 43 dwelling units per acre on this site within the CBD-1 Zone. The number of MPDUs being provided would be significantly reduced through the standard method of development. The requirement for public amenities would be removed, and the public use space requirement would be reduced by one-half. The total height of the building would be reduced to 60 feet. Infill development and density near transit hubs (the Silver Spring Transit Center is within a 10 minute walk) is a core value of smart growth. Given the number and quality of public amenities being proffered, the optional method of development is more desirable and more efficient for this particular site.

(f) The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.

The proposed development will provide 12.5% MPDUs as required by Chapter 25A. A final agreement to build between the Applicant and the Department of Housing and Community Affairs will be conditioned with the site plan review.

(g) When a Project Plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities, within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C 6.2351 or 59-C 6.2352 (whichever is applicable), the Project Plan may be approved by the Planning Board based on the following findings:

The proposed development is presently composed of one lot and does not transfer public open space or density.

(h) As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.

The property was granted an exemption from submitting a forest conservation plan on May 14th, 2012 because it qualified as a small property under chapter 22A-5(s)(1) of the County code. The exemption (42012169E) met the conditions as it is less than 1.5 acres with no existing forest, or existing specimen or champion trees, and the

afforestation requirements would not exceed 10,000 square feet.

- (i) *As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.*

The proposed development is not subject to the water quality resources protection requirements. The applicant has submitted a Stormwater Concept Plan to the Montgomery County Department of Permitting Services for their review and approval. The applicant is proposing green roofs and bio-filtration planters.

- (j) *When the Planning Board allows any public use space, or public facilities and amenities to be provided off-site, the Planning Board must find that the space or improvement:*

- (1) is consistent with the goals of the applicable master or sector plan; and*
- (2) serves the public interest better than providing the public use space or public facilities and amenities on-site.*

The applicant is providing all public use space and amenities and facilities on-site.

RECOMMENDATION AND CONDITIONS

Approval of project plan 920130020 subject to the following conditions:

1. Development Ceiling

The proposed development is limited to 159,915 square feet of gross floor area

- a. Residential 156,815 S.F.
- b. Non-Residential 3,100 S.F

2. Building Height and Mass

The proposed development is limited to the building footprints as delineated in the project plan drawings submitted to MNCPPC dated November 13, 2012 unless modified at site plan review. Building height is limited and to a height of 74 feet on Newell Street and to 54 feet in height facing Eastern Avenue as determined by the Department of Permitting Services approved building height measurement point(s).

3. Building Materials

The building is to have the level of quality and style of the materials, including but

not limited to, that shown in the rendering on page 6 of this staff report.

4. Housing

The proposed development will provide a minimum of 12.5% moderately priced dwelling units (MPDUs) based upon the total number of units, in accordance with Chapter 25A.

5. Transportation

- a. The Applicant must limit future development on the site to 3,100 square-feet of retail and 187 multi-family residential units.
- b. The Applicant, as part of a future site plan, must show on the plan the Newell Street rights-of-way of 35 feet from the roadway right-of-way centerline along property frontage consistent with the 2000 Approved and Adopted Silver Spring CBD Sector Plan
- c. The Applicant must coordinate with the District of Columbia Department of Transportation (DDOT) on any proposed improvements along Eastern Avenue.
- d. The Applicant must enter into a Traffic Mitigation Agreement (“Agreement”) with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the Silver Spring Transportation Management District (TMD). The Applicant must coordinate details of the Agreement with MCDOT as well as Planning Department staff and must execute the Agreement prior to the release of any residential building permit for the proposed development.

6. Public Use Space & Public Amenities and Facilities

- a. The applicant must provide a minimum of 21.87% of the net lot area for on-site public use space and a minimum of 18.17% of the net lot area for on and off-site public amenity and facility space. The final design and details will be determined during site plan review.
- b. The proposed public use space must be easily and readily accessible to the general public and available for public enjoyment.
- c. The applicant must provide bio-retention areas and other features in general conformance with the illustrative landscape plan depicted in the staff report.
- d. The applicant must present the plaza designs and public artwork to the art review panel prior to submittal of the site plan.

7. Staging of Amenity Features

- a. The proposed development will be completed in one phase. A detailed

development program will be required prior to approval of the certified site plan.

- b. The applicant must complete the on-site public use space improvements in accordance with a development program to be developed at site plan.
- c. The applicant must install the landscaping no later than the next growing season after completion of the building and site work.

8. Maintenance and Event Management Organization

Prior to issuance of use-and-occupancy permits, the Applicant will create and implement a maintenance plan for all on-site public use space unless an alternative arrangement is made with another public entity.

9. Coordination for Additional Approvals Required Prior to Site Plan Approval

The applicant must obtain written approval from the Montgomery County Department of Transportation (DOT) for the final design and extent of any and all streetscape improvements within the rights-of-way prior to approval of the site plan.

APPENDICES

Appendix A: Section 59-D-2.43

Appendix B: Letters from Community

Appendix C: Shadow Studies

Appendix A

According to Section 59-D-2.43 of the Montgomery County Ordinance, in reaching its determination on a project plan the Planning Board must consider the following:

- (a) The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures, and its consistency with an urban renewal plan approved under chapter 56.*
- (b) Whether the open spaces, including developed open space, would serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are planned, designed and situated to function as necessary physical and aesthetic open areas among and between individuals structures and groups of structures, and whether the setbacks, yards and related walkways are located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.*
- (c) Whether the vehicular circulation system, including access and off-street parking and loading, is designed to provide an efficient, safe and convenient transportation system.*
- (d) Whether the pedestrian circulation system is located, designed and of sufficient size to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.*
- (e) The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, in relation to the type of use and neighborhood.*
- (f) The adequacy of provisions for construction of moderately priced dwelling units in accordance with chapter 25a if that chapter applies.*
- (g) The staging program and schedule of development.*
- (h) The adequacy of forest conservation measures proposed to meet any requirements under chapter 22a.*

- (i) The adequacy of water resource protection measures proposed to meet any requirements under chapter 19.*

- (j) Payment of a fee acceptable to the Planning Board may satisfy all or some of the requirements for any public use space, or public facilities and amenities under the requirements established elsewhere in this Section.*

Marcolin, John

From: Frank Bondurant <fbondurant@msn.com>
Sent: Saturday, November 03, 2012 8:43 PM
To: Marcolin, John
Subject: Comstock proposal

To Whom It May Concern:

We have lived in the 7900 block of 14th Street NW for 47 years and have watched our lovely neighborhood (Shepherd Park) slowly deteriorate from a quiet, green quartier to become a major thoroughfare (via traffic and people) to South Silver Spring. We have attempted to adjust to the changes that the METRO created, and it has been difficult. With the recent development to the east of Eastern Ave, we watch (in horror) as Maryland residents who live in the apartments and condos turn our streets into a public park as they daily walk their dogs (too many to mention), push their baby strollers, jog, ride bikes and engage in loud talking on cell phones. They even sit on our lawns to rest!!! The traffic is impossible and the Marylanders sneak into the neighborhood after dark when parking restrictions are lifted and park their autos directly in front of our homes.

Now we hear that there is to be a NEW apartment complex at Eastern and Newell!!!! We can't take any more and wonder what options will we have when our street (14th) becomes a direct route to their underground garage. We have enough pollution now. Our health is as stake. Why are we accommodating MD residents in this manner when they pay no DC taxes.

Build a park for these people and not another residential building. We also believe that the main reason that there are so many animals in South Silver Spring is because the owners of those complexes were and are unable to rent all the units, so they decided to ATTRACT renters by allowing PETS!!!! Shame, shame, shame!!!!!!

We need your help! Don't continue to destroy our neighborhood! The development MUST END!!!!!!!!!!

Frank & Dolores Bondurant

FB/DB (202) 829-4989 fbondurant@msn.com

October 31, 2012

Mr. John Marcolin, Planning Area 1
Maryland-National Capital Park & Planning Commission (M-NCPPC)
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Marcolin:

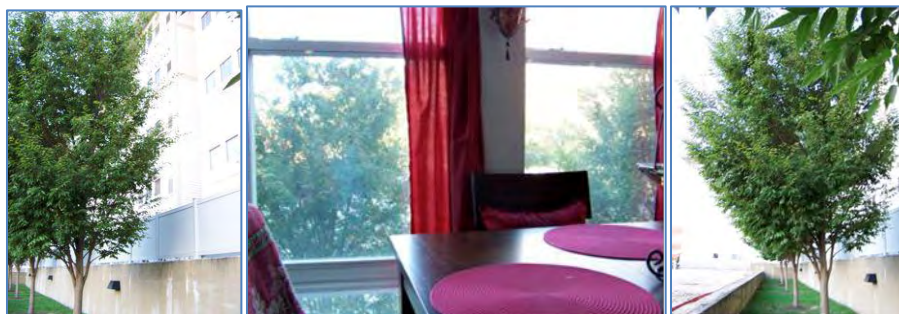
I am an owner at 8045 Newell Street in Silver Spring. I would like to express my concerns over the incompatibility of the proposed apartment building project at 8001 Newell Street in Silver Spring (Application #: 920130020 by Comstock Homes) with existing surrounding buildings and the community interest.

NOT COMPATIBLE: Height of proposed 7-story residential building, which creates a severe sunlight reduction for 8045 Newell Street condominiums and existing trees

The 8045 Newell Street Condominiums were not built for city density. They were built as sunny units with about 80% of the exposed wall (which would face the new building) as window. The first floor units of 8045 have substantial 10x22ft or larger private terraces with sliding doors, while other units have full-size balconies with sliding doors. My unit has what was called a "sun room" when I purchased my condo that has 4 large windows to the floor.

In the summer, my side of the building (left side, western exposure) currently receives direct sunlight from 4pm-7:30pm, not before 4pm. It appears to me that the attached sun study provided by Comstock Homes shows that the left face of our building will receive only about 30 minutes to an hour of direct sunlight depending on floor after the new building is installed. This is not an acceptable reduction of sunlight (-71% to -86%). This can only negatively impact our quality of life, enjoyment and property value. It directly conflicts with how 8045 Newell was designed and why owners chose to purchase here.

There is a line of large trees that are now beginning to reach our 3rd floor (see pictures below) that would inhabit the space between 8045 Newell and the new building. Not only are the trees part of 8045's permanent site plan, they were county-mandated and the reason I purchased on the second floor. I can see two trees from my unit (see pictures below). In the summer these trees currently enjoy direct sunlight from about 2pm to 7:30pm. I would fully expect your office would have an independent expert assess the sunlight needs of these trees and guarantee their survival with this severe reduction in sunlight. They should not wither, die or be stunted.



NOT COMPATIBLE: Size and purpose of 60ft open space of proposed 7-story residential building

The small 60ft open space proposed by Comstock Homes does not fulfill the community need for at least an acre of continuous green space with a dog park. The area as described would be bisected by a cement walkway and consumed partially by the front of a retail establishment. In addition, this open space on Eastern Avenue across from private homes with lawns is not the ideal location for Silver Spring residents to access the location. It is obvious it is being placed on Eastern Avenue side rather than the Kennett Street side to achieve zoning setback requirements and not serve the East -West Highway community.

The few other ideas for parks in area like Blair Plaza or the Lots between Kennett and East-West would be disruptive to local businesses, parking and create a scenario where shoppers might have to pay to park their cars at the shops or a park. Therefore, they are unlikely to happen due to community resistance. Logically, a dog park should not be located adjacent to grocery stores, food outlets or high speed streets like East-West highway, but in a pleasant residential area that would benefit owners who have personally financially invested in the neighborhood. In addition, a green park and dog park at 8001 Newell Street would alleviate Silver Spring residents from using the adjacent Shepherd Park neighborhood for these purposes.

A green park at 8001 Newell Street was first requested in writing in 2005. South Silver Spring has the opportunity to plan parkland at this time and should not befall a "failure to plan" scenario like NoMa, DC or Clarksburg, MD. In early August 2012, a group of South Silver Spring residents began a petition to gain community support for a park at 8001 Newell Street after finding out that the current owner of the location's commercial storage business was willing to sell. Within just two months, the petition had garnered over 530 online or paper signatures and 85 supportive comments. Signers not only signed in support of a park, but voiced that a building should not be placed at this location. See full petition text enclosed.

Sincerely,

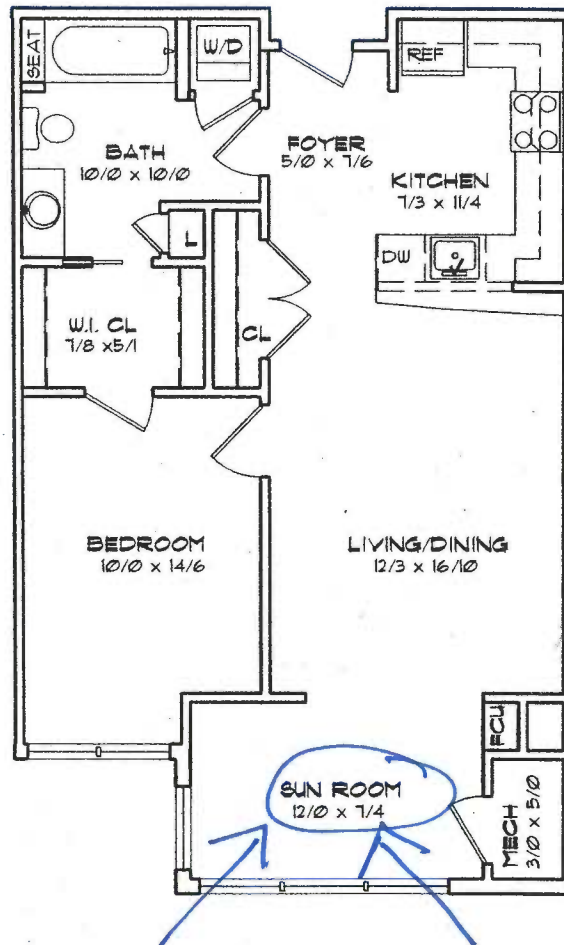
Dawn M. Brosnan
8045 Newell Street #212
Silver Spring, MD 20910
dawn.brosnan@yahoo.com

View online petition and comments at: www.ipetitions.com/petition/silverspringpark

Cc:

Valerie Ervin, Councilmember, Montgomery County Council
Marc Elrich, Councilmember, Montgomery County Council
Valdis Lazdins, Planning Chief, M-NCPPC
Rose Krasnow, Interim Planning Director, M-NCPPC
Brooke Farquhar, Supervisor, Montgomery County Parks Department
David Dise, Director, Department of General Services

8045 Newell Street Developer's Selling Layout



1 BR - One Bedroom Unit
SELLABLE AREA - 817 SF

Submitted by:
Dawn Brosnan
8045 Newell Street

Text of Petition:

The Petition

We request that a shared community park with green space be developed on Newell Street (between Kennett St and Eastern Ave) near downtown Silver Spring. Currently, there is a proposal by Comstock Homes to tear down the existing self-storage facility to build a 7-story apartment building, beginning in early 2014. While this site is currently zoned for residential development and Comstock is trying to secure the rights to develop it, this petition seeks to deny the right of any developer (whether Comstock or any future party) to build any residential development on this site.

