



Draper Lane Residential Triangle: Project Plan Amendment No. 91988008A, Site Plan Amendment No. 81989040A

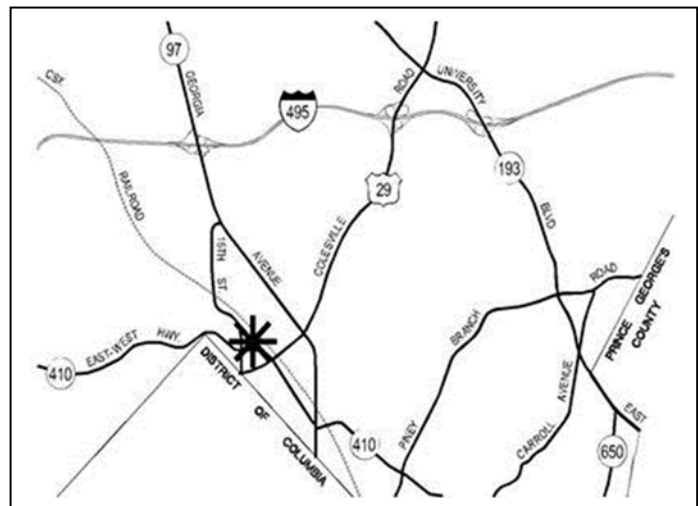
 Elza Hisel-McCoy, Supervisor, Area 1, [Elza.Hisel-McCoy@montgomeryplanning.org](mailto:Elza.Hisel-McCoy@montgomeryplanning.org), 301.495.2115

 Robert Kronenberg, Chief, Area 1, [Robert.Kronenberg@montgomeryplanning.org](mailto:Robert.Kronenberg@montgomeryplanning.org), 301.495.2187

### Description

Completed: 8.21.15

- Limited Amendments for redesign of the public plaza at the corner of East-West Highway and Colesville Road;
- Located in the west quadrant of the intersection of East-West Highway and Colesville Road in Downtown Silver Spring;
- 2.04 acres zoned CBD-2 in the Silver Spring CBD Sector Plan area;
- Applicant: Dick Ratcliff, Earthman Design Group;
- Filed on June 11, 2015.
- Review basis: 59-D-2 & 59-D-3 (2004) per 59.7.7.1.B.1.



### Summary

- The Planning Board approved the original Project and Site Plans for this development in 1989 and 1990, respectively. Per Section 59.7.7.1.B.1., the proposed limited amendments are being reviewed under the 2004 Zoning Code.
- The Applicant proposes to update the design of the Plaza, including landscape, hardscape, and lighting upgrades.
- The original approvals included detailed conditions regarding the plaza design. The proposed amendment removes those conditions and instead relies on the Certified Site Plan to illustrate the plaza design elements.
- Staff received one e-mail from the public inquiring about the public notice requirements. The Planning Director responded on July 9 and staff followed up on July 13, 2015.
- Staff recommends approval of the Project Plan Amendment and Site Plan Amendment.

## SECTION 1: RECOMMENDATION AND CONDITIONS

### **Project Plan Amendment No. 91988008A**

Staff recommends approval of Project Plan Amendment No. 91988008A, Draper Lane Residential Triangle, for modifications to the design of the public plaza, subject to the following condition, which supersedes Project Plan 919880080 Condition 5 in its entirety:

#### Recommended Condition of Approval

5. Public Space

The Applicant must construct the East-West/Colesville Corner Plaza as illustrated on the Certified Site Plan for Site Plan 81989040A.

### **Site Plan No. 81989040A**

Staff recommends approval of Site Plan Amendment 81989040A for modifications to the design of the public plaza. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions (all conditions of approval for Site Plan 819890400 remain in effect):<sup>1</sup>

1. Project Plan Conformance

The development must comply with the conditions of approval for Project Plan No. 919880080, and any amendments.

2. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Where possible, adjust the final Limits of Disturbance (LOD) to enhance protection of the existing trees to remain;
- b. Provide additional details on the design of the planting wells and associated soil volume.

