



## Ripley East Sketch Plan No. 320150010

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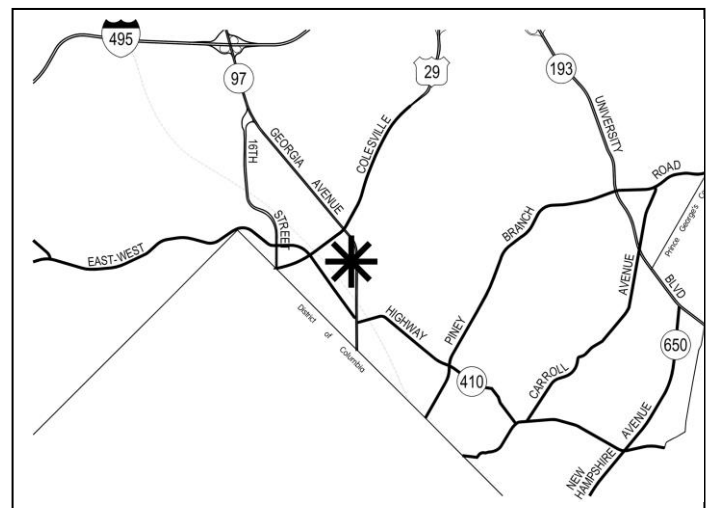
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Completed: 3/13/2015

### Description

- Construction of a mixed-use project with up to 349,847 square feet of residential development and up to 17,300 square feet of non-residential uses;
- Current use: 2-story buildings with commercial and civic uses;
- Located at the southwest corner of Georgia Avenue and Bonifant Street;
- 1.40 gross acres zoned CR 5.0: C 4.0, R 4.75, H 200T in the Ripley District of the Silver Spring CBD Sector Plan area and Ripley/South Silver Spring Overlay Zone;
- Applicant: Diamondback Investors, LLC;
- Filing date: September 15, 2014.



### Summary

- The application was deferred by the Planning Board on December 11, 2014 in order for the Applicant to address Sector Plan conformance regarding building step-backs.
- Based on the Applicant's revised proposal, the Sketch Plan substantially conforms to the recommendations of the Sector Plan.
- The proposed development will redevelop the site with a mixed-use building including moderately priced dwelling units, public open space, and structured parking.
- Staff recommends approval of the Ripley East Sketch Plan with conditions and adoption of the Resolution.

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## SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of the Ripley East, Sketch Plan No. 320150010, a mixed-use project including up to 349,847 square feet of residential development and up to 17,300 square feet of non-residential uses on 1.40 gross acres, zoned CR 5.0: C 4.0, R 4.75, H 200T, Ripley/South Silver Spring Overlay Zone. The following site development elements shown on the Sketch Plan stamped "Received" by the M-NCPPC on February 3, 2015, are binding on the Applicant under Section 59-7.3.3.B:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefits.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions:

1. Density  
The Sketch Plan is limited to a maximum total density of 367,147 square feet. The maximum number and distribution of residential dwelling units and amount of non-residential uses will be determined at Site Plan.
2. Height  
Under the Sketch Plan, the massing on the Bonifant Street frontage, including the side facing Georgia Avenue is limited to a maximum height of 200 feet, as measured from the building height measuring point at the middle of the front of the building along Bonifant Street.  
  
The primary massing on the Georgia Avenue frontage is limited to 175 feet, as measured from the building height measuring point at the middle of the front of the building along Bonifant Street.
3. Incentive Density  
The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I at the time of Site Plan. The requirements of Division 59-4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at Site Plan approval.
  - a. Transit Proximity, achieved through location within one-quarter mile of the Silver Spring Transit Center;
  - b. Connectivity and Mobility, achieved through minimum parking, trip mitigation and way finding;
  - c. Diversity of Uses and Activities, achieved through affordable housing;
  - d. Quality of Building and Site Design, achieved through structured parking and tower step-back; and
  - e. Protection and Enhancement of the Natural Environment achieved through building lot terminations, cool roof, energy conservation and generation, a recycling facility plan, and vegetated area.

4. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

5. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 15% MPDUs. The development must provide MPDUs in accordance with Chapter 25A.

6. Future Coordination for Preliminary and Site Plan

In addition to any other requirements for preliminary plans under Chapter 50 and site plans under Chapter 59, the following must be addressed when filing a preliminary or site plan:

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- d. Implementation of transportation improvements;
- e. Consideration of building-to-street interface to maximize activation and safety;
- f. Focus on energy efficiency in building design features;
- g. Noise analysis;
- h. Necessary dedication along Bonifant Street and Georgia Avenue; and
- i. Traffic Mitigation Agreement.

## SECTION 2: SITE DESCRIPTION

### Site Vicinity

The subject site (Subject Property or Property) comprises several separate properties in Block 3: Lots 1, 2, and 3, and parts of Lots 4, 5, 7 and 8, located at the southwest corner of Georgia Avenue and Bonifant Street, approximately 1,000 feet from the Silver Spring Transit Center. The Subject Property is located on the eastern edge of the Ripley District of the *Silver Spring Central Business District (CBD) Sector Plan (Sector Plan)* and Ripley/South Silver Spring Overlay Zone.

The Property is bound by the Pyramid Atlantic Arts Center to the south, a public alley to the west, Bonifant Street to the north, and Georgia Avenue to the east.

The neighborhood surrounding the Subject Property is a mix of established low-, mid- and high-rise residential and non-residential buildings. To the north, across Bonifant Street, is a combination of high-rise office buildings, single-story retail, and the historic Silver Spring Post Office, currently used as a medical office. To the east, across Georgia Avenue, is predominantly low-rise retail along the western edge of the Fenton Village and a County surface parking lot that is part of Studio Plaza, an approved, but unbuilt mixed-use, high-rise project with residential units, street-level retail, and possible office and hotel uses. To the immediate south is the Pyramid Atlantic Arts Center. Further to the south and southwest are single-story retail and two new high-rise residential buildings, the Solaire Silver Spring and Eleven55 Ripley. To the west is public parking, a mid-rise office building, and the Silver Spring Transit Center.

The Purple Line will run along the south side of Bonifant Street on the Property's northern frontage between the Silver Spring Transit Center and the proposed Library Station.