The quality of life for many local residents and employees, including individuals, couples, families with children, and dog owners, will be greatly affected by what is developed. ***We request that our interests be prioritized over those of real estate developers.***

A community park would provide much-needed open green space in the middle of what is already a very dense concrete jungle with several large new buildings going up right now (see map below with the site outlined in red). A new building would also further reduce street parking and space in nearby garages. Currently, our neighborhood with over 10,000 people has the greatest population density of any census tract within Montgomery County and no open space available!

A community park on Newell Street between Kennett and Eastern would greatly serve all residents at 8045 Newell, Eastern Village, Mica, the Blairs, the Veridian, Argent, Spring Garden, Rock Creek Springs, the Silverton, the Bennington, 1200 East-West, Aurora, Gramax, and the Galaxy, and also many single family homes along Eastern Ave. It would also serve about 300 employees of nearby Discovery Communications (on Kennett St) and the many businesses located around the Giant shopping center and East-West Highway.

A community park will be a place to build a vibrant local community among our area's diverse residents and employees. It will be a place for parents to play with their children, dog owners to walk their pets, individuals to exercise, employees to have lunch, and friends and neighbors to meet and relax during the day and after work. The park will also increase the daily walkability of our neighborhood. It will create an "emerald necklace" of the open (but not green) space outside Veridian apartments and be linked with historic Acorn Park. It will be an ideal location to hold local festivals such as our annual South Silver Spring Festival each September. A park would not just be a feel-good addition to our community - research has shown green spaces in urban areas to have important positive psychological effects for residents as well.

And of course, **a community park** is just the right thing to do for the environment. While common areas are required of new buildings, we have seen that local developers create these areas using only concrete and asphalt, not green space.

Marcolin, John

From: Harris Cohen <harrismcohen@gmail.com>
Sent: Thursday, November 01, 2012 2:09 PM
To: Marcolin, John
Subject: Proposed Comstock Building Comments (8001 Newell Street)

Mr. John Marcolin, Planning Area 1
Maryland-National Capital Park & Planning Commission (M-NCPCC)
8787 Georgia Avenue
Silver Spring, Maryland 20910

Mr. Marcolin:

As a resident of 8045 Newell who purchased a unit in March, 2007, I have some very serious concerns about the proposed Comstock building being proposed at 8001 Newell Street. Specifically, I am very concerned about the impact that construction and the final building will have on my quality of life and the quality of life of my neighbors, as well as a continued lack of focus on open spaces for residents living in the area. One of the main reasons I purchased my unit at 8045 Newell Street was because I valued the quiet atmosphere offered by the property. Erecting a new residential building as proposed by Comstock will be detrimental to the quiet and enjoyment that I value and associate with the building and with South Silver Spring, and further exasperate crowded conditions and lack of green space in the area.

I fully support the proposed amendment of the Silver Spring Central Business District Sector Plan to transform the self-storage property at 8001 Newell Street to a public park, largely to address the deficit of green space in the South Silver Spring district. While I recognize that there would still be disruption in terms of noise and construction, the benefits of having green space (both in terms of increased property values/tax revenue and quality of life) are significant and will make the South Silver Spring area an even more enjoyable and better place to live. This is especially important if the area wants to remain attractive as more young families look to move to the area. An open park layout, with park benches, trees, paths, and small area for dogs would benefit not just me and my neighbors, but all residents of South Silver Spring, as well as the County through increased revenues.

Thank you for your time and consideration.

Sincerely,

Harris Cohen

8045 Newell Street, Apt. 214

Silver Spring, MD 20910

301.541.7245

October 31, 2012

Mr. John Marcolin, Planning Area 1
Maryland-National Capital Park &
Planning Commission (M-NCPCC)
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Marcolin:

I am writing to express my concerns about the incompatibility of proposed building project by Comstock Holmes at 8001 Newell St.

I am a condo owner at 8045 Newell. I moved to this area from New York City in 2010. I chose my apartment because it had a balcony where I could grow plants, enjoy a clear view, sit on the balcony and relax in the sun. My intent was to live in a less crowded area. I understood that the area was in transition and had expected that there would be additions of green space as I saw that Montgomery County is a suburban area and that there was much green space in the county. I noticed that In Takoma Park and Bethesda, for instance, there surely are apartments but also they are pleasant green spaces for inhabitants to relax, meet their neighbors and enjoy the sunshine. I had expected this type of smart growth for my new community.

Much to my shock and dismay, in the last two years, I have seen building after building added to this already highly developed area without additions of amenities for the human beings who already live here. It now seems to be a concrete jungle cold, treeless and greenless. Even in 2010 our area was the most densely populated census tract in all of Montgomery County. And now it's gotten much, much worse. At one point there was an opportunity to make this area charming, and pleasant like Takoma, Bethesda, Chevy Chase. I wonder what happened. We seem to be a forgotten area of lovely Montgomery County.

Building Closeness/Privacy

In June, we learned of yet another plan for an oversized building, the Comstock Holmes proposal. It would be squeezed into a small, oddly shaped particle, parallel to my building. The plan is to have it 60 feet from our windows. Even in New York City I did not have a building so close as this one. 60 feet from my window will allow me to watch my neighbors as they eat, watch my neighbors as they are in their living room watching TV. And of course, they will have the opportunity to snoop on me as well. It does not seem to be compatible with the area. Surround buildings in our area are not parallel to each other. The distance is further and buildings are at angles so that their residents do not feel like their privacy is being invaded as would happen with the proposed Comstock building.

Ventilation Obstruction

8045 Newell is designed with windows on one side. That is the only opportunity we have to have a breeze and get fresh air. The proposed Seven-Story Comstock building will block air passage to our apartments. We will be forced to use our air conditioners constantly spring, summer and fall. This will decrease our quality of life. This will increase our monthly expenses significantly. This will result in more energy consumption contrary to good environmental policies. I understand that the initial plans for this area were for town houses which would not cause this problem for the inhabitants of 8045 Newell.

Obstruction of Sunlight

My current view contains a tree, which is another reason why I chose this complex. The height of the Comstock proposed building will greatly limit sunlight to the trees along side our building and threaten the trees existence. I strongly doubt that plants, (parsley, basil, etc which I currently have on my balcony) would survive with the limited sunlight if the Seven Story Comstock project

Lack of Dog Park/Lack of Green Space

Our area also critically needs a dog park and green space. In the meeting with Comstock their solution is a small 60 foot space called a “pocket park” which is less than our neighbors on Eastern Avenue’s front lawns. Not only is this tiny “green space” terribly insufficient, but the 60 feet will also be reduced by a walk way and entrance to the retail establishment that the developer plans on locating. In addition, the “pocket park”/front lawn will face Eastern Ave, not South Silver Spring community where the green is desperately needed. It seems they have put the tiny little green space on Eastern Avenue’s side not to solve our severe green problems but to try to meet the zoning setback requirements.

Noise/Vague Responses

In talks with the Comstock developers we ask questions about our concerns and continue to get vague “no answers.” With a parallel building will the air conditioning units be placed on our side, 60 feet from our windows so that we hear the loud noises as an additional reduction to our quality of living that surrounding buildings do not have to endure because they are not stacked on top of each other like this proposal would do. What we received and continue to receive from the numbers questions that we ask this developer: “don't know...haven't gotten that far in the plans.” Ultimately, it seems they can do whatever the heck they want to do that will minimize their costs and the neighbors will just have to suffer the consequences. A parallel building poses issues for the neighbors that are squeezed next to their building. This type of construction is not compatible with current community structures.

John, I could go on and on about the problems this proposal poses for our building and the neighborhood. We really, really need green space to make this area a place for living beings to enjoy. Another oversized building should not be allowed in this area.

Let them build some place else. Montgomery is a large county. There are other sections of the county that won't be so detrimentally effected by the addition of more concrete.

This building is not compatible with our neighborhood.

Kind regards,

Eileen La Fleur
301 588 1945

Marcolin, John

From: Suzana Cooper <suzanacooper@yahoo.com>
Sent: Friday, November 02, 2012 4:30 PM
To: Marcolin, John
Subject: 8001 Newell Street in Silver Spring

Mr John Marcolin, Planning Area 1
Maryland-National Capital Park & Planning Commission (M-NCPCC)
8787 Georgia Ave.
Silver Spring, MD 20910

I am writing as a concerned citizen about the proposed apartment building project by Comstock Homes at 8001 Newell Street in Silver Spring.. It is to be a seven-story building.

I have lived at the Aurora Condominiums on 7915 Eastern Ave. for eighteen months, and during this time I have witnessed the building of one more condominium (The Orion) and a large apartment complex (The Galaxy) within one block of where I live.

I believe there are future plans to replace the motel across the street from the Galaxy with yet another apartment building.

All these buildings are one block away from where Comstock intends to build its apartment complex, in an area wich is also surrrounded by a number of other apartment buildings.

This area of Silver Spring is very densely populated, There is a glut of condominiums and apartment buildings in the neighborhood, with no allowance made for green space for residents, their children and pets. Wherever there is new construction the builders circumvent the law requiring a certain amount of green space by covering it with concrete, placing a few benches on it and calling it a community space,

What we really need is a park for our citizens to breathe pure oxygen,for our children to play, and for our pets to run. We need a park for neighbors to congregate and get to know each other. This is the ecologically-friendly thing to do, and this is what at least 500 citizens asked for when they signed a petition a few months ago.

Please listen to the concerns of citizens, not just that of the builders!

Thank you,

Sincerely,

Suzana Cooper

Marcolin, John

From: Steve Fine <sfine0@gmail.com>
Sent: Sunday, November 04, 2012 9:58 PM
To: Marcolin, John
Subject: Comments on project plan 920130020 (8001 Newell St.)

Mr. Marcolin:

Our understanding is that comments on the plan proposed for 8001 Newell Street, Silver Spring were to be sent to you by Friday morning. Given the disruption caused by Sandy, we hope that you will accept this late comment and give it full consideration.

We own a condominium at 8045 Newell Street (along Kennett Street). We recognize that we live in a built-up area and that redevelopment of the 8001 site is likely. While the proposed building is within development guidelines, the combination of close proximity to 8045 and Eastern Village Cohousing (EVC) for a very long distance and the height of the proposed structure will have a significant and unreasonable impact on existing owners at 8045 and EVC. As proposed, the new building will significantly affect privacy, views, sunlight, noise and property values. The impact on 8045 will be especially severe as the proposed building will be very close to 60 of the 120 condominiums at 8045.

To address these concerns, we request that that Planning Commission and Planning Board mandate the following changes to the proposal:

- Reduce the maximum height of the building to 5 stories.
- Place the park and retail at the northeast end of the building (towards Kennett Street). This would benefit the community in multiple ways:
 - The open space would be closer to some of the public amenities at 8045, creating a more engaging public space and the appearance of a larger open area.
 - For many of the 60 affected units at 8045, the impact of the development would be somewhat mitigated by having open space adjacent to 8045. While impacts to a few units at EVC would increase, they would be partially mitigated by the requirement that the portion of the new building adjacent to Eastern Avenue be no higher than four stories.
 - Retail would be more visible and convenient to employees at the Discovery Channel Technical Center, the VanGo, and to the large number of pedestrians who walk on Kennett street, while still being convenient for people who walk from the District into Silver Spring on Newell Street.
- If removing the retail from the project would help offset these other changes, then encourage that. There are already several vacant retail sites within a block of the proposed building.
- Construction times and methods should be restricted based on consultations with 8045 and EVC to mitigate, noise, dust, and vibration.

While the developer will complain that development is not economically viable with such changes, those changes would likely simply set a new price point for the land at 8001 at a level that would enable economically viable development that is more consistent with the surrounding buildings.

We understand that there is no way to completely satisfy the current landowner, the developer, and existing owners at 8045, EVC, and Shepherd Park. Given that 60 condominiums at 8045 would be significantly harmed by this development and the number of impacted dwellings at EVC and Shepherd Park is significantly less, we ask that the Planning Commission and Planning Board mandate the changes we recommend to prevent significant harm to so many Montgomery County property owners.

Thank you in advance for your consideration.

Steve and Margaret Fine
8045 Newell St., Unit 302

Marcolin, John

From: JoAnne <japoet@msn.com>
Sent: Thursday, November 01, 2012 6:17 PM
To: Marcolin, John
Subject: Objections to Comstock project @ Eastern and Newell Streets

Dear John Marcolin, --

I am a resident of South Silver Spring writing to you (and the Maryland-National Capital Park & Planning Commission) to protest a proposed Comstock building, now in the planning stages for construction at the intersection of Eastern Avenue and Newell Streets in Silver Spring and next-door to the condo building, Eastern Village, in which I live.

The high density rentals of this proposed property seem incompatible with our neighborhood of long-term and friendly, interactive homeowners now living in Eastern Village's condos (and other nearby condos) and across the street in DC in private dwellings. This new project seems to offer nothing but increased stress for this quiet neighborhood.

For me, a resident on the west side of Eastern Village, the project offers many concerns. I will lose my view of trees and distant buildings; I will lose sunlight in my own rooms and some of my favorite views from our green roof; I will lose privacy as new windows appear opposite my own. And, my greatest concern is the potential for noise and air pollution from vehicles that pass beneath my windows on their way to underground parking.

Let me close by emphasizing what I said in my second paragraph: The high density rentals of this proposed property seem incompatible with the current neighborhood of long-term and friendly, interactive homeowners.

Thank you for hearing my views.

Yours truly,
JoAnne Growney (japoet@msn.com)
7981 Eastern Ave, #207 Silver Spring, MD 20910
1 November 2012

* * * * *

JoAnne Growney Silver Spring, MD: more information at <http://joanegrowney.com> .