## SECTION 2: SITE DESCRIPTION

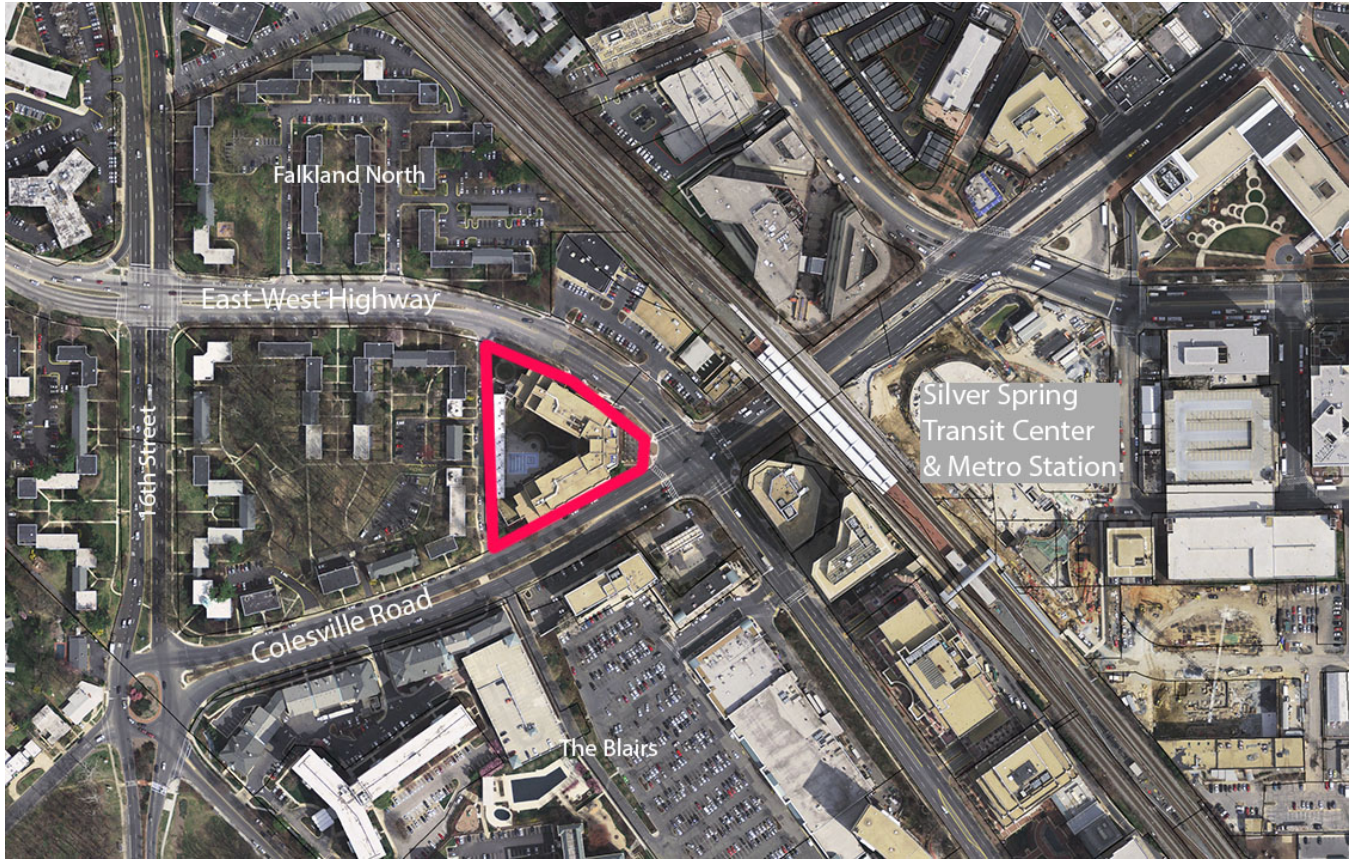
### **Site Vicinity**

The subject site (Subject Property or Property) is located in the west quadrant of the intersection of Colesville Road and East-West Highway, across from the Silver Spring Metro station, in the 2000 *Silver Spring CBD Sector Plan* area.

The site is bordered by the Falklands garden apartments to the west, including the approved Falkland North high-rise mixed-use development, by low-scale commercial uses to the north across East-West Highway and the CSX tracks, mixed retail and office uses and the Silver Spring Transit Center to the east, and the Blairs mixed-use development to the south across Colesville Road.

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<sup>1</sup> For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.



*Figure 1-Aerial View*

**Site Analysis**

The 2-acre site is zoned CBD-2 and developed with a mixed-use high-rise multi-family building, with 408 dwelling units, 4,700 square feet of office space, 7,000 square feet of retail uses, and a public plaza at the intersection of Colesville Road and East-West Highway.