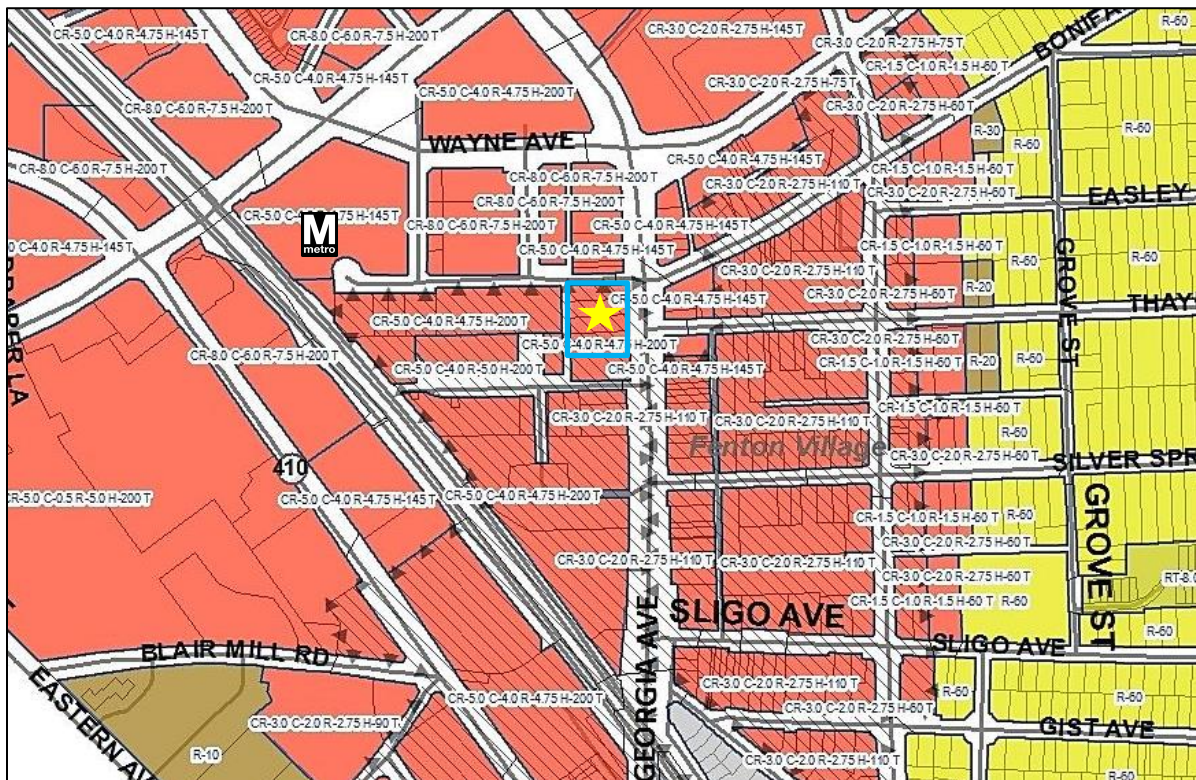


Figure 1-Vicinity Map



## Site Analysis

The 1.40-acre Property is improved with 2-story buildings, including the former Silver Spring National Bank and the Bethel World Outreach Church. It is zoned CR 5.0, C 4.0, R 4.75, H 200T and Ripley/South Silver Spring Overlay Zone.

The Property contains no forest, streams, wetlands, or environmental buffers. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no historic properties on site.<sup>1</sup>