8045 Newell St, apt #308
Silver Spring, MD 20910
October 30, 2012

Mr. John Marcolin,
Planning Area 1 (M-NCPCC)
8787 Georgia Avenue
Silver Spring, Maryland 20910

Mr. John Marcolin:

I am writing this letter concerning the construction of the new **proposed Comstock 7-story building 8001 Newell** in front of our 5-story 8045 Newell condominium. I would like to pay your attention that there are no new constructions in our area built in front of any buildings and none of them is higher, than existing ones. The new proposed building is planning **to be higher** than our building and will be placed in front of our 2 wings (north and south) of the building at the same time.

On these 2 pictures - 2 new buildings on 13 Street stay in one line and no higher than existing buildings.



Another reason that this proposed construction is **incompatible** with 8045 Newell – it will **reduce the sunlight** of our south and north parts of the building. The value of the property depends of the sunlight coming thru the window. We have 50% of the light right now and with this new construction we will have only 10%. Reducing the light will completely reduce the value of our property. Why we have to lose our money while somebody will earn money on our loses? We are the same tax payer as all other people.

This is a view from my window, 50% of the sunlight covered by north part of the building (left), no sunlight at all will be after the construction.

No sunlight, no fresh air will be between 2 buildings, plus 203 additional cars by the windows.

Besides the sunlight we will not have a fresh air, because there will be garage entrance between our buildings for 203 parking spaces. This means that 203 cars will be back and forward all the day and night under our windows plus garage for 65 cars – altogether 268 cars under our windows –can you imagine what a fresh air and noise will be!

Edward and Joan King
7981 Eastern Avenue #407
Silver Spring MD 20910

November 2, 2012

Mr. John Marcolin
Planning Area 1
Maryland-National Capital Park and
Planning Commission (M-NCPCC)
8787 Georgia Ave.
Silver Spring MD 2019

Re: Proposed Development at 8001 Newell Street

Dear Mr. Marcolin,

We understand that you have major responsibility for reviewing the proposed development at 8001 Newell. We write to you in the hope that you will take into consideration both the lack of parks and green space in the area, and the incompatibility of this proposed seven-story building with the area of which it would be a part.

If located at the far end of South Silver Spring, as is proposed, this seven-story building would be across Eastern Avenue from single family residential homes, and across Newell from garden departments, about half its size.

We understand, appreciate and applaud the fact that our community is part of an urban smart-growth area. The fact remains, however, that this would be an out-of-scale building even for our community. Our community is directly across the street from Shepherd Park, a single family residential area. It is presumably at least in part because of this that the buildings along Eastern Avenue in the area are four stories or less with no more than about 50 units. The lone exception is the Aurora, which, like our own Eastern Village Cohousing building, results from rehabilitation of a building constructed before the current planning for this community was done.

The undesirability of the current proposal is exacerbated by the fact that the building will be placed directly in front or adjacent to two existing buildings, closing them off from the rest of the community in the direction of that proposed outsized building. An important positive reality in our area is that even with larger buildings, a sense of spaciousness remains. This is so because the other larger buildings in this densely populated South Silver Spring area have been built at angles rather than squarely blocking the existing sight lines of many of the people in the building nearest to it, as this proposed building would do.

Ideally, the particular area where the developer proposes to put the new building would be made into a park. In fact, a letter signed by 55 residents, including us, was sent to Planning officials on September 12, 2005, asking for such a park in this same location. Then County Council President Tom Perez indicated that he had "asked the Parks and Planning staff to assess the need for additional parks in south Silver Spring" and to "identify strategies to acquire additional parkland, should they determine

that a need exists."

The proposed building plan would represent a ratcheting up in size, and a change of direction in location of buildings relative to adjacent areas. Even worse, granting this proposal would eliminate one of the last potential park areas in our community. We urge you to give full consideration to these important issues as you review the proposal and the needs of community in this growing area.

Sincerely,
Ed and Joan King

Marcolin, John

From: Daniel Meijer <dmeijer@hotmail.com>
Sent: Thursday, November 15, 2012 12:59 PM
To: Marcolin, John; robert.kronengerg@mncppc-mc.org
Cc: david.dise@montgomerycountymd.gov; councilmember.ervin@montgomerycountymd.gov; marc.elrich@montgomerycountymd.gov
Subject: Newell St. 45 ft building height limitations stated in sector plan
Attachments: County Council Resolution 14-416.PDF; 8001 Newell tax record.PDF

Dear John and Robert,

Please find attached a pdf copy of portions of Montgomery County Council Resolution #14-416.

In particular page 22, which states: “Building heights along Newell Street and Eastern Avenue should ensure compatibility with the adjacent residential neighborhood – at the property line, building heights should be limited to 45 feet”

I believe the intent of this County Council Resolution (“Adopted February 1, 2000”) limits the development of any proposed building “along Newell Street” to 45 feet. The “adjacent residential neighborhood” that applies to restricting building height “along Newell Street” is the R-10 zoned residential neighborhood across this street.

The current proposed development at 8001 Newell Street does not appear to comply with this sector plan requirement as there are portions of it along Newell Street where the building is to have a height of “74” feet. Please also be aware that tax records indicate that the current property owner purchased this property in 2002, two years after the current sector plan was adopted. Thus, this property was purchased (presumably knowingly?) with these restrictions in place.

A copy of this Resolution may be found in the back of the “Approved & Adopted Silver Spring Central Business District Sector Plan”. This requirement is also stated on page 86 of this plan. I believe the Planning Board and the Montgomery County Council added this language to the sector plan via Resolution #14-416 because they recognized, acknowledged and wanted to prevent the very compatibility issues that current residential neighbors of this proposed development have brought to your attention.

If you believe I have interpreted these statements found in the Resolution and in the approved and adopted sector plan incorrectly, please let me know.

However, section 59-D-2.41 “Findings required for approval” states under (b) that the Board must find that the project must “conform to the approved and adopted sector plan”.

Thus, in order to avoid another Clarksburg type incident (where townhouses were found to have been built higher than the plan allowed?), I would urge you to enforce these building height limitation requirements for this location as set forth in the current sector plan. Failing that, I believe you have a duty to report to the Planning Board, the existence of these clear building height limitations that appear to apply to this case.

Thank you for consideration on this important sector plan precedent setting matter,

Daniel Meijer

Marcolin, John

From: Marcolin, John
Sent: Tuesday, December 04, 2012 2:23 PM
To: Marcolin, John
Subject: FW: Undeliverable: Proposed Newell St Condos: Who Owns the Sunshine?

Date: Thu, 1 Nov 2012 20:42:22 -0400

Subject: Proposed Newell St Condos: Who Owns the Sunshine?

Dear Mr. Marcolin,

As a resident of South Silver Spring for 11 years, I strongly object to plans for replacing the unsightly storage facility at Eastern and Newell with another unnecessary condo project. When I moved to this area, there was a row of small, locally-owned, Mom 'n Pop businesses along 13th St. Today, all are gone, replaced by yet another unoccupied apartment building. I wish the Planning Commission would take an evening walking tour of the 4 blocks around my home and note the number of unlighted apartments. The Commission should also note the disproportionate heights of the new buildings which tower over the older, 4-story edifices in the area. THERE IS NO NEED for another 200 overpriced condo units! As usual, there was no community discussion before the Commission announced its plans. Anyone who can read the history knows Central Planning seldom works. By what authority does the Commission decide that the "rights" of some non-resident to make money supercede the rights of those living here to look out their windows at the sky, the clouds and the sun? Where will the developer find young yuppies willing and able to pay \$300,000 plus for a condo or rent the same for \$2,000/month? In 2003, I joined with 34 other urban pioneers to form an intentional, intergenerational community. We moved in to 7981 Eastern Ave, the former office building of a national NPO, abandoned years ago, in November 2004. Eastern Village Cohousing was the FIRST new housing in the area in many years. The County provided no help in parking at the Kennet Street garage, nor were we informed than hundreds of those parking spaces had already been leased to Discovery.

Nor did the County require the developer to develop a method to remove garbage. In short, our "reward" for pioneering new housing in South Silver Spring has been overdevelopment, costly parking, expensive trash removal, at least five new housing complexes which reduce the resale value of units in our older building and the loss of half a dozen small businesses. Our opinion has not been solicited BEFORE the Commission has issued the "okay" and our Council "representative" has lost her strident voice (at least on this issue). In conclusion, I have three questions which I hope you can answer: where's the money? (i.e. developer contributions to politicians; total real estate tax income in 2011 and in 2012, after we moved in) Who benefits? (not the community, not the residents, not the car owner) Who owns the sunshine and the "rights" to block it from the windows of residents? I look forward to your thoughtful reply. Sincerely, Dennis F. Shaw

8045 Newell Street, Apt. 108
Silver Spring, MD 20910
November 2, 2012

Mr. John Marcolin, Planning Area 1
Maryland-National Capital Park & Planning Commission (M-NCPCC)
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Marcolin:

I am writing to express concerns about the proposed apartment building project at 8001 Newell Street in Silver Spring, application 920130020 by Comstock Homes, and about the lack of sufficient park space in the densely populated South Silver Spring neighborhood. Unfortunately, the “pocket parks” that developers have been required to create as part of new developments have been underutilized and do not meet the needs of the community. I think this is due to a combination of their lack of green space and designs that in some cases make them little more than widened sidewalks.

As you know, there is a proposal to create a park at 8001 Newell Street, and I urge you to seriously consider it. The lot is large enough to have green space and amenities such as a dog park. Furthermore, the parcel has one owner who is looking to sell. Hopefully this would make the acquisition process easier than it would be for other proposed park sites in South Silver Spring.

Should Comstock’s proposal be approved, I encourage the M-NCPCC to be involved in the implementation of the on-site pocket park. If a new park is not going to be built in the near future in the South Silver Spring neighborhood, perhaps the M-NCPCC could work with Comstock and the owners of other existing pocket parks in order to improve them, including providing funds.

In addition to the pocket park, I am also concerned about the height of Comstock’s proposed building at 8001 Newell Street. At an August 2012 presentation to the 8045 Newell community, a Comstock representative stated that the building is to be seven stories and 70 to 74 feet tall. Half of the units in my building would directly face the new building and would have sunlight blocked. The other new buildings in our neighborhood have been built in ways that do not interfere with their neighbors in such a direct way. I feel that the proposed building at 8001

Newell is too tall for the site due to the existing neighboring buildings, which also includes Eastern Village Cohousing (7981 Eastern Avenue).

While I appreciate Comstock's goal to build an attractive building that will better the neighborhood, I think that a park would be more beneficial for the neighborhood. Furthermore, even if the 8001 Newell Street site is not chosen for a park, I urge the M-NCPPC to consider the sufficiency the neighborhood pocket parks and height of the proposed building.

Sincerely,

Scott Shoreman

cc:

Delegate Sheila Hixson, Maryland House of Delegates

Councilmember Valerie Ervin, Montgomery County Council

Councilmember George Leventhal, Montgomery County Council

Councilmember Marc Elrich, Montgomery County Council

Valdis Lazdins, Planning Chief, M-NCPPC

Rose Krasnow, Interim Planning Director, M-NCPPC

David Dise, Director, Montgomery County Department of General Services

Brooke Farquhar, Supervisor, Montgomery County Parks Department

SOUTH SILVER SPRING COMMUNITY NEEDS A GREEN PARK FACT SHEET

SOUTH SILVER SPRING IS NOW OVER DEVELOPED

- #1 most densely populated area in Montgomery County per 2009 US Census (tracts 7025 & 7026.1)
- Population/units growth up +62% since 2005 + 30% since 2010 (track 7025 alone)
- Population/units have grown +33% since 2005 +18% since 2010
- Current residents in area now total over 10,000 (with over 6 new buildings completed, approved or under construction in the last two years)
- At least an acre of continuous green space is needed to support the community; plots disappearing rapidly

LEAST ACCESS TO GREEN SPACE IN COUNTY

- South Central geographic area of Montgomery County has less access to parkland than any other area
- South Silver Spring is a stark contrast aesthetically to its neighboring Takoma Park, MD and Shepherd Park, DC neighborhoods
- Germantown Town Center Urban Park was allotted \$7.2 Million by the county thru 2014 while South Silver Spring is more urban
- South Silver Spring is a geographically constrained neighborhood due to railroad tracks and DC border; a green park is needed directly in the residential community
- Jesup Blair Park and the Falklands are out of the walkable radius

NO COMMUNITY AMENITIES

- Public amenities are not increasing in South Silver Spring to keep pace with dense development
- While developers are mandated to provide 20% "public use" space, what has been installed are odd/uninviting "open cement-laid" spaces and not "green" space; over and over the community has seen that developers cannot be relied upon to design "green" parks
- No gathering green place for the community
- No green place for children to play
- No dog park – many dog owners in this area end up walking their dogs in DC's Shepherd Park where there is grass (One Shepherd Park resident counted 30 dogs passing her house in a single day)

MORE TAX REVENUE WITH PARK

- Surrounding property values and tax revenue may increase by up to +20%

THE COMMUNITY WANTS A PARK

- Over 500 community residents have signed a petition to have a park and not another building
- Almost 200 letters have been signed by community residents to have a park
- South Silver Spring does not want to end up in another "failure to plan" parkland situation like NoMa* or Clarksburg.* (* see 10/12/12 City Paper, page 10-11 ; see 9/30/12 Washington Post, page C4)

**Stop the development – bring community amenities to this area!!!
Develop this area for people to live in.**

park_now_for_southsilverspring@yahoo.com

Can NoMa freshen its glass landscape with public parks? Not if there's no room.

By Aaron Wiener

Walking through the streets of NoMa these days, you get the sense you've stepped into a well-played game of SimCity. Crisp and glassy, it's a commercial zone, to be sure, and a strategically placed one: It's served by three major thoroughfares, two Metro stations, all the regional and Amtrak train lines passing through Union Station, and one of the city's best bike trails.

Yes, the Sims of NoMa are doing quite well for themselves. Everywhere you look, cranes add new layers to the shiny new office buildings that are filling in the neighborhood, loosely bounded by Union Station to the south, Q and R streets NE to the north, and North Capitol Street and Third Street NE to the west and east, respectively. There are about 1,800 residential units in NoMa, with about 1,800 more under construction. The Metro station by the intersection of New York and Florida Avenues, renamed this summer to include the NoMa moniker and help cement the neighborhood's previously shaky identity, has the fastest-growing ridership of any in the system. Only 20 percent of the area's development by square footage was complete before 2005; another 20 percent has been built since 2005, and the remaining 60 percent is under construction or planned.