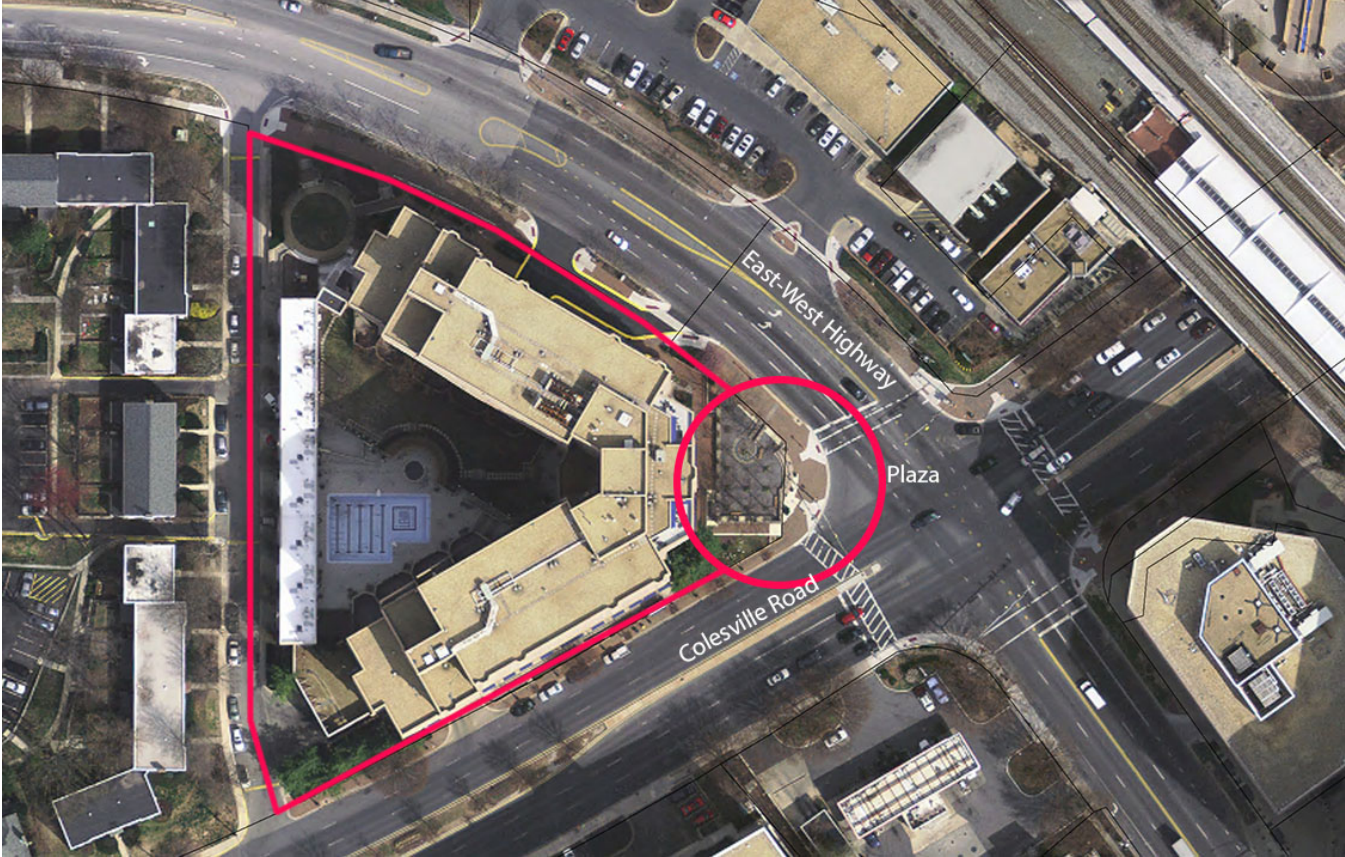


Figure 2-Plaza Detail View



Figure 3-Plaza Street View

## SECTION 3: PROJECT DESCRIPTION

### Previous Approvals

By an Opinion mailed May 1, 1989, the Planning Board approved Project Plan 919880080 (Attachment A) for 454,845 square feet of retail, office, and residential uses, including 408 dwelling units (20% of which were MPDUs). This approval included a condition listing specific elements for the “East-West/Colesville Corner Plaza”:

5. East-West/Colesville Corner Plaza. Prior to approval of the site plan, the applicant must include the following features in the public plaza:
  - a. Amphitheater, grass terraces, water fountain, and pergola.
  - b. All brick and paving materials must be of high quality to assure durability and easy maintenance.
  - c. Commitment to provide complementary adjacent uses, such as food service or other activating retail uses.
  - d. Visually attractive design with special attention to details that will encourage public use. Outline the proposed program for the outdoor performing activities.
  - e. Double row of trees on both sides of the plaza – East-West Highway side and Colesville Road site – to provide continuity to already approve or implemented landscape design features along East-West Highway and Colesville Road (red oak trees, four-inch caliper, 30 feet o-center maximum.)
  - f. Public artwork to reinforce the East-West Highway promenade and NOAA science walk.

In an Opinion mailed January 26, 1990, the Planning Board approved Site Plan 819890400 (Attachment A) for 406 multi-family dwelling units and included an overall design of the Corner Plaza. Due to the age of the approval, legible drawings of the approved plan are not available.

### Proposal

The Applicant proposes to redesign the Corner Plaza, as illustrated below, to make it more open and inviting:

- Remove south “decorative” pergola;
- Lower height of retaining wall along front;
- Replace center set of steps with stage area;
- Extend front retaining wall to the north;
- Remove center nonworking/planter feature;
- Remove front step concrete terraces;
- Add decorative iron railings to walls;
- Add new front water feature;
- New concrete pavers;
- New landscape plantings;
- New decorative lighting; and
- Add stone veneer to all exposed wall faces.

### Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. Staff received only one e-mail from the public, dated June 15, 2015 and inquiring about the public notice requirements. The Planning Director responded on July 9 and Staff followed up on July 13, 2015. (Attachment B)