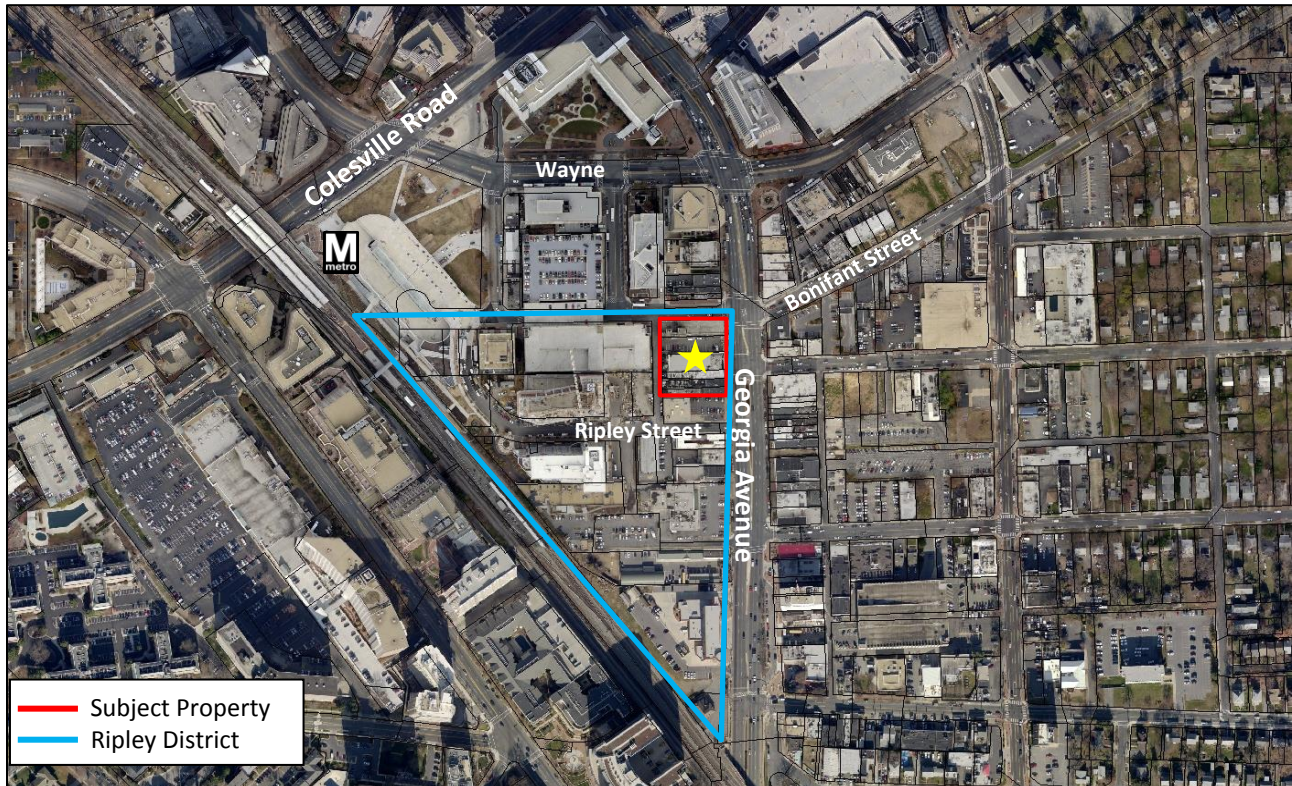


Figure 2-Aerial View

## Zoning History

Prior to 2000, the Ripley District, a triangular area bordered by the railroad tracks on the west and Georgia Avenue on the east, was zoned Central Business District-Residential 2 (CBD-R2), which is essentially a high-rise residential zone with a maximum height of 200 feet. The entire Ripley District, including the Subject Property, was rezoned in 2000 with the *Silver Spring CBD Sector Plan*, to Central Business District 2 (CBD-2) and Ripley/South Silver Spring Overlay Zone to allow a greater mix of commercial and residential uses. This rezoning reduced the maximum height to 143 feet. The purpose of the Ripley/South Silver Spring Overlay Zone was to address the special development issues in the Ripley/South Silver Spring area as identified in the Sector Plan.

<sup>1</sup> The Application includes development of the former Silver Spring National Bank located at 8252 Georgia Avenue. The bank site was presented to the Planning Board in 2003 for possibly historic designation, but the Planning Board declined to support the designation; thus, the site has no historic designation.

Specifically, the zone was designed to:

- a) facilitate the implementation of an organized and cohesive development pattern that is appropriate for an urban environment;
- b) encourage attractive design and ensure compatibility with existing buildings and uses within and adjacent to the overlay zone;
- c) provide flexibility of development standards to encourage innovative design solutions;
- d) allow for the transfer of the public use space requirement to other properties within the Overlay District; and
- e) allow new uses.

In 2007, the County Council approved Zoning Text Amendment (ZTA) No. 07-14 to amend the height standards in the Ripley/South Silver Spring Overlay Zone to allow up to 200 feet in building height for the CBD-2 portion of the Ripley District. The ZTA also acknowledged that the Sector Plan recommended a maximum building height of 90 feet on Georgia Avenue with the ability to build 2 feet higher for every 1 foot back from Georgia Avenue and that ZTA 07-14 did not change the Sector Plan guidance (Attachment A).

As part of the Zoning Code rewrite, the Property was rezoned to CR-5.0, C-4.0, R-4.75, H-200T and the Ripley/South Silver Spring Overlay Zone through the Countywide District Map Amendment, approved by the Montgomery County Council on July 15, 2014, and effective on October 30, 2014. It is under the new CR zoning of the Property that this Application was processed. Section 59-4.9.9 of the Zoning Ordinance contains the provisions applicable to properties located in the Ripley/South Silver Spring Overlay Zone. Section 59-4.9.9.C.1.b provides that the Planning Board may approve a maximum building height of 200 feet in any CR optional method development project that provides ground-floor retail.