But for humans, a well-oiled commercial zone isn't enough to ensure a high quality of life. So the people of NoMa got a boost last month in the form of a \$490,000 earmark by Mayor **Vince Gray** for a network of public parks in the neighborhood. Ward 6 Councilmember **Tommy Wells** praised the mayor for bringing "vision" to NoMa, saying, "Where little in the way of public space and parks existed just a few years ago, the partnership between the city, the BID and the neighborhood is turning vision into reality." Gray wrote in a letter to NoMa Business Improvement District President **Robin-Eve Jasper**, "Developing

parks and open space in NoMa, a neighborhood whose growing population of residents, employees and neighbors currently lack dedicated recreational amenities, is an important step in achieving that vision."

There's just one problem: NoMa hardly has any space left for parks.

It didn't have to be this way. Back when the development of NoMa was planned in the 1990s, it was a wasteland, an opportunity to build a downtown district essentially from scratch.

"At that time, our offices were at 51 N Street NE," he says. "And it was unbelievable, because you had this one little office building, and across the street was a low-rise building. And then everything else was vacant all around."

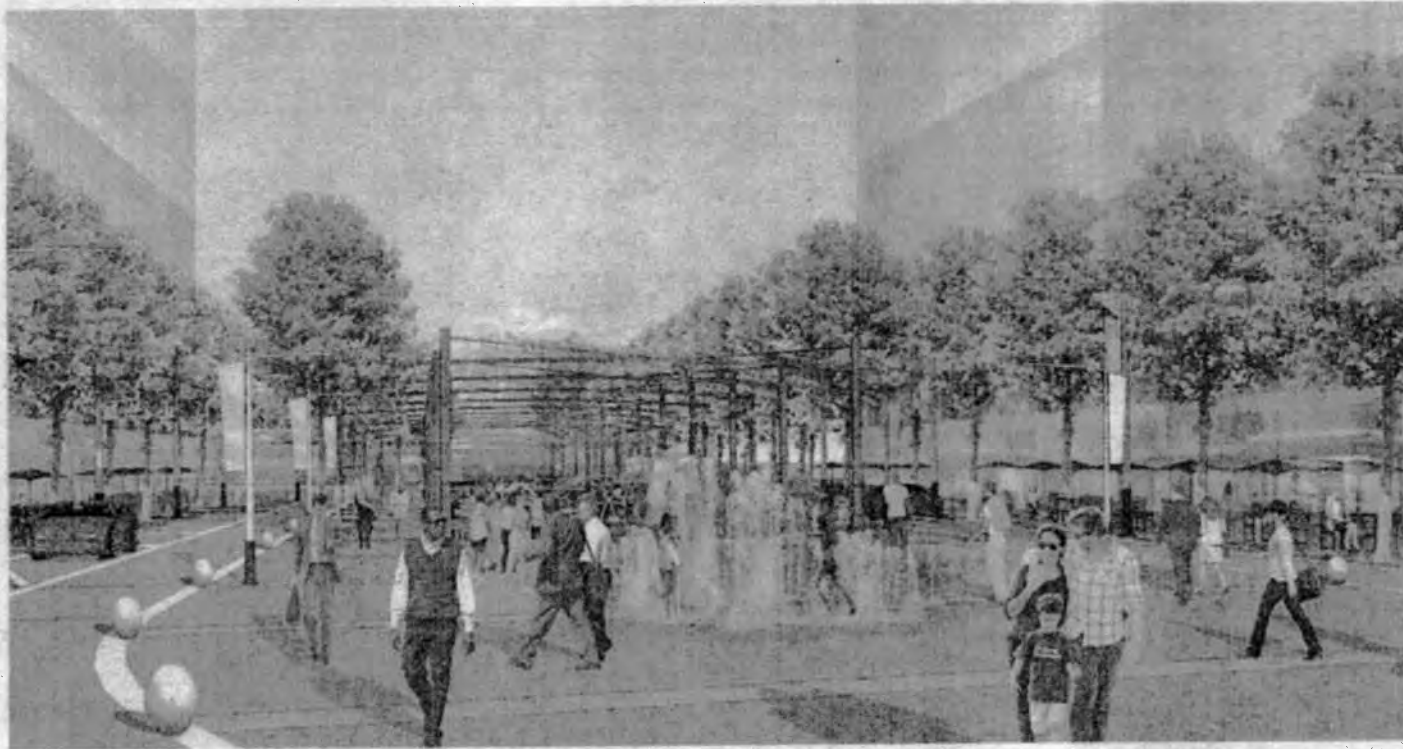
Weiss corrects himself as he remembers another building in the area: "There was a methadone clinic where sometimes people would get shot."

Weiss takes great pride in the role he played in building NoMa, particularly his efforts to bring together developers to fund what be-

tion: Their aspirations didn't go much further than a cluster of office buildings.

"Originally people thought the neighborhood would be an office park," says Jasper. "Nobody reserved any land for parks."

One early mistake came with a major rezoning of the area in the 1990s. "I remember at the time looking at it and thinking, 'Well this is short-sighted,'" recalls **Ellen McCarthy**, who began working at the D.C. Office of Planning in 2000 and served as its director from 2004 to 2007. "They zoned it all as C-



Look, NoMa, No Parks: A rendering of "The Poodle" pedestrian plaza on L Street NE

Marc Weiss, who coined the name NoMa as the author of the city's 1998 strategic economic development plan, remembers how desolate the area was when he started working for the city in the fall of 1997, following several years as a housing and urban policy adviser in the Clinton administration.

came the NoMa Metro station. (It paid off. "Now," he says, "every one of them would say it was the best deal ever, because they all made a ton of money off of it.")

But when it came to fostering a sense of community in NoMa, the neighborhood's developers experienced a failure of imagina-

tion. They had no requirement for retail. They had no requirement for residential."

Although developers were initially resistant to including housing in their plans for NoMa, McCarthy says, they came around when they realized there wasn't enough commercial

+
demand for the area. The result was a mix of residential and office buildings, but without much in the way of public spaces, despite the efforts of the Office of Planning.

"We tried with several developers," McCarthy says. "Each of the developers individually was talking about some bits of open space for their buildings. So we said, 'Can we at least plan this so you put a park on the west side of the property and you, neighboring property owner, put it on the east side? And in the end, nobody was willing to do that or to give up anything. And so we kind of punted.'"

Weiss faults city leaders for not pushing the developers harder. "Because there were these large parcels of land owned by the developers, they went ahead and did their own planning for their own parcels," he says. "And the city wasn't involved in broader planning. And that led to what they're facing today: There's kind of an imbalance."

Jasper envisions NoMa as the downtown for nearby residential neighborhoods like Eckington and Bloomingdale. NoMa could be the place those who live nearby come for food, drink, entertainment, and transit via the Red Line or Union Station. And in the past two years, the area has become much more livable, with new apartment buildings and the opening of a Harris Teeter supermarket in December 2010.

"So now," says Jasper, "we have to go back and put the parks in."

According to Peter Harnik, director of the Center for City Park Excellence at the Trust for Public Land, NoMa's "development first, parks later" approach runs counter to the national trend.

"It is a little surprising that NoMa didn't put in the parks first," he says. "Most people are thinking of parks these days before they put in the commercial and retail and living space. They put the parks down first and use them as seeds to build around."

The model has worked well in other cities. Harnik cites St. Louis' Citygarden, opened in 2009 to help reinvigorate the city's bleak downtown, and St. Paul's Wacouta Commons, opened in 2006 in a former industrial district, as examples of parks building neighborhoods, rather than the other way around.

Nor do parks have to come at the expense of profits for developers. Bryant Park, in Midtown Manhattan, was a hotspot of drugs and prostitution, with nearby office space available at a steep discount, until its late-1980s shutdown and restoration. Since its makeover as a safe and clean public park, swanky new office buildings have sprung up around it, and a study last week found that the office vacancy rate in the area was a third of the Midtown average, while office rents were 25 percent higher.

"By rebuilding Bryant Park, it has given a tremendous jolt to the rents that all the surrounding buildings can charge there, and do charge there," says Harnik. "So it's actually a

win-win."

Perhaps the best success story is Chicago's Millennium Park, opened in 2004. Just as the NoMa BID expects to develop the land atop the soon-to-be-covered train tracks north of Union Station, Millennium Park was built partly on former rail yards. It quickly became Chicago's second-biggest tourist draw.

The NoMa BID is struggling to incorporate these lessons into its own approach weighing parkland and development. "It's a balance that we're still envisioning how to strike," says Jasper.

In the absence of a large central park, the NoMa BID is exploring creative uses of the slivers of space that are available. One proposal calls for a glittery pedestrian plaza called The Poodle (after the neighborhood's way-back-when name, Swampoodle) on L Street NE between First and 2nd streets. Others would overhaul the L Street underpass below the train tracks to create a pseudo-gritty hang-out space alongside the road, or set up a small train-watching strip that builds on the area's rusty infrastructure.

"There's this great **Louis Kahn** quotation: 'A street is a room by agreement,'" says McCarthy. "And I think NoMa could really benefit from that. If you can't have parks, make your streets rooms by agreement. Do really good retail. Do good streetscapes."

And learn your lesson. D.C. may not have any more downtown areas to build from the

ground up, but it does have several major farther-flung developments in the pipeline that advocates hope to see informed by the NoMa experience. Plans for the development of the McMillan Sand Filtration site along North Capitol Street include a sizable green area that ought to make NoMa's denizens envious, even if it's not as much park space as some neighbors would like. The redevelopment of the Walter Reed Army Medical Center on upper Georgia Avenue and the St. Elizabeths Hospital site in Ward 8 also offer good opportunities for park-anchored neighborhoods.

But can NoMa be salvaged? Harnik praises the efforts to build public spaces around the rail infrastructure, though he thinks NoMa's developers have "boxed themselves in by building so much concrete and glass and steel." McCarthy holds out a bit more hope for a proper park.

"If the city were able to get some money and find a developer who was willing to sell them at least a pocket-size park where you could make it the town center or heart of NoMa, at least it would give NoMa some personality," says McCarthy.

Jasper, for her part, blanches at insinuations that NoMa lacks character. "It's not searching for its identity," she says. "It is what it is."

And what it is is an immaculately planned commercial zone for androids that's falling just a bit short of what it might have been for humans.

CP

ROYCE HANSON MONTGOMERY VILLAGE

Another development disaster on the horizon in Clarksburg

The pattern of feckless inattention that, in 2005, resulted in more than 400 development violations in Clarksburg is about to be repeated. This time it imperils one of the last unspoiled creeks in Montgomery County — Ten Mile Creek — with serious consequences for the whole region.

Ten Mile Creek runs steady, clean and cold. It harbors a greater abundance and diversity of life — from salamanders to stoneflies — than other streams in the region. It empties into Little Seneca Lake, the emergency water supply reservoir for metropolitan Washington via the Washington Suburban Sanitary Commission's intake on the Potomac River.

But its high water quality is threatened by two major development projects that have gathered

momentum in the absence of action by the Montgomery County Council to protect the creek, now pending for more than two years.

When the council approved the Clarksburg master plan in 1994, it waffled on protection of Ten Mile Creek. Proclaiming the stream critical, it placed the western side of the watershed in the county's Agricultural Reserve, safeguarding the farms and forests that had occupied it for generations. The eastern side was designated for possible development, but recognizing that splitting a sensitive watershed up the middle would be hydrologically challenging, the council postponed decisions on extending sewer service up the stream valley and rezoning for higher densities until studies determined whether the best stormwater management practices

required for development in the Little Seneca watershed could adequately protect the stream. Those studies, completed in 2009, concluded they could not.

The Montgomery County Planning Board (I was chairman at the

Ten Mile Creek is threatened by development projects that have gathered momentum in the absence of action by the county council.

time) and the County Department of Environmental Protection recommended that a master plan amendment be prepared to designate more appropriate land uses and resource protection measures for the eastern watershed. Instead, the council appointed an Ad Hoc Water Quality

Working Group to propose a course of action. That group reported in 2010. The majority recommended a master plan amendment to reduce densities on land between the stream and Interstate 270 and require a science-

based cap on impervious surfaces for the entire watershed, which includes land in the headwaters east of I-270.

In the meantime, however, two development proposals for land in the headwaters are being dangled before the Clarksburg community. They would bring more

than a thousand housing units and a half-million square feet of commercial space into the headwaters of Ten Mile Creek. The scale and footprint of these projects, along with the sewer lines to serve them, will destroy this sensitive watershed. Proponents of development in the Ten Mile Creek watershed apparently hope that local eagerness for a commercial district will overcome any sense of responsibility for protecting the stream and that decay of official memory will allow town center developers off the hook on which they have placed themselves. This insult to the environment should not be added to Clarksburg's manifold injuries.

The council should authorize the Planning Board to prepare a master plan amendment that rec-

ognizes the findings of the watershed studies, proposes policies that can protect the Ten Mile Creek watershed and establishes science-based caps on impervious surface in the watershed — especially in headwaters. The board should take measures to achieve development of the approved Clarksburg Town Center's community market center. Combining land and stream protection with effective density levels and activities in its town center would make Clarksburg the smart-growth model the master plan intended it to be. The council needs to act now. Votes are due in October, and the clock is ticking.