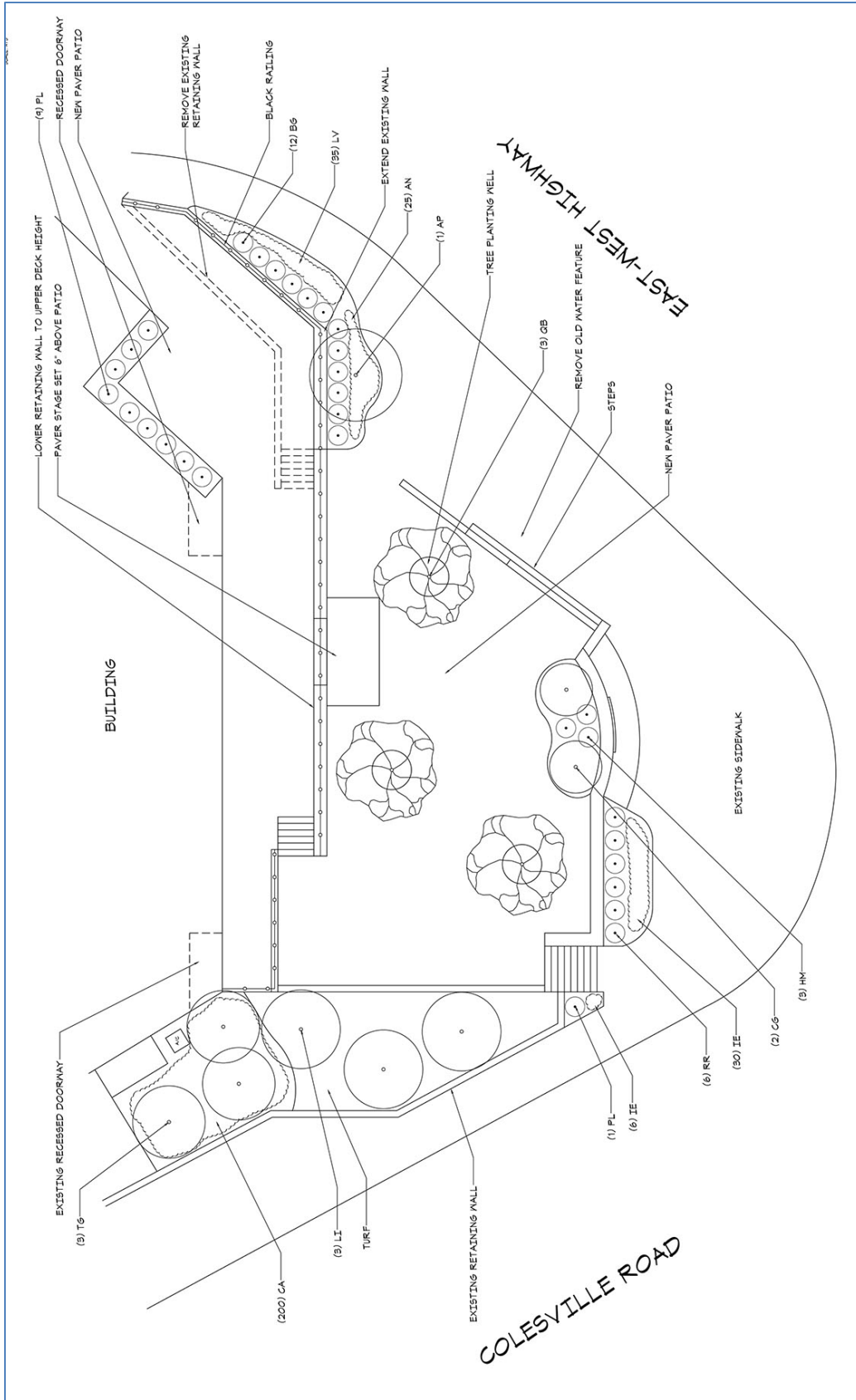


Figure 4- Landscape Plan



## **SECTION 4: PROJECT PLAN AMENDMENT**

The amended plaza design continues to perform, and indeed improves upon, the function of the plaza as approved with the original Project Plan and does not alter the findings the Planning Board made for that Plan, except as described below.

Section 59-D-2.42. (b) requires the application to “be consistent with the applicable sector plan..” Since the Planning Board made this finding in 1989 for the original Project Plan, M-NCPPC approved and adopted a new Sector Plan for this area, the 2000 *Silver Spring CBD Sector Plan*. The Sector Plan identifies the site as an “Existing Housing Site” (p. 113), but makes no specific recommendations for the site. The improved site design does, however, echo the themes of the Sector Plan – transit-oriented, commercial, residential, civic, green, and pedestrian-friendly (p. 13-24). The plaza is located across the street from the Silver Spring Metro Station. Within one block of the site there is a great variety of commercial and residential uses, from coffee shops to supermarkets, small businesses to Federal agencies, and townhouses to low-, mid-, and high-rise apartment buildings. The enhanced design will provide a stage for musical performances, expanding opportunities for civic engagement. The plan will renew the landscaping, remove barriers to pedestrians, and improve visual access to the site, making the park more green and pedestrian-friendly. The amendment is consistent with the recommendations of the *Silver Spring CBD Sector Plan*.

## **SECTION 5: SITE PLAN AMENDMENT**

As described above, the improved plaza design continues to perform the function of the plaza as approved with the original Site Plan and does not alter the findings the Planning Board made for that Plan.

### **ATTACHMENTS**

- A. Previous Approvals
- B. Correspondence

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Project Plan Review #9-88008  
Draper Lane Residential Triangle  
CBD-2 Zone  
Near the Intersection of Colesville Road  
and East-West Highway  
Silver Spring

DATE MAILED: May 1, 1989

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Action: (Motion was made by Commissioner Floreen, seconded by Commissioner Henry, with a vote of 4-0, Commissioners Christeller, Keeney, Floreen, and Henry voting for and no Commissioners voting against. Commissioner Hewitt was absent.)

On September 26, 1988, Forest City Development submitted a project plan application for the optional method of development in the CBD-2 zone. The application includes 454,845 square feet of retail, office, and residential uses.

On March 9, 1989, Project Plan #9-88008 was brought before the Montgomery County Planning Board for a public hearing pursuant to Chapter 59 of the Montgomery County Zoning Ordinance. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the oral testimony, written evidence submitted for the record, and the staff report and conditions of approval as accepted by the Montgomery County Planning Board, the following findings and conditions are hereby adopted.

FINDINGS

1. Conforms to the Silver Spring Purposes of the CBD-2 Zone and Development Standards

The Planning Board finds that Project Plan #9-88008 meets all of the purposes and requirements of the CBD-2 zone.

The Draper Lane Residential Triangle project plan also conforms to the development standards of the CBD-2 zone, optional method of development. A tabular summary follows that compares the development standards shown in the application with the development standards required in the CBD-2 zone.



Tabular Summary of Conformance with CBD-2 Zone

	<u>Required/Allowed</u>	<u>Proposed</u>
Lot Area	22,000 (min.)	91,888 s.f.
Permitted Uses	Mixed-Use	Residential/Commercial
Amenity Space (% of Net Lot Area)	20% minimum (18,378 s.f.)	24% (22,057 s.f.)
Additional Amenity Space		
1. Off-Site		
a. Colesville Road Median		10,800 s.f.
b. Draper Lane West Side		3,680 s.f.
FAR	5 (max.)	4.9
FAR Square Footage		
Residential		430,845 s.f.
Health Club		3,300 s.f.
Retail		7,000 s.f.
Commercial Units (6)		4,700 s.f.
Mech. Room		<u>3,000 s.f.</u>
	TOTAL	454,845 s.f.
Building Height	143 feet (max.)	143 feet
Parking Spaces	452 (min.)	457
Residential Units Proposed		
		2 BR/Den      8
		2 BR Mingle    89
		1 BR/Den       53
		1 BR            172
		1 BR/J          86
	TOTAL UNITS	408
Includes MPDU Units	51 (12.5% min.)	82 (20%)

2. Conforms to the Silver Spring CBD Sector Plan and Sector Plan Amendment

The Planning Board finds that the application conforms to the Silver Spring Sector Plan and the 1987 Sector Plan Amendment. The land use, pedestrian and vehicular circulation, and landscape design objectives described in the Sector Plan have been met by Draper Lane Residential Triangle. The project plan is also in conformance with the 1987 Sector Plan Amendment concerning the compatibility of new development with the existing and future urban fabric and the 1988 Sector Plan Staff Draft concerning the level of future growth within the CBD.