### **SECTION 3: PROJECT DESCRIPTION**

#### **Previous Submission and Planning Board Deferral**

The initial Sketch Plan application went to the Planning Board on December 11, 2014 and was deferred based on the Board's conclusion that as designed, the Project did not substantially comply with the *Silver Spring Central Business District Sector Plan's* step-back requirements for compatibility, as detailed in the December 1, 2014 Staff Report (Attachment B). The Planning Board's direction to the Applicant was that the design and massing of the building did not conform to the Sector Plan's recommendation, and that the Project needed to be adjusted to better address the guidelines. The Board also indicated that the building did not have to be contained in the rigid envelope of the 2:1 step-back starting at 90 feet, and the building could go outside of the envelope as it attempts to conform to the urban design recommendations.

In response to the Planning Board's direction, the Applicant has reconfigured the Project's massing to better conform to the urban design guidelines recommended for the Subject Property in the Sector Plan. In summary, the massing that fronts Georgia Avenue has been lowered and set back to transition toward Fenton Village and the surrounding neighborhoods. The northernmost volume fronting Bonifant Street was kept at its original height of 200 feet and was brought out to the property line to the east to create a stronger base along Georgia Avenue, emphasizing the commercial/retail zone and pedestrian scale. The specific revisions to the Sketch Plan application include the following:

- The massing on Georgia Avenue was reduced in height by two floors, from 195 feet in height to approximately 175 feet in height.



- The first step-back on the east façade facing Georgia Avenue occurs at approximately the 35-foot level, and is set back 12 feet from the above floors. This volume will function as an arcade by holding the right-of-way line and provide space for potential outdoor dining.
- The second step-back on the east façade occurs at approximately the 145-foot level and is offset six feet from the remaining floors above and wraps around the southern façade by approximately the depth of a bedroom. This step-back further breaks down the massing as the Project is viewed from the south.