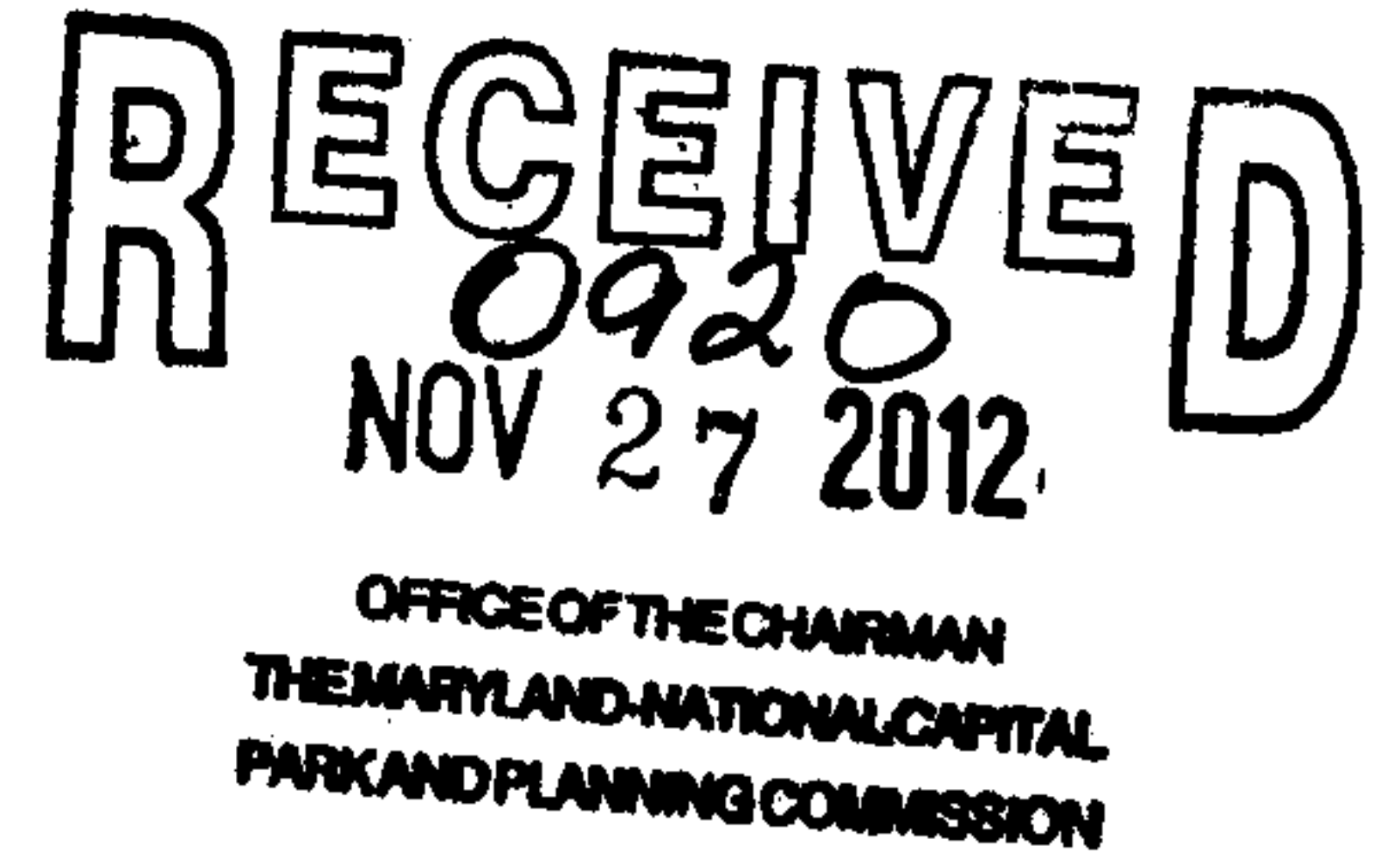
The writer was chairman of the Montgomery County Planning Board from 1972 to 1981 and 2006 to 20



SILVER SPRING URBAN DISTRICT ADVISORY COMMITTEE

November 21, 2012

Honorable Valerie Ervin
Montgomery County Council
Executive Office Building
100 Maryland Avenue
Rockville, MD 20850



Subject: Review of Site Plan - Newell Street Project-South Silver Spring

Dear Councilmember Ervin:

As you are aware, many developers of major projects in downtown Silver Spring have traditionally presented their proposed projects to the Silver Spring Urban District Advisory Committee. This venue offers an efficient opportunity for community comments from the cross-section of interests as represented by the SSUDAC. As such, the Silver Spring Urban District Advisory Committee voted unanimously in support of the Newell Street Project Site Plan presented to the committee during the October 18, 2012 meeting. The site plan was presented to the committee for comments prior to submittal to the Planning Board.

A summary of the committee comments follows:

Development Envelope:

- The development project foot print and height appears to be sensitive to neighboring buildings and fits well within its urban context,
- The offset at the rear of the units appears favorable for both existing and proposed developments,
- The project was set back along Eastern Avenue to respond to the scale of single family dwellings along Eastern Avenue.

Community Serving Uses:

- The project provides for a public park along Eastern Avenue with seating, plaza and landscaping,
- The project, as presented, includes street facing retail space for community services.

Responsive to Community Concerns:

- The developer met with the community and adjacent property occupants,
- The developer modified the proposed development to respond to community concerns.

As a result of the review of the project and in keeping with the aforementioned comments, the SSUDAC wishes to express support for the referenced project.

Sincerely,

Ernest Bland, RA, Chair
Silver Spring Urban District Advisory Committee

cc: County Executive, Ike Leggett
Francoise Carrier, Chair, Montgomery County Planning Board

Silver Spring Urban District Office
8110 Georgia Avenue, 3rd Floor, Silver Spring, MD 20910

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MCP-CTRACK

From: Jane Redicker <jredicker@gsscc.org>
Sent: Tuesday, November 20, 2012 1:48 PM
To: MCP-Chair
Cc: Marcolin, John; Mead, Anne M. - AMM; dslear@comstockpartnerslc.com
Subject: GSSCC Letter of Support -- 8001 Newel Street Development
Attachments: Carrier -- 8001 Newel Street Development.pdf

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Attached please find a letter of support from the Greater Silver Spring Chamber of Commerce for proposed residential development at 8001 Newel Street in South Silver Spring.
Should you have any questions, do not hesitate to contact me.

Jane Redicker

President & CEO

Greater Silver Spring Chamber of Commerce

8601 Georgia Avenue, Suite 203

Silver Spring, MD 20910

Phone: (301) 565-3777

jredicker@gsscc.org



November 20, 2012

The Honorable Françoise M. Carrier, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 8001 Newell Street – Project Plan No. 920130020

Dear Chairman Carrier and Members of the Planning Board:

I am writing to express the support of the Greater Silver Spring Chamber of Commerce for the 8001 Newell Street optional method project proposed by Comstock Newell, L.C. in the South Silver Spring District. Representatives of the developer recently briefed the Chamber's Economic Development Committee on the design for the project. They explained the plans to redevelop the existing storage building with a 7-story multi-family residential building with ground floor retail in detail, including: the neighborhood context of the project in South Silver Spring, the public park area at the corner of Eastern Avenue and Newell Street, the private passive courtyard area that forms a generous courtyard with the adjacent buildings, the improvements to the streetscape, and the neighborhood serving retail intended for the ground floor of the building adjacent to the new park space. We support this proposed redevelopment of this property, and agree that it will improve and finish the character of Newell Street and benefit the development in the neighborhood.

Although the Chamber utilizes the existing storage facility on the site, we recognize that the current industrial building and use on the property have become dated, do not fulfill the revitalization vision for this area of Silver Spring, and no longer fit in with the context of this growing and vibrant residential community. Further, this project will provide more housing opportunities and new patrons for the restaurants, retail establishments, and entertainment venues throughout Silver Spring, and address the desire for additional green urban park areas in this area of Silver Spring.

For the above stated reasons, the Chamber supports the Project Plan for 8001 Newell Street and urges the Planning Board's approval of the redevelopment as proposed.

Thank you for your consideration.

Sincerely,

Jane Redicker
President

cc: John Marcolin

Marcolin, John

From: Patrick Thornton <patrickwthornton@gmail.com>
Sent: Thursday, November 29, 2012 12:06 PM
To: Marcolin, John
Subject: I support development at 8001 Newell St.

Dear John,

As a resident and homeowner of 8045 Newell St., I support the proposed development at 8001 Newell. I'm especially thankful that the developer has chosen to work with the community to solicit our feedback and keep us updated before and during the formal review process. The current storage facility does not fit in well with our community, and many of us are very eager to see it go.

The sidewalk on Newell is frequently blocked by people loading and unloading cars, forcing people to walk in the street. The sidewalk is very narrow and the doesn't flow with the rest of the sidewalks in area. The storage facility is also very poorly lit at night, causing people to avoid it and the areas around it.

A new building with public amenities can help make our community more walkable, safer and more desirable. The current storage facility really needs to go, and this plot of land isn't great for an entire stand alone park. But a building with a strong urban design with public amenities can really help our community.

Given the current public spaces near Newell St., my preference would be for something that is greener and has trees. We have a lot of hardscaping in the area, which serves a purpose in an urban area, but a greener, software park would be a nice fit next to this new building. Trees also help filter the air and adding more trees to that property will benefit all of us in the area.

My main concern moving forward is to make sure that Comstock follows through on their proposals and builds public space that actually appeals to the public. I am pleased with their current plans, and hope that citizens and the planning department can hold them to them. I also hope the planning department can make sure that Comstock delivers the building they have proposed. We've seen several buildings in the area have nice proposals, but cheaper and less desirable products were deliver instead.

Thank you for all of your hard work.

Cheers,
Patrick Thornton

www.patthorntonfiles.com
www.interchangeproject.org

Twitter: pwthornton



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[Making 8001 Newell Street a Park: An Update by Renee Tatusko](#)

Development in the Best Long-Term Interests by Patrick Thornton

On September 22, 2012, in [Development](#), by Brian Savoie

The following post was written by Patrick Thornton of 8045 Newell Street and the second in a two part series of posts on points of view concerning development of 8001 Newell Street. – BCS

I believe this project is in the best long-term interests of South Silver Spring and Silver Spring as a whole.

This proposed building will bring more people to our community, helping us support more businesses within walking distance, while also helping to keep more eyes on the street to better ensure the safety of the community.

It is true that this project alone can't bring more walkability and amenities to South Silver Spring, but it is just one piece in ongoing development efforts in the area. Two new buildings have come online on 13th Street this year, and another building right across Georgia from 13th is well under way. The motels on 13th Street will most likely be redeveloped within the next 10 years, and the rest of East-West past The Veridian and past Discovery's second building will likely be redeveloped as well.

South Silver Spring is in its infancy as a community. We can't stop revitalizing it now after coming so far. We need additional investment, and this new project on Newell brings that.

Much of the retail on East-West sits vacant because we don't have enough people living in the area to support retail there, especially with competition from Georgia Ave. and Ellsworth. Each new building allows us to support more retail, making our streets and community more lively.

I'm extremely excited to see a major, anchor tenant moving into East-West later this year. It's no coincidence that after several new buildings were completed that more tenants started to show up. Many of us would like to see South Silver Spring better served by more amenities, and new projects that bring in new residents help support these businesses that benefit all of us and our property values.

Communities in the DC area that are more walkable and have more amenities have higher property values. As South Silver Spring has become denser from increased investment, the value of the land around here has gone up. South Silver Spring suffered from disinvestment for decades; I don't want to see us go back to those times.

The plot of land for this proposed building also sits about a half mile from a red line metro stop. Land that close to the metro stop should be developed. Otherwise, land farther out will be developed, increasing sprawl, putting more cars on the road, lengthening people's commutes, damaging the environment and making it harder to support walkable communities. Montgomery County deserves better.

Many of us moved to South Silver Spring for a walkable neighborhood close to a metro stop. We want to see South Silver Spring become an even better, more walkable community. One only has to look at the property values (and how strong they have remained after the housing bust) in denser and better served communities in The District and Arlington to see what South Silver Spring could be like.

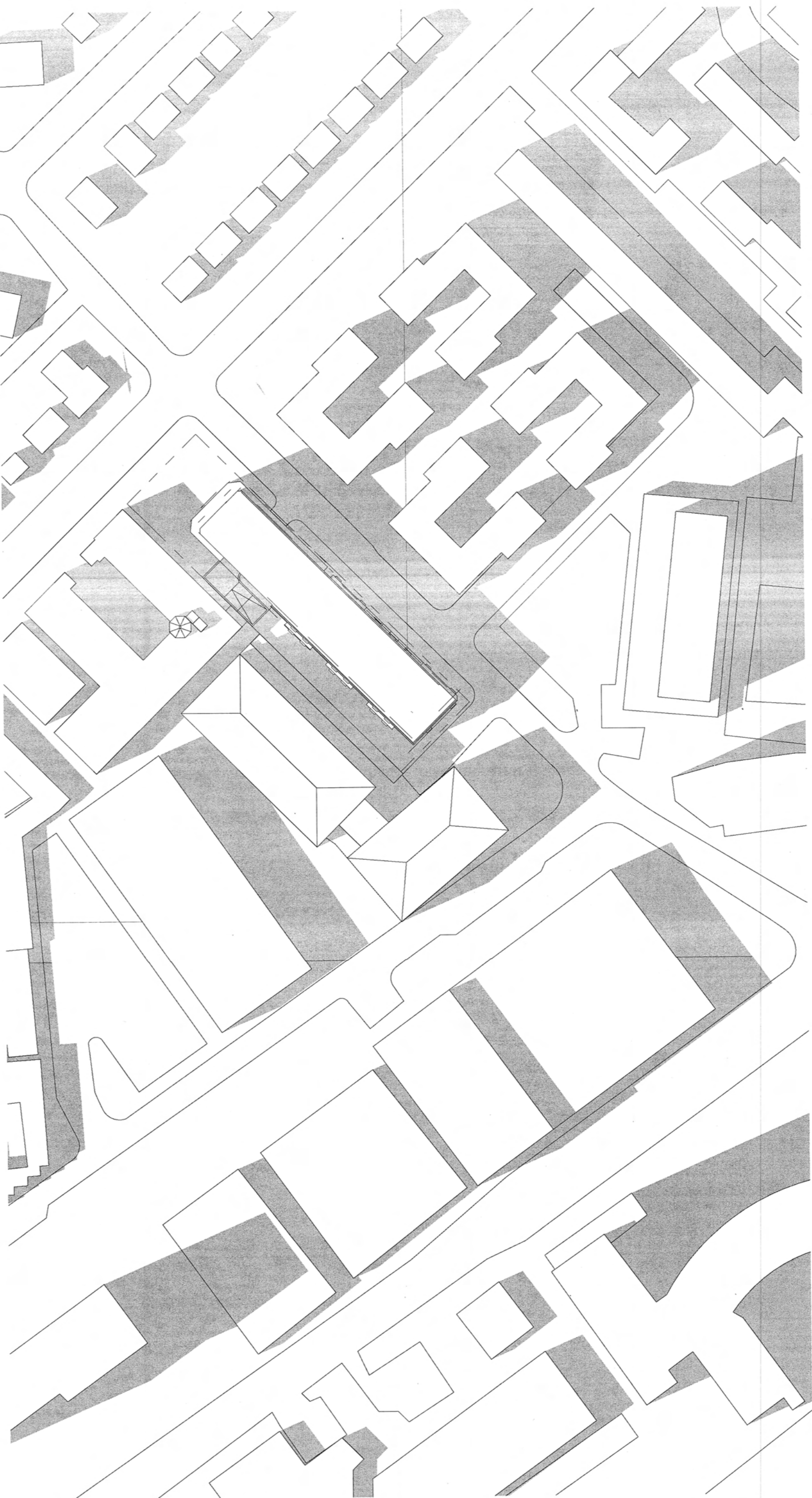
People want walkability. People want amenities.