3. Compatibility with the Neighborhood

The Planning Board finds that the application will be compatible with the existing and potential development in the general neighborhood. Draper Lane Residential Triangle is in a transitional area between the high-density commercial CBD core and lower-density residential area. Through the change in building heights from high at the intersection of East-West Highway and Colesville Road to low at Draper Lane and appropriate massing the building will be physically compatible to both scales of Silver Spring, namely the high-density commercial to the northwest and low-density residential to the southeast. This project plan will reinforce the primarily residential character of the area. The location of the project with its proximity to public transportation and to retail uses makes it convenient for a wide variety of potential Silver Spring residents.

a. Operational Characteristics

The Planning Board finds that the operational characteristics of the proposed vehicular and pedestrian circulation systems will be compatible with existing and potential development. The main entrance to the residential lobby will be off East-West Highway. Entrance into the parking garage and loading dock will be from Colesville Road and Draper Lane. All of the parking will be in three and one-half levels underground. East-West Plaza located at the corner of East-West Highway and Colesville Road will provide the focus for the pedestrian links around the periphery of the site, including the Colesville Road and East-West Highway sidewalks. These in turn provide access to the Metro stop, existing Metro Plaza building, and the retail and residential district to the north. The on-site provisions of these links will improve the existing pedestrian network.

4. Relationship with the Existing or Proposed Public Services

a. Traffic Impact

The Transportation Planning Division analysis and recommendations included with the Preliminary Plan report indicates that the present road network is adequate to handle the additional traffic without overburdening the nearby intersections. The Planning Board agrees with these findings. Adequate residential ceiling capacity (2,405 residential dwelling units) exists within the policy area of the Silver Spring Central Business District and adequate job capacity (503 jobs) also exists.

b. Water and Sewer Service

Based on preliminary analysis from WSSC, water and sewer service is available and adequate to handle proposed demands.

c. Stormwater Management and Environmental Issues

The Department of Environmental Protection has approved a conditional waiver for stormwater management subject to further review as part of the preliminary plan review process. The stormwater management

concept plan has been approved for quality control with the use of oil/grit separators and WSSC grease interceptors.

The Planning Board finds that the mechanical ventilation systems and noise mitigation for outdoor public spaces and for the interiors must be addressed at the time of site plan.

d. Other Utilities

The applicant will be required to locate all existing overhead utilities underground along East-West Highway and Colesville Road. Locating utilities underground will be at the expense of the owner.

5. Efficiency and Desirability in Relation to the Standard Method of Development

The Planning Board finds that the proposed Draper Lane Residential Triangle as conditioned offers an improvement over what could be accomplished using the standard method of development.

The Draper Lane Residential Triangle project will provide an attractive addition to the Silver Spring downtown environment. Apart from creating very convenient residential opportunities adjacent to the CBD core, it also proposes an amenity package that will embellish and revitalize the existing pedestrian environment in the immediate vicinity. The on-site and off-site amenity package consists of the following elements:

- a. Draper Lane Park at the intersection of Draper Lane and East-West Highway
- b. Draper Lane Improvements, including trees and special paving
- c. Retail Promenade along East-West Highway
- d. East-West/Colesville Corner Plaza
- e. Off-Site Streetscaping, primarily in the Colesville Road median
- f. Art Program

6. Includes Moderately-Priced Dwelling Units

The applicant has proposed 82 moderately-priced dwelling units (20%) which exceeds by 31 units (7.5%) the required number of MPDU's. The applicant is providing these extra units in view of the projected overall need within Montgomery County, and specific need within the Silver Spring CBD.

The Planning Board finds that approval of this project plan will help achieve a goal of a balanced residential community in Silver Spring.

7. Public Facilities and Amenities

Taking into account the public purposes served by the provision of 20% of the units as moderately-priced dwelling units, the program of public

facilities and amenities, if in accordance with the conditions of this approval, will serve to create an environment capable of supporting the greater density and intensity of the optional method.

#### CONDITIONS

1. Allocation of jobs. The project plan is limited to 11,700 square feet of total office and retail space and cannot exceed 43 jobs.
2. Provision of Draper Lane Park. Prior to approval of the site plan, the applicant must incorporate the following elements into the design of this project:
  - a. A park for residential users designed as a passive recreational space, easily accessible to the public, including the handicapped. The park should be furnished with benches and other appropriate garden furniture to accommodate a variety of uses like board games, frisbee, lawn games, etc.
  - b. Quality paving materials on all hard surfaces.
  - c. Sufficient number of light fixtures of type and intensity to assure adequate lighting levels.
  - d. Assurance that all mature and healthy trees within the specific area will be retained.
3. Improvements to Draper Lane. Prior to approval of the site plan, the applicant must incorporate the following into the design of the project:
  - a. Adequate depth of soil to support the proposed landscaping (i.e., 4'0" of soil for major trees).
  - b. A row of trees on each side of the street where feasible (four-inch caliper, 30 feet on-center maximum).
  - c. Brick or other quality paving materials including special patterns and designs, where appropriate.
  - d. High-quality design features to reinforce the pedestrian character of Draper Lane, including Washington Globe or other approved street lights.

Appropriate agreements will be obtained from the owners of adjacent properties.

All details of the streetscape must be provided in accordance with streetscape guidelines for Silver Spring.

4. Retail Promenade. In order for the retail promenade to be counted as amenity space, it must include the following:
  - a. Easy public access, including access for the handicapped.