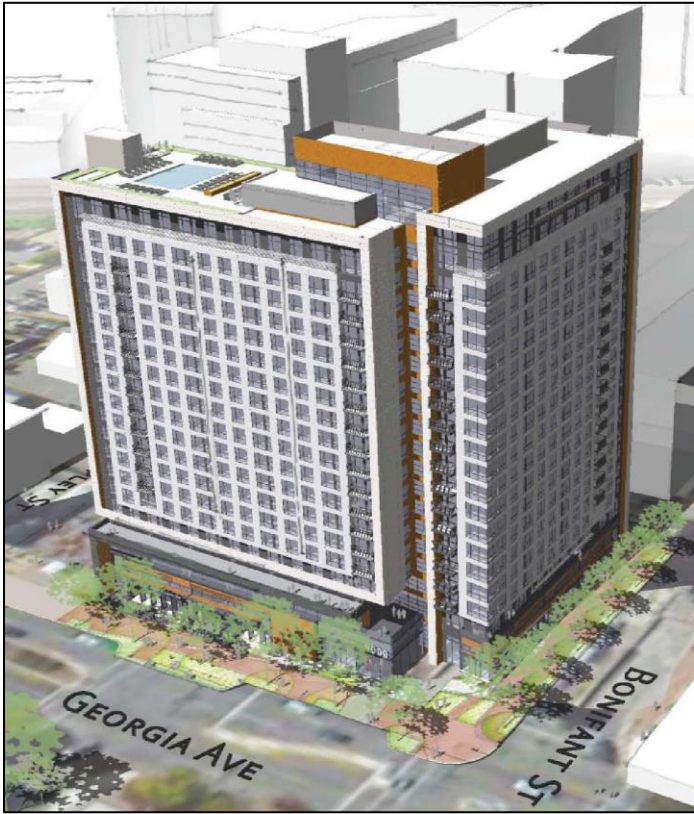


Figure 3-Initial Submission

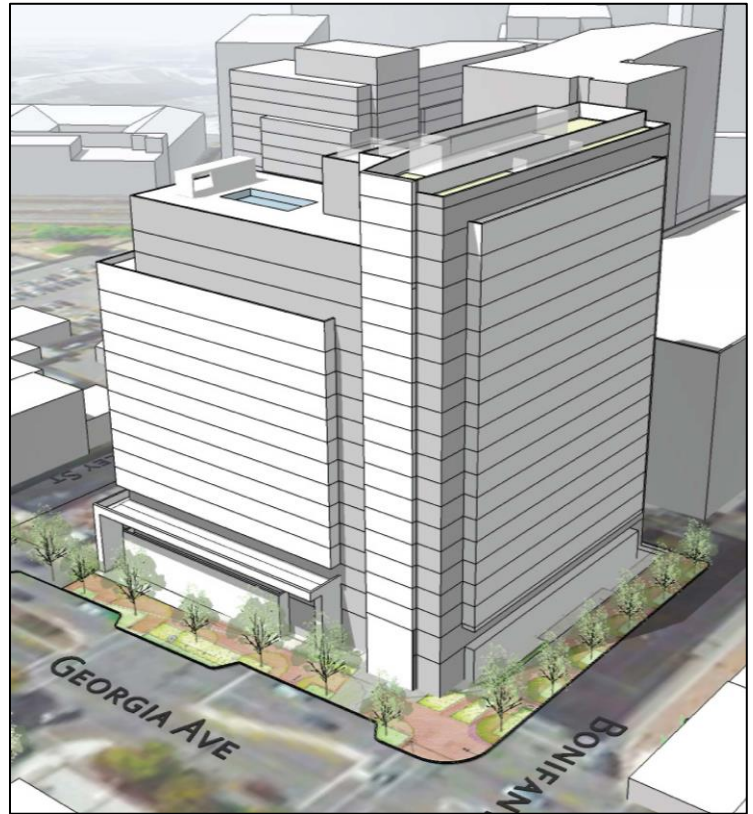


Figure 4-Revised Submission

## Proposal

### Uses and Density

The Sketch Plan application (Application) proposes to redevelop the Property with a mixed-use building including up to 349,847 square feet of residential uses with up to 360 multi-family residential units, up to 17,300 square feet of non-residential uses, and up to 200 feet in height. The Project includes 15 percent Moderately Priced Dwelling Units (MPDUs), underground parking, on-site amenities for the residents, and public open space. The Project will be located on one new lot, consisting of 60,812 square feet of gross tract area.

The Property is zoned CR 5.0, C 4.0, R 4.75, H 200T. Under Section 59-4.5.2.C.2 of the Zoning Ordinance, for CR zoned properties designated with a T, the residential density may be increased above the number following the R on the zoning map in proportion to any MPDU density bonus achieved under Chapter 25A of the County Code for providing more than 12.5% of the residential units as MPDUs. The total density may be increased above the number following the zoning classification on the zoning map by an amount equal to the residential bonus density achieved. Because the Project proposes 15% MPDUs, pursuant to the provisions of Chapter 25A of the County Code, the Project achieves a 22% residential density bonus. The resulting FAR is CR 6.03, C 0.28, R 5.75



with the height of 200 feet.<sup>1</sup> The final unit count and non-residential square footage will be finalized at the time of Site Plan.