But you can't build a great community overnight. South Silver Spring has come a long way from where it was 10 years ago and progress is ongoing. We're not done yet, but we're getting there. More people in our community will help keep our neighborhood healthy and to allow us to support more amenities within walking distance.

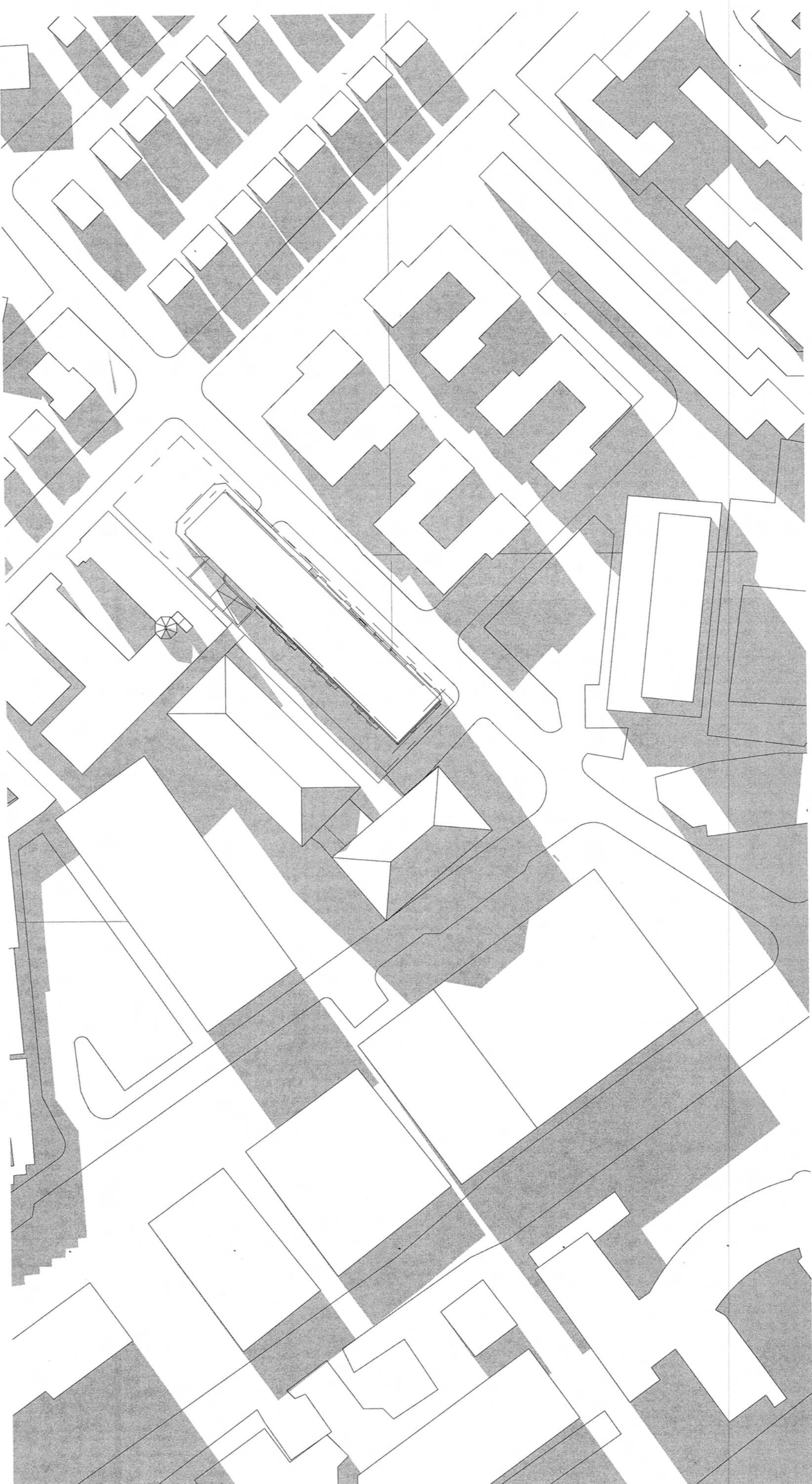
I know some people feel this new development will harm them. I disagree that it will, but it's possible that for some, the increased vitality that comes with development will not outweigh the drawbacks they perceive. For South Silver Spring as a whole, however, this development and the other developments under way are most welcome.

It's a good sign that during this economic slowdown that developers want to continue to invest in our community, that they want to help make it stronger. Let's work with the developer and the architect to make sure that we get a building worthy of South Silver Spring.

Let's build a better community.



Shadow Study - Dec 21st 10 00 am



Shadow Study - Dec 21st 4 00 pm

SHADOW STUDIES - WINTER SOLSTICE

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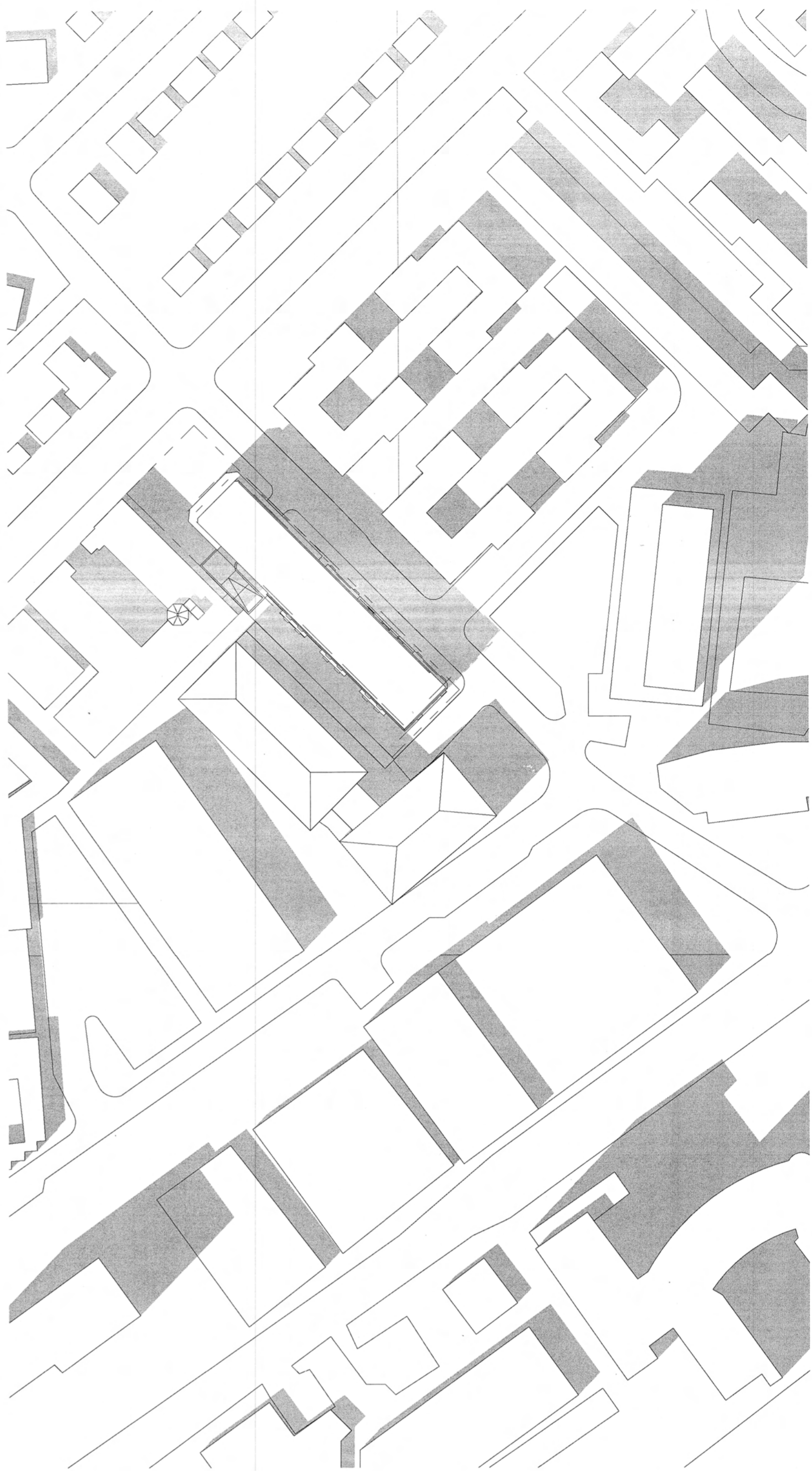


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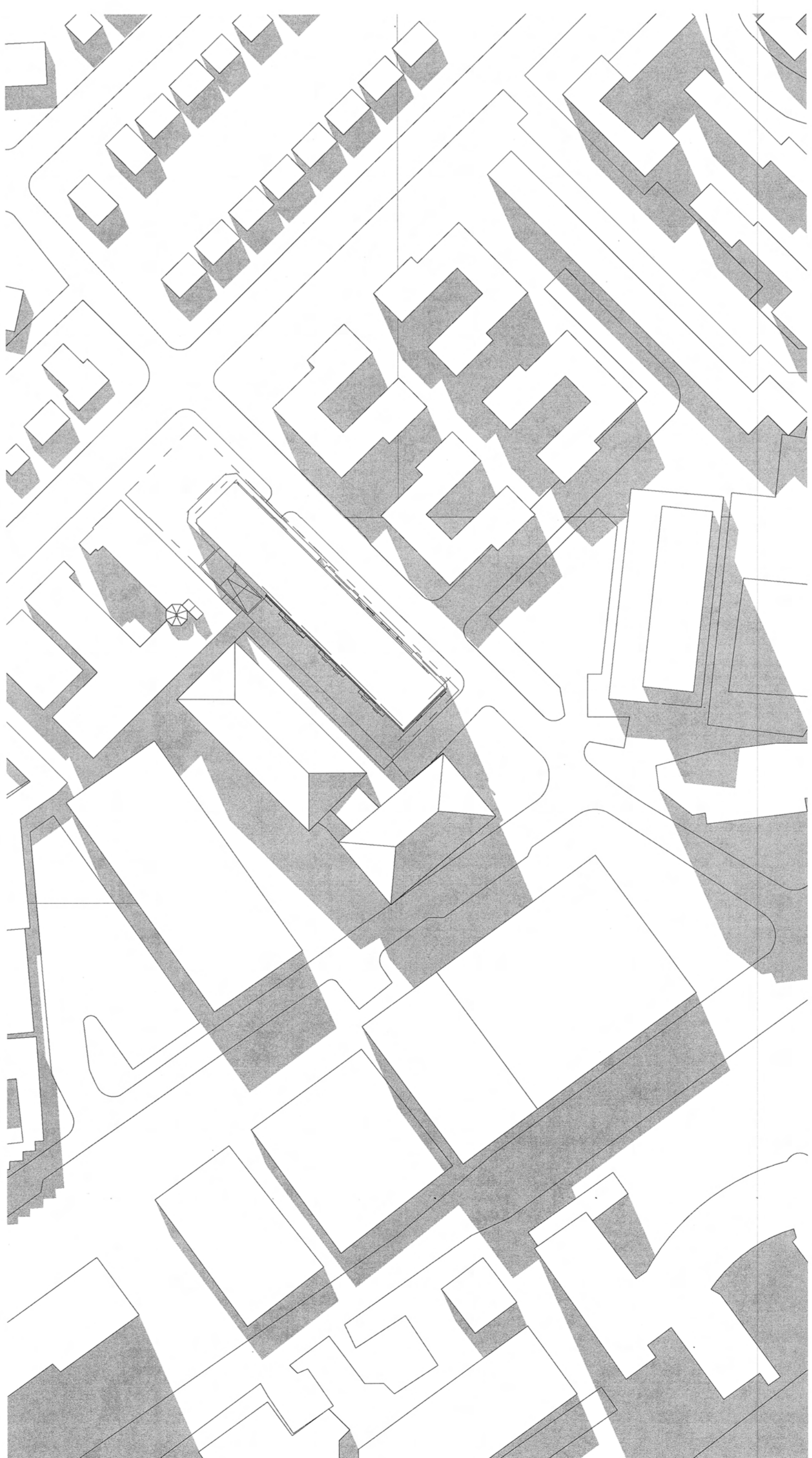