- b. High-quality paving materials, such as brick or stone, with special patterns and designs, where appropriate.
  - c. Built-in street furniture, such as benches of durable and easy-to-maintain materials.
  - d. Sufficient and appropriate type of landscaping to create a visual buffer toward East-West Highway.
  - e. Continuity with Draper Lane Park in terms of design and construction materials.
  - f. Approximate 40-foot setback between the building and the East-West Highway curblin.
5. East-West/Colesville Corner Plaza. Prior to approval of the site plan, the applicant must include the following features in the public plaza:
- a. Amphitheater, grass terraces, water fountain, and pergola.
  - b. All brick and paving materials must be of high quality to assure durability and easy maintenance.
  - c. Commitment to provide complementary adjacent uses, such as food service or other activating retail uses.
  - d. Visually attractive design with special attention to details that will encourage public use. Outline the proposed program for the outdoor performing activities.
  - e. Double row of trees on both sides of the plaza - East-West Highway side and Colesville Road side - to provide continuity to already approved or implemented landscape design features along East-West Highway and Colesville Road (red oak trees, four-inch caliper, 30 feet on-center maximum).
  - f. Public artwork to reinforce the East-West Highway promenade and NOAA science walk.
6. Streetscape Improvements. Landscaped areas within the public right-of-way must be in conformance with the Silver Spring streetscape guidelines. Final designs to be integrated with existing trees to be saved. The following must be incorporated into the design prior to site plan approval:
- a. One row of trees (30 feet on-center maximum) on south side of East-West Highway between intersections with Colesville Road and Draper Lane.
  - b. One row of trees (30 feet on-center maximum) on west side of Colesville Road between intersections with East-West Highway and Draper Lane.
  - c. Median on Colesville Road between the Colesville Road/East-West Highway intersection and the D.C. line.

7. Public Art Program. Prior to approval of the site plan, the applicant must provide additional information concerning the commitment to the public art program, including the following:
- a. Identification - Metro underpass concrete walls or pillars lending themselves to the application of artworks and at least one location in the East-West/Colesville Corner Plaza.
  - b. Examples - Conceptual ideas for proposed art to be applied to specific concrete walls or pillars, or specific location in the Plaza.
  - c. Collaborative process - A collaborative process with consultation from staff must be established between the applicant, affected agencies, and the artist for the purpose of ensuring a comprehensive and coherent treatment of the art elements within the given context.

The applicant will provide final designs in the form of appropriate visual material to illustrate the art program for staff review prior to the site plan approval.

8. Compatibility and Human Scale. The following compatibility features and human scale elements must be incorporated and further refined prior to the approval of the site plan:
- a. Site plan enforcement agreement to provide a mechanism to ensure parking will not interfere with pedestrian activity on the east side of Draper Lane.
  - b. Provision of an identifiable and strongly delineated base to the building which is well-integrated with the low-rise part of the building complex and compatible with adjacent Falkland Chase apartment complex.
  - c. Site plan to address relationships and compatibility of the low-rise elements (townhouse) of the project with the high-rise elements to provide a better scale transition and massing continuity above the loading dock.
9. MPDU units. The applicant will maintain a minimum of 20% of the total units as affordable housing, for the period of time required by HOC financing (i.e., 15 years), and at least 12.5% of the MPDU's must remain as affordable housing for 20 years.
10. Transportation
- a. The applicant shall install bus shelters with wooden benches at bus stops adjacent to the project site, as approved by MCDOT.
  - b. The applicant shall provide assurances that there will be a 24-hour valet parking service for residents of the site.
  - c. The applicant shall provide evidence that the turns and circulation in the garage will be satisfactory and shall provide such evidence to the staffs of M-NCPPC and MCDOT's Parking Division.

11. Underground Utilities. All new and existing utilities located adjacent to the project along the west side of Colesville Road and the south side of East-West Highway must be located underground. All new utilities for street lights along west side of Colesville and south side of East-West Highway must be located underground. In accordance with these requirements, the following conditions also apply:
  - a. Applicant Utility Services - All utility connections requested to serve the proposed development must be made underground.
  - b. Utility Service Transition from Overhead to Underground - Transition of service from overhead to underground must be provided by this applicant.
  - c. Detailed Review - Detailed requirements for placement of utilities underground will be addressed at site plan. Drawings for any improvements required by MCDOT or SHA, including signal work, must be reviewed concurrently with utility drawings.
  - d. Environmental Service - Prior to approval of the site plan, the applicant must provide a mechanical/HVAC concept plan showing location of fresh air intakes for residential, and intakes and exhausts for the garage. The intakes for residential must be on the roof and away from highways and garage exhaust.
  - e. Coordination - Location of underground utilities shall be coordinated with all affected utilities and public agencies. Location of the underground garage must be approved by SHA and WSSC with respect to location of existing or future underground improvements.
12. Maintenance Agreement. The Planning Board will review at site plan stage an agreement with the Silver Spring Urban Maintenance District for maintenance of amenity features in the public right-of-way of Colesville Road and East-West Highway.
13. The typical garage level must be designed in a manner to achieve safe vehicular movement and pedestrian circulation and access to elevators and stairs.

SG:jdm/b:opfinal.sg

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760



MONTGOMERY COUNTY PLANNING BOARD  
CORRECTED OPINION

Site Plan Review #8-89040 Date Mailed: December 19, 1989  
Project: Draper Lane Residential Triangle Art Program Date Corr. Mailed: Jan. 26, 1990

Action: (Motion was made by Commissioner Keeney, seconded by Commissioner Henry, with a vote of 5-0, Commissioners Bauman, Keeney, Floreen, Henry, and Hewitt voting for and no Commissioner voting against.)

On October 17, 1989, Forest City Development submitted an application for the approval of a site plan for property in the CBD-2 zone. The application was designated Site Plan Review #8-89040.

On November 30, 1989, Site Plan Review #8-89040 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development; and
4. the Site Plan is consistent with the approved Project Plan #9-88008.

The Montgomery County Planning Board approves Site Plan Review #8-89040 as follows:

406 dwellings - multi-family

subject to the following amendment to Condition #4:



4. Public Art

a. Metro Bridge Art

Prior to initial occupancy the following must be completed for review by the staff of M-NCPPC:

1. The applicant (Forest City Development) must contribute \$5,000.00 to fund competition for Metro bridge art.
2. The applicant must contribute \$40,000.00 for implementation of the art proposal by the competition winner.
3. The applicant will draft an art agreement to specify developer's responsibilities and commitments. This amendment will replace the previous Condition C.

b. Corner Plaza

The overall design of the Corner Plaza has been approved with the following added conditions:

1. The applicant has agreed to make the Corner Plaza space available to other public or private groups wanting to organize public programs at a nominal fee.
2. The applicant, through the resident manager, will be in charge of maintenance.

**MCP-CTRACK**

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**RECEIVED**

JUN 15 2015

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

0487

**From:** Diane Trice <dianet@hotmail.com>  
**Sent:** Monday, June 15, 2015 10:41 AM  
**To:** MCP-Chair  
**Cc:** Councilmember.Hucker@montgomerycountymd.gov  
**Subject:** Draper Lane Silver Spring Planning

I'm a resident in Silver Spring, and have lived on Draper Lane for about 9 years. Recently, I noticed a sign on the street, indicating to contact you regarding development plans for Draper Lane (sign posted on street June 2015). I have also noticed chalk marks on the sidewalks. What is this about? General searches on your website show "no results". I have received no contact or notice from your office. How can I keep informed? It seems strange that the only notice residents receive is to happen to see a sign posted on their street. Are residents classified or prioritized differently - property owners vs non property owners?

Does the County have any polices regarding notifying residents of major work being done by their residence? Consider this comments regarding your posted notice.

Diane Trice



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

SUBJECT: Draper Lane Residential Triangle  
C-Track #2015-0487

Dear Ms. Trice,

Thank you for your inquiry of June 15, 2015, regarding development activity near Draper Lane.

On June 11 the Planning Department accepted two applications for the property known as “Draper Lane Residential Triangle”, the mixed-use multi-family development bound by Colesville Road, East-West Highway, and Draper Lane. The applications (Project Plan Amendment 91988008A and Site Plan Amendment 81989040A) propose only to modify the layout of the public space at the intersection of East-West Highway and Colesville Road. The buildings themselves are not proposed for modification. You can find the application drawings online (<http://www.montgomeryplanning.org/development/>) by entering the application numbers above and selecting “Click here to view Plans & Reports”. You may also contact Elza Hisel-McCoy, the supervisor for the team reviewing this project, at 301.495.2115 or [elza.hisel-mccoy@montgomeryplanning.org](mailto:elza.hisel-mccoy@montgomeryplanning.org) for further information and updates.

The Planning Department’s notice requirements for this type of project are included in the *Manual of Development Review Procedures* (available on our website at [montgomeryplanning.org/development/forms/Manual\\_of\\_Development\\_Review\\_Procedures.pdf](http://www.montgomeryplanning.org/development/forms/Manual_of_Development_Review_Procedures.pdf)). For this type of amendment, applicants are required to post signs around the property and mail notices to adjoining and confronting property owners. The applicant has met these requirements. For your information, I am attaching a copy of the notice letter, mailed by the applicant on June 12, 2015. Please note that the notice letter limits the comment period to 15 days from the date of mailing, though staff and the Board will receive and consider comments up to the Planning Board hearing.

Finally, I also want to make you aware that because the proposed changes to the approved development are relatively minor, my staff has accepted the applications to be heard by the Planning Board on the “Consent Agenda”, meaning that the Board may approve the proposals without a full hearing. This type of amendment is intended for minor, non-controversial changes to approved development. Should the proposed amendments encounter opposition, or if a Planning Board member elects to do so for another reason, the Board may pull the amendment from the Consent Agenda for a full hearing. Again, please contact Mr. Hisel-McCoy with any questions.

The application is tentatively scheduled on the consent agenda for October 1, 2015, but could potentially proceed earlier in the fall. You may consult the Planning Board’s Agenda page for more information ([montgomeryplanningboard.org/meetings\\_archive/](http://montgomeryplanningboard.org/meetings_archive/)). Please let me or my staff know if you have any further questions or concerns, as we would be happy to discuss them further if needed.

Sincerely,

  
Gwen Wright  
Director

Attachment: Notice of Application, Draper Lane Residential Triangle



## Hisel-McCoy, Elza

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**From:** Diane Trice <dianet@hotmail.com>  
**Sent:** Monday, July 13, 2015 5:36 PM  
**To:** Hisel-McCoy, Elza  
**Subject:** RE: Draper Lane Silver Spring Planning

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Elza,

I appreciate your response. The posted notices provide no scope of the planned project, only the "header name" and the project #. Searching the county planning website by project name only provided no useful information to the current project. In light of the discontinuation of the Gazette, I would hope that the planning commission website could be improved to provide better search results.

Also, I would draw your attention to another part of my original note regarding the following: this type of amendment, applicants are required to post signs around the property and **mail notices to adjoining and confronting property owners**. The applicant has met these requirements.

"Property owners" only is not adequate in a heavily residential area with hundreds of registered voters living in rental units on the affected property. Hundreds. How many notices went out in this case? Were any of the notices sent to Montgomery County residents? I doubt it. I certainly was not notified because I simply live on Draper Lane. I should I be notified of this major project? My side walk has chalk marks - perhaps this is separate (PEPCO/Comcast - they have provided no communication). I'm concerned about digging which will impact the root system of bordering trees.