PROJECT PLAN - AUGUST 29, 2012

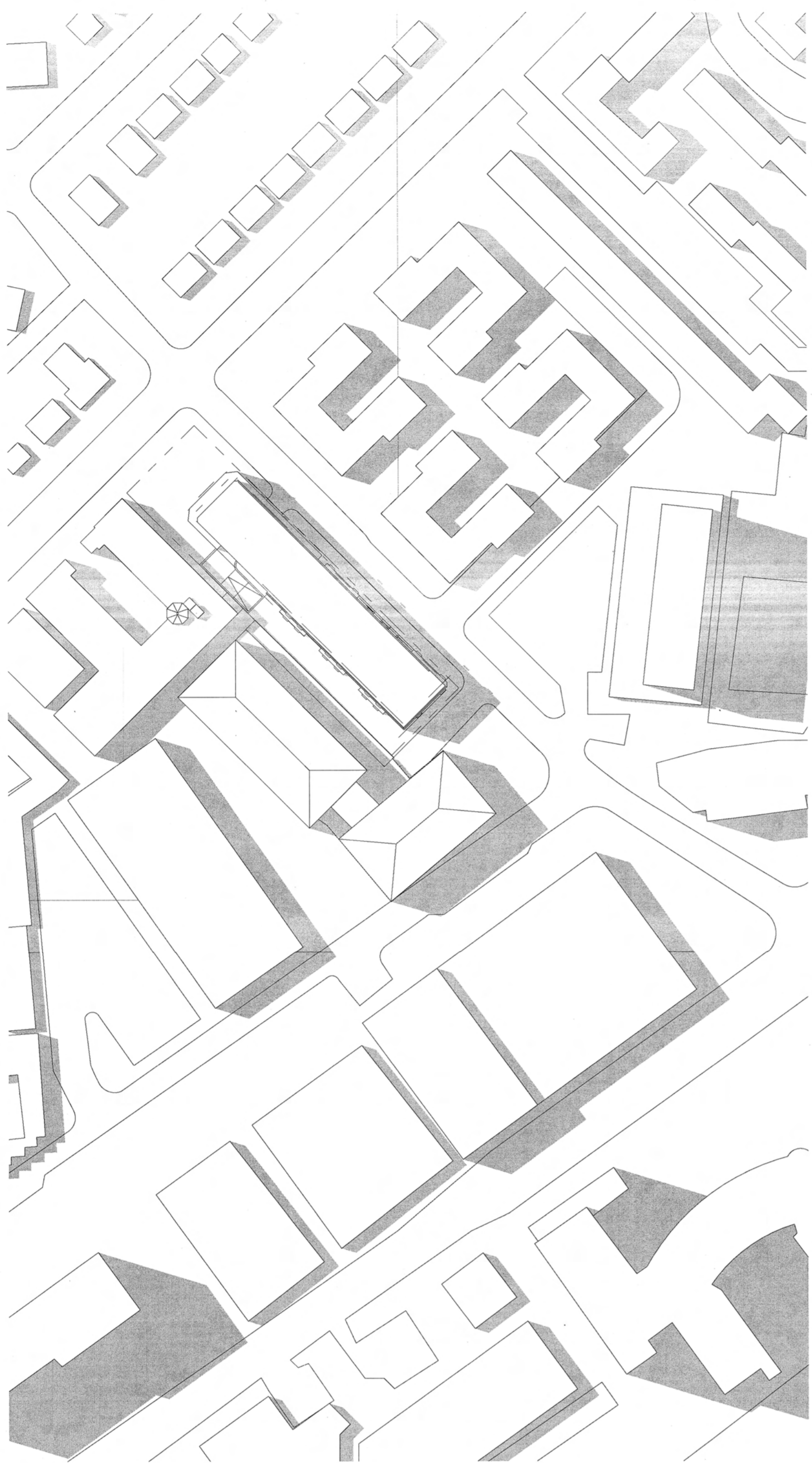
8001 NEWELL STREET



Shadow Study - March 20th 10 am



Shadow Study - March 20th 4 pm



Shadow Study - March 20th 1 pm

SHADOW STUDIES - SPRING EQUINOX

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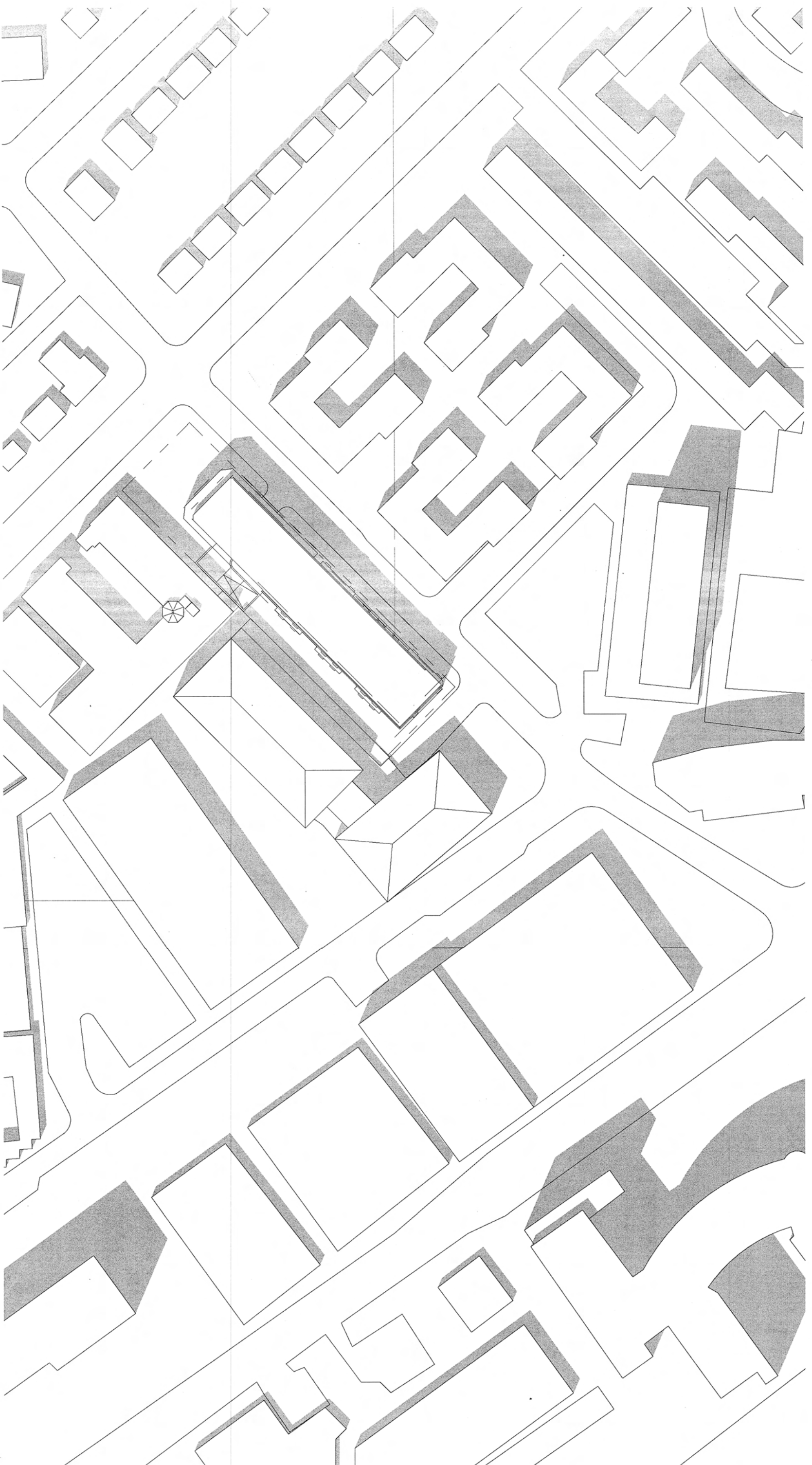
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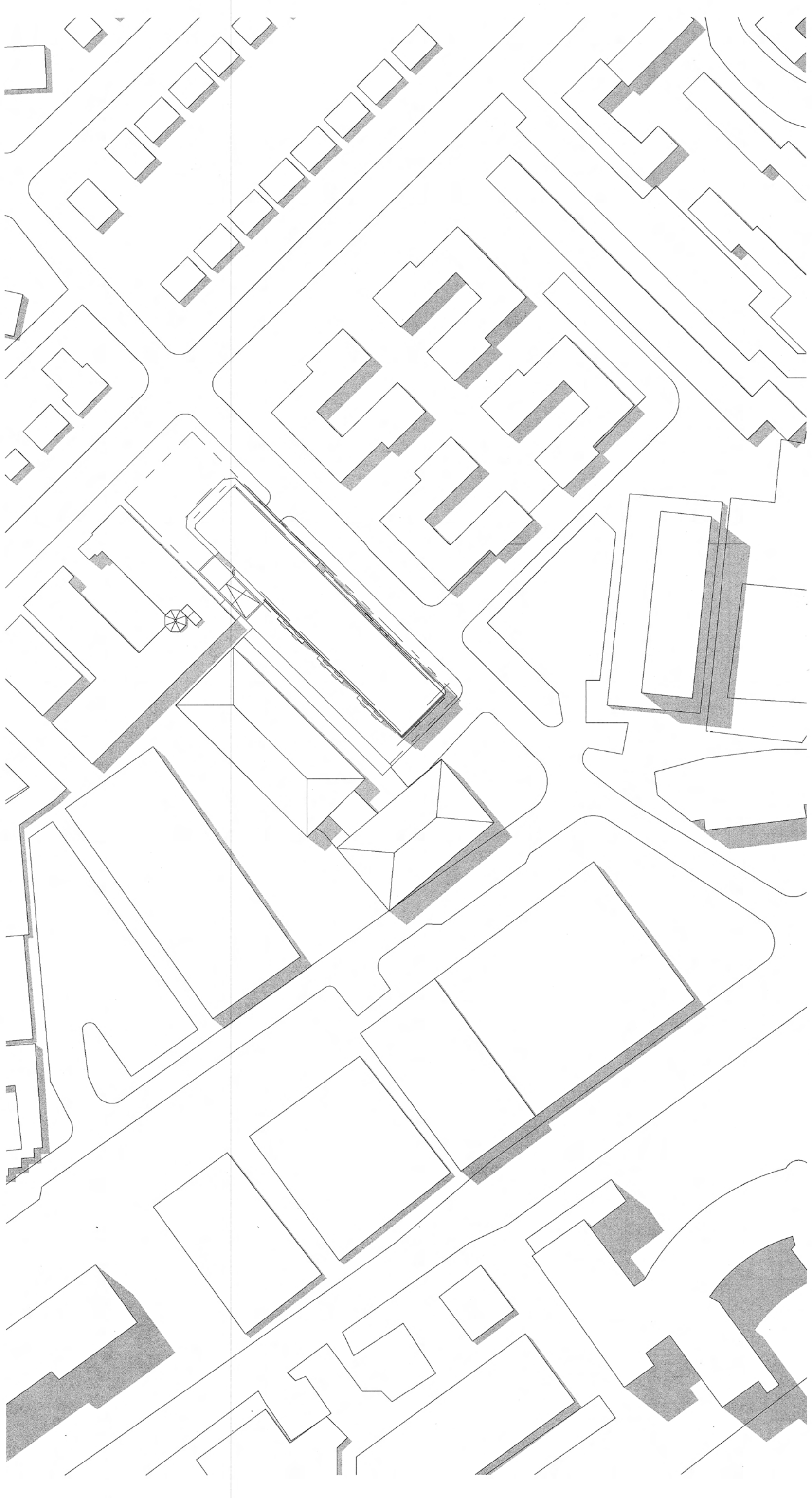
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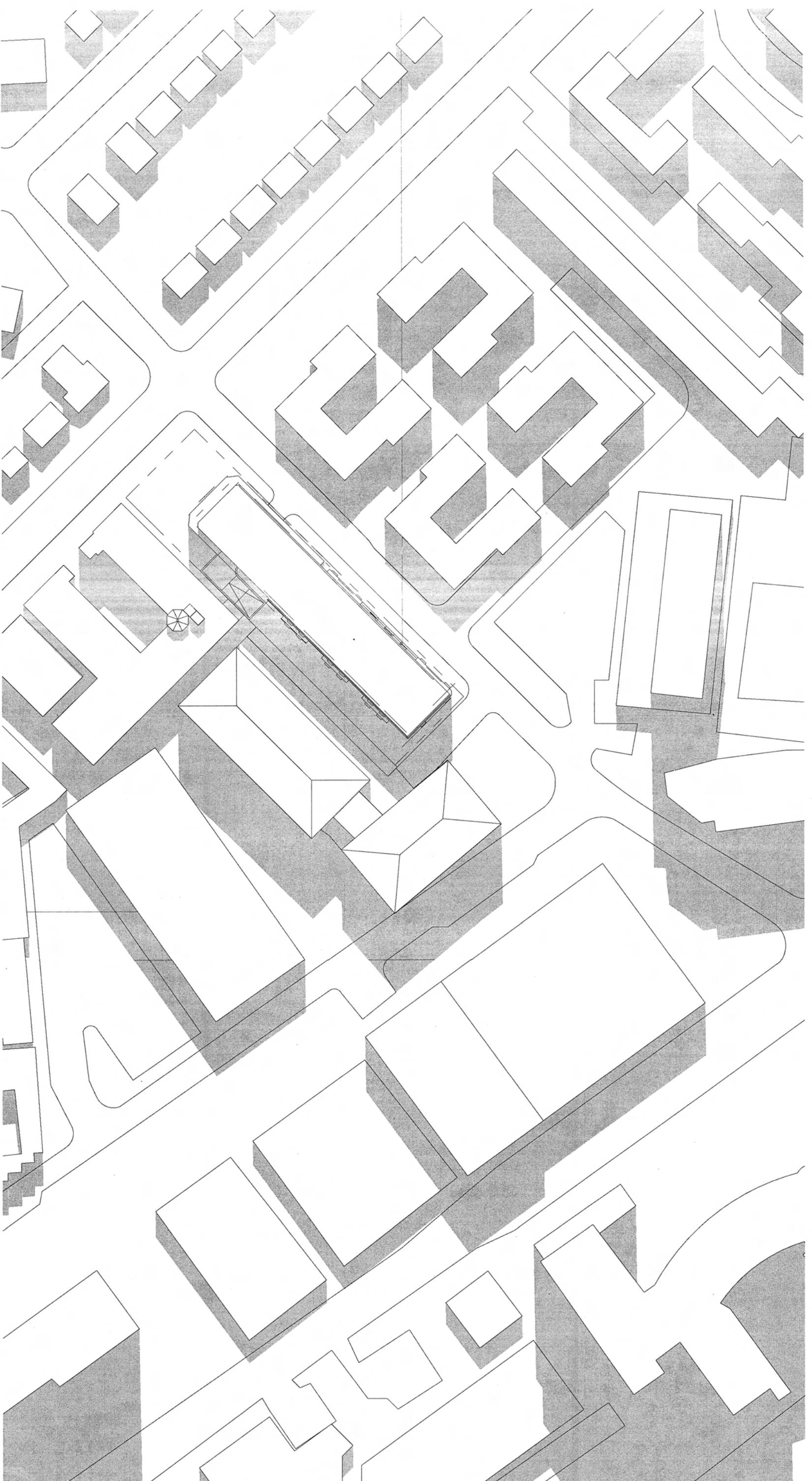
8001 NEWELL STREET



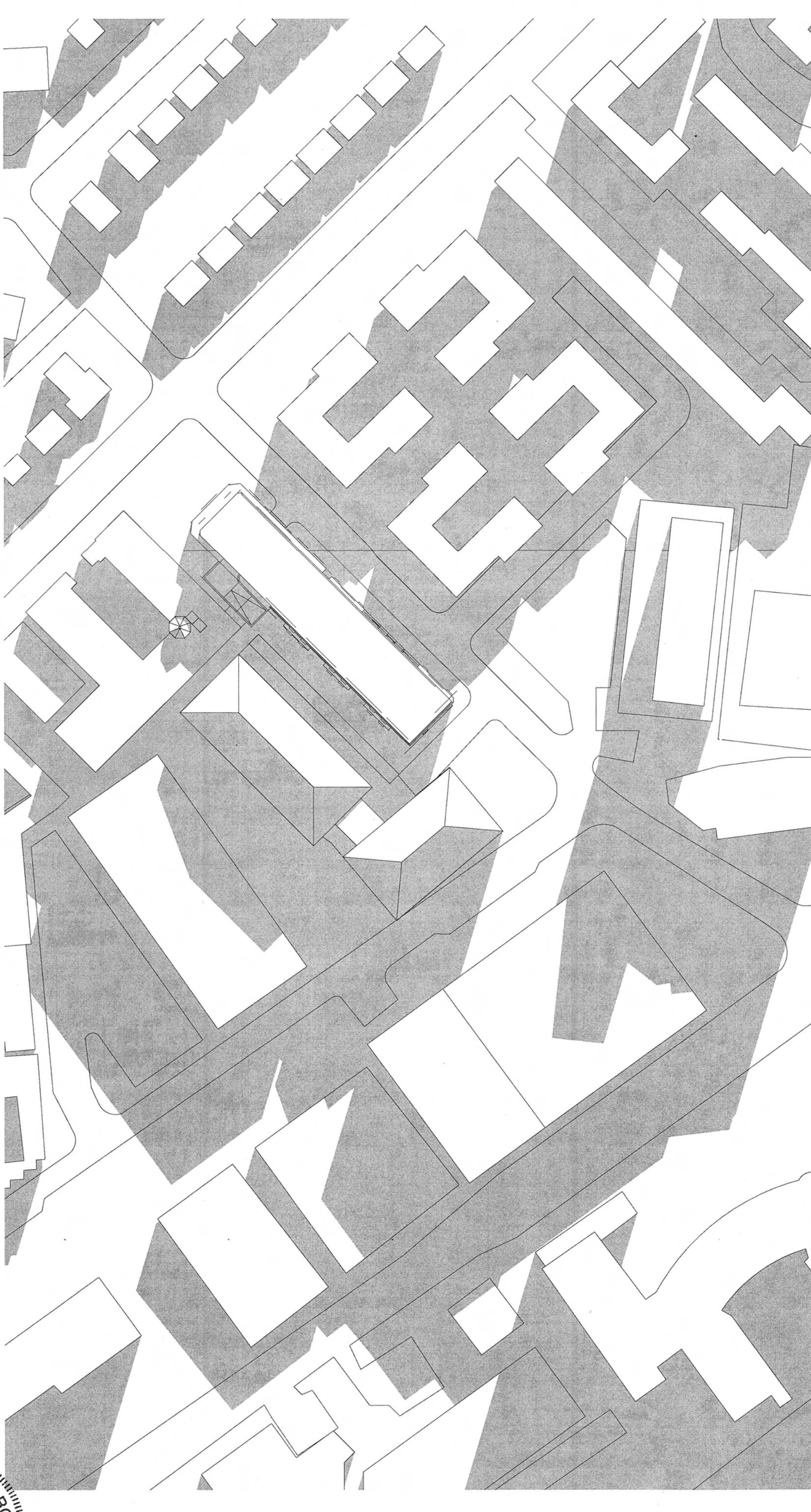
Shadow Study - June 21st 10 am



Shadow Study - June 21st 1 pm



Shadow Study - June 21st 4 pm



Shadow Study - June 21st 6 pm

SHADOW STUDIES - SUMMER SOLSTICE

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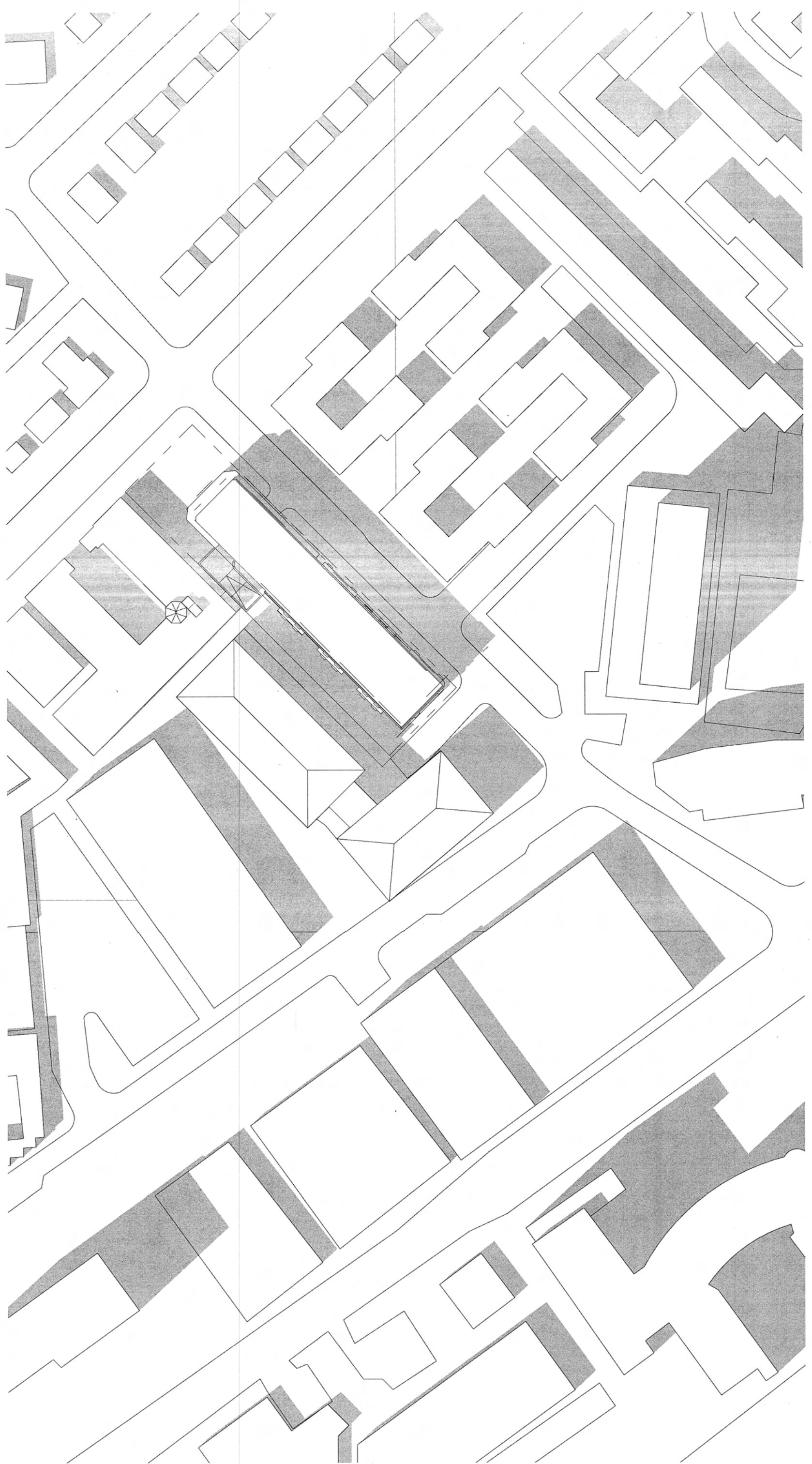
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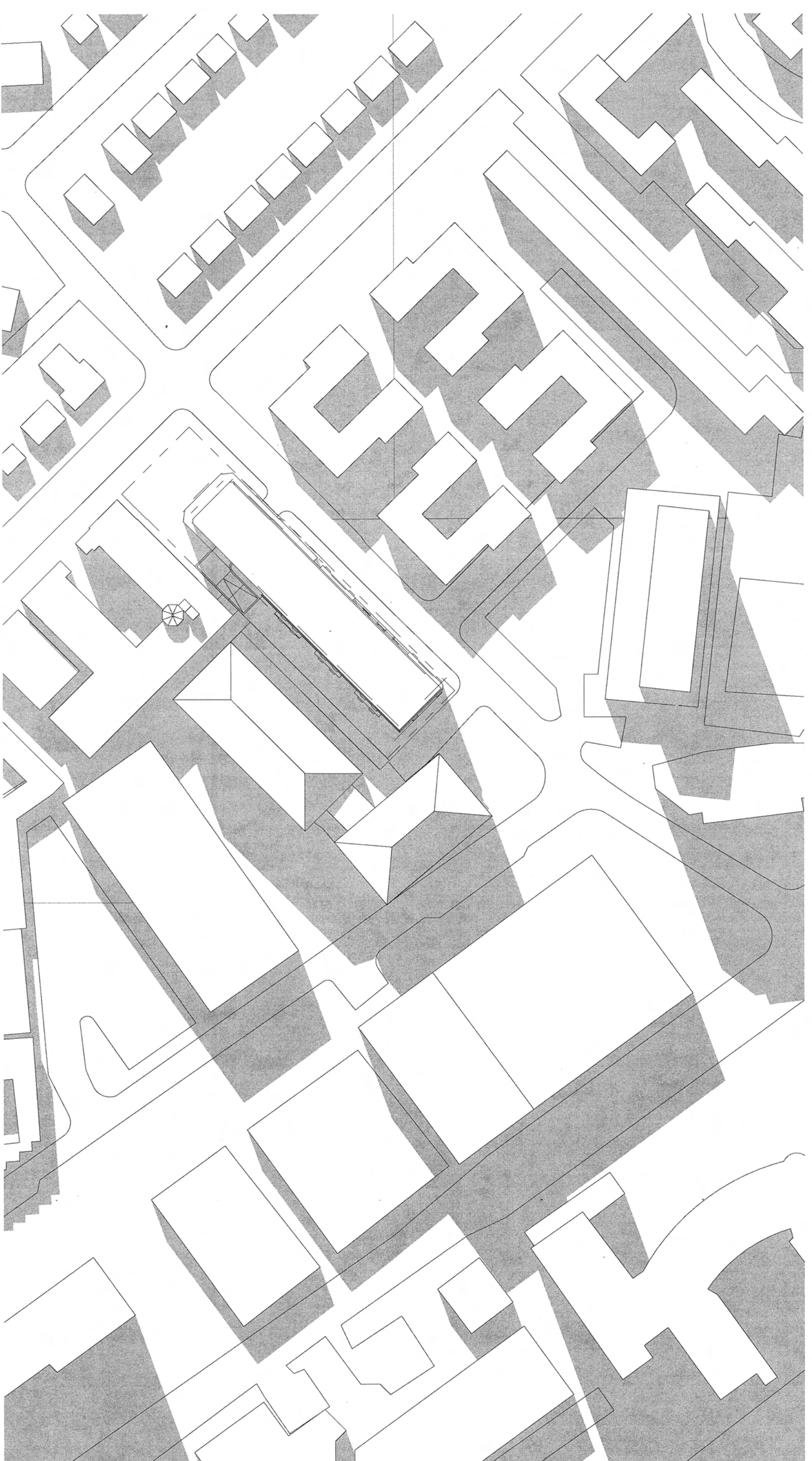
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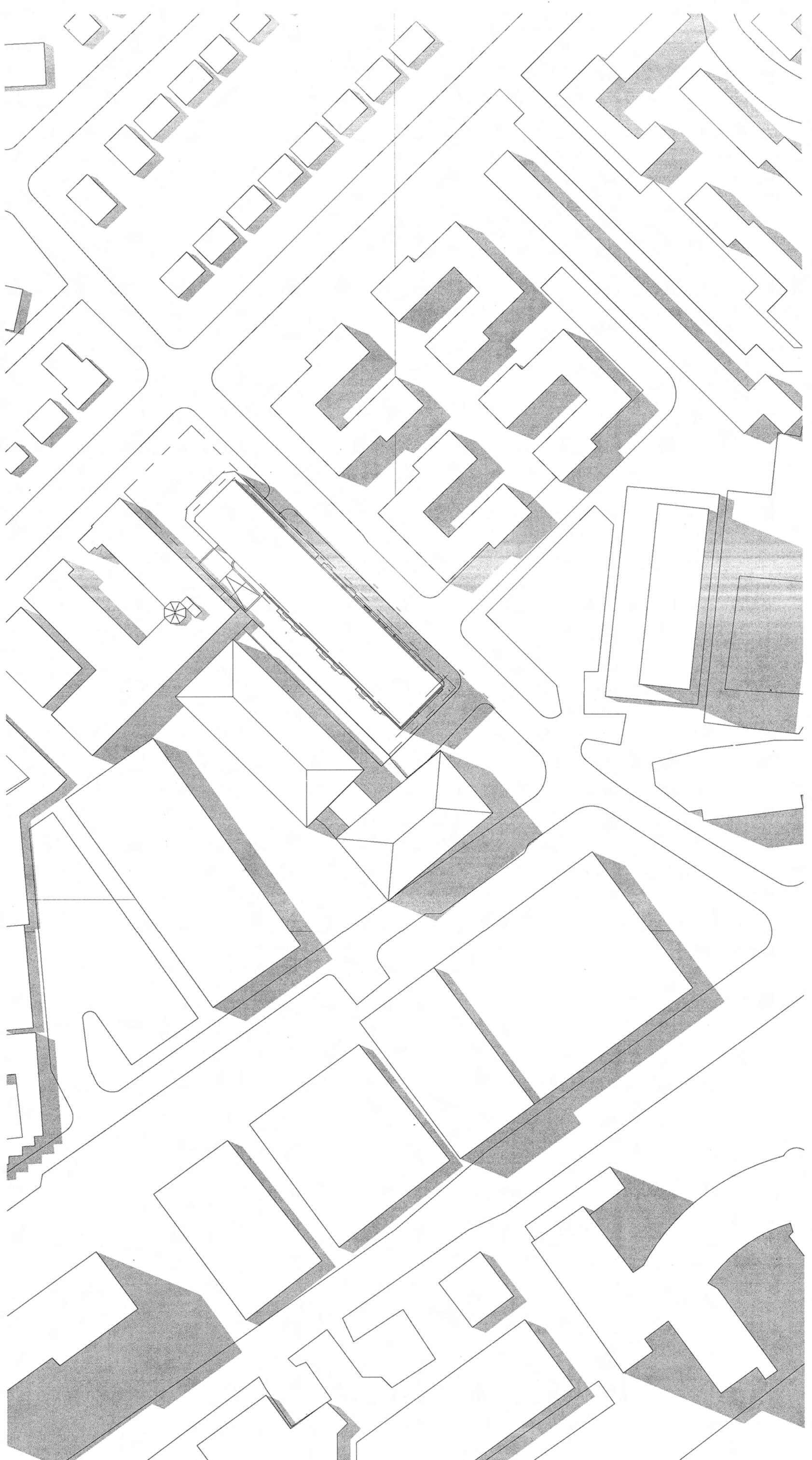
8001 NEWELL STREET



Shadow Study - September 22nd 10 am



Shadow Study - September 22nd 4 pm



Shadow Study - September 22nd 1 pm

SHADOW STUDIES - FALL EQUINOX

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PROJECT PLAN - AUGUST 29, 2012

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