I believe the County needs to do better in notifying residents, whether property owners or renters. I've lived on Draper Lane for over 9 years, and know the area better than absentee corporate land lords who've owned the property about a year. The requirements may have been met, but the requirements need to be expanded to include notices to bordering "residents". Please bring my thoughts to the County Commissioners.

Raina D. Trice  
8308 Draper Lane  
Silver Spring, MD 20910

From: [elza.hisel-mccoy@montgomeryplanning.org](mailto:elza.hisel-mccoy@montgomeryplanning.org)

To: [dianet@hotmail.com](mailto:dianet@hotmail.com)

CC: [gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org); [Dominique.Neam@montgomeryplanning.org](mailto:Dominique.Neam@montgomeryplanning.org);  
[robert.kronenberg@montgomeryplanning.org](mailto:robert.kronenberg@montgomeryplanning.org); [Councilmember.hucker@montgomerycountymd.gov](mailto:Councilmember.hucker@montgomerycountymd.gov)

Subject: Draper Lane Silver Spring Planning

Date: Fri, 10 Jul 2015 15:24:10 +0000

Good day Ms. Trice,

Thank you for your inquiry regarding the Draper Lane Residential Triangle project. Attached please find your original e-mail and a response from the Planning Director. Please feel free to contact me if you have further questions.

Sincerely,

Elza

Elza Hisel-McCoy, Assoc. AIA, LEED-AP  
Master Planner, Regulatory Supervisor  
Area One  
Montgomery County Planning Department  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910  
301.495.2115, [elza.hisel-mccoy@montgomeryplanning.org](mailto:elza.hisel-mccoy@montgomeryplanning.org)  
[montgomeryplanning.org](http://montgomeryplanning.org)

**From:** [Diane Trice](#)  
**To:** [Anderson, Casey](#); [Hisel-McCoy, Elza](#)  
**Cc:** [Kronenberg, Robert](#); [Krasnow, Rose](#); [Wright, Gwen](#)  
**Subject:** RE: Draper Lane Silver Spring Planning  
**Date:** Wednesday, July 15, 2015 5:17:49 PM

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Casey,

It is encouraging that there are changes pending to include improved communication and notice to apartment residents. I look forward to that happening. Regarding searching for the project by project #, I can appreciate that using the project # would include the information. I suggest perhaps a slight improvement to the search site might cross reference to the "Project Name" as well. When walking or driving by, it is hard to memorize a project #, and frustrating to find out that it is not cross-referenced by Project name on the website.

When searching under "Draper Lane", I found a project describing a continuation of Draper Lane on the East side of Colesville Rd, as part of a change at the Blairs. Good to know. I think it should probably have a different name since there is a median (island) in the middle of Colesville preventing driving across from the Draper Lane on the west side of Colesville. This will likely be challenging for google maps in the future. So a lot going on in the neighborhood, and the residents completely out of the loop.

Sincerely,

Raina D. Trice

---

From: Casey.Anderson@mncppc-mc.org  
To: elza.hisel-mccoy@montgomeryplanning.org; dianet@hotmail.com  
CC: robert.kronenberg@montgomeryplanning.org; rose.krasnow@montgomeryplanning.org; gwen.wright@montgomeryplanning.org  
Subject: RE: Draper Lane Silver Spring Planning  
Date: Wed, 15 Jul 2015 20:54:21 +0000

You might also be interested to know that we are proposing changes to the zoning code that would strengthen requirements for notice to residents of apartment buildings – the County Council is considering those changes and I would be surprised if they are not approved, probably within the next two months.

Casey

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**From:** Hisel-McCoy, Elza

**Sent:** Wednesday, July 15, 2015 4:38 PM  
**To:** Diane Trice  
**Cc:** Kronenberg, Robert; Krasnow, Rose; Wright, Gwen; Anderson, Casey  
**Subject:** RE: Draper Lane Silver Spring Planning

Hello Raina,

I went out to the site to double-check the sign on Draper Lane (pictured below). I noticed that one of the signs (on East-West Highway) had come down and must be reposted. I have already contacted the applicant to replace the sign right away.

“Plaza and landscape modifications” is a short-hand description of the proposed changes. Additional project information including detailed drawings, the list of notified parties (which I have attached in Excel format), and other information is available on the website listed on the sign, [www.montgomeryplanning.org/development](http://www.montgomeryplanning.org/development), by entering the project numbers and clicking on “Click here to view Plans & Reports”. If you have any questions or concerns about the proposed changes, please let me know.



Per your request to share your concerns with the Planning Board, I am copying on this reply Board Chair Casey Anderson, Director Gwen Wright, and other leaders in the Planning Department.

Sincerely,

Elza

Elza Hisel-McCoy, Assoc. AIA, LEED-AP  
Master Planner, Regulatory Supervisor  
Area One  
Montgomery County Planning Department  
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8787 Georgia Avenue  
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[montgomeryplanning.org](http://montgomeryplanning.org)

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**From:** Diane Trice [<mailto:dianet@hotmail.com>]  
**Sent:** Monday, July 13, 2015 5:36 PM  
**To:** Hisel-McCoy, Elza  
**Subject:** RE: Draper Lane Silver Spring Planning

Elza,

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Raina D. Trice  
8308 Draper Lane  
Silver Spring, MD 20910

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To: [dianet@hotmail.com](mailto:dianet@hotmail.com)  
CC: [gwen.wright@montgomeryplanning.org](mailto:gwen.wright@montgomeryplanning.org); [Dominique.Neam@montgomeryplanning.org](mailto:Dominique.Neam@montgomeryplanning.org);  
[robert.kronenberg@montgomeryplanning.org](mailto:robert.kronenberg@montgomeryplanning.org);  
[Councilmember.hucker@montgomerycountymd.gov](mailto:Councilmember.hucker@montgomerycountymd.gov)  
Subject: Draper Lane Silve Spring Planning  
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Sincerely,

Elza

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