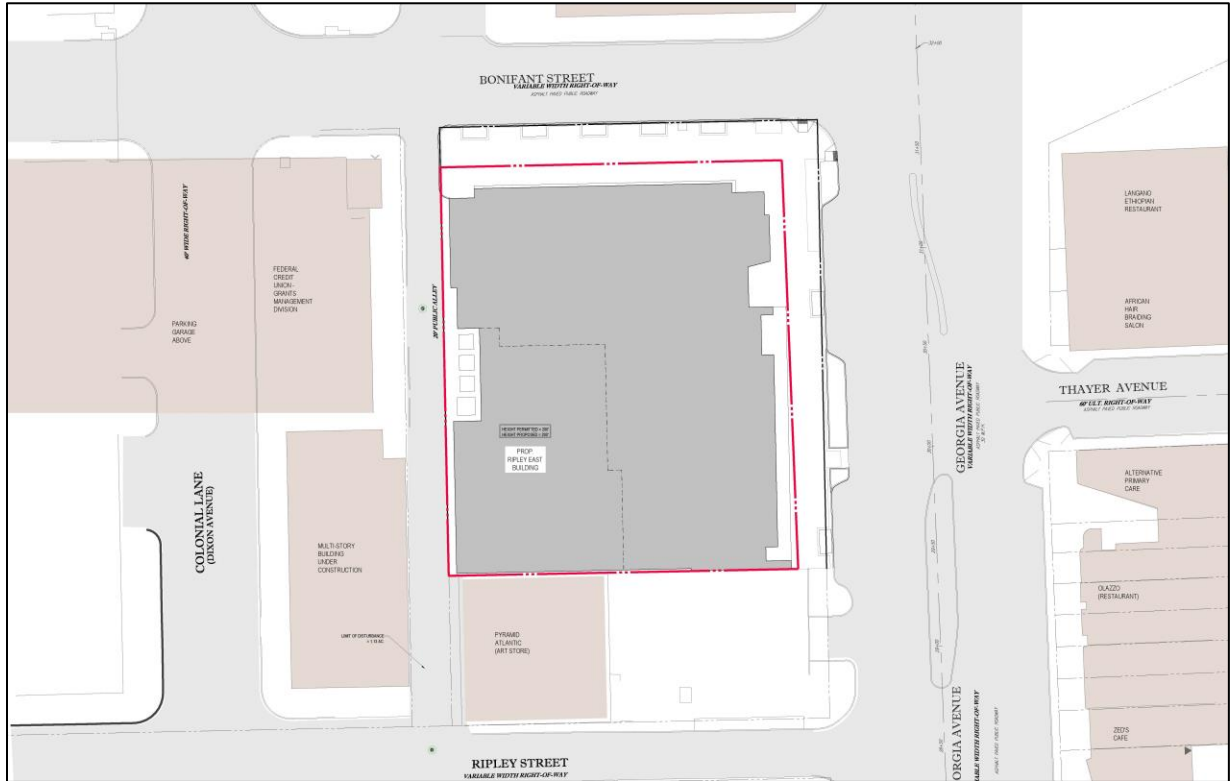


Figure 5-Sketch Plan

### Building

The Project proposes to hold the street edges of Georgia Avenue and Bonifant Street to create an L-shaped building, which is comprised of two major masses at varying heights set atop a base level that meet at the Georgia Avenue and Bonifant Street corner (Figures 6-9).

A low two- to three-story volume, up to approximately 35 feet in height at the retail base, brings the building forward to the Property line along Georgia Avenue and Bonifant Street to create a more pedestrian scale and relate to the surrounding retail buildings. At the top of the two- to three-story volume, the building steps back approximately 12 feet. In addition, a second step-back on the Georgia Avenue façade occurs at approximately the 145-foot level, with an additional step-back on the south façade at the 145-foot level. These step-backs further break down the massing along Georgia Avenue. In addition, the Project proposes an offset roofline, with the roofline of the Bonifant Street façade rising to approximately 200 feet and the roofline of the Georgia Avenue frontage stepping down to approximately 175 feet.

<sup>1</sup> Section 59-4.9.9 of the Zoning Ordinance contains the provisions applicable to properties located in the Ripley/South Silver Spring Overlay Zone. Section 59-4.9.9.C.1.b provides that the Planning Board may approve a maximum building height of 200 feet in any CR optional method development project that provides ground-floor retail, as this Project does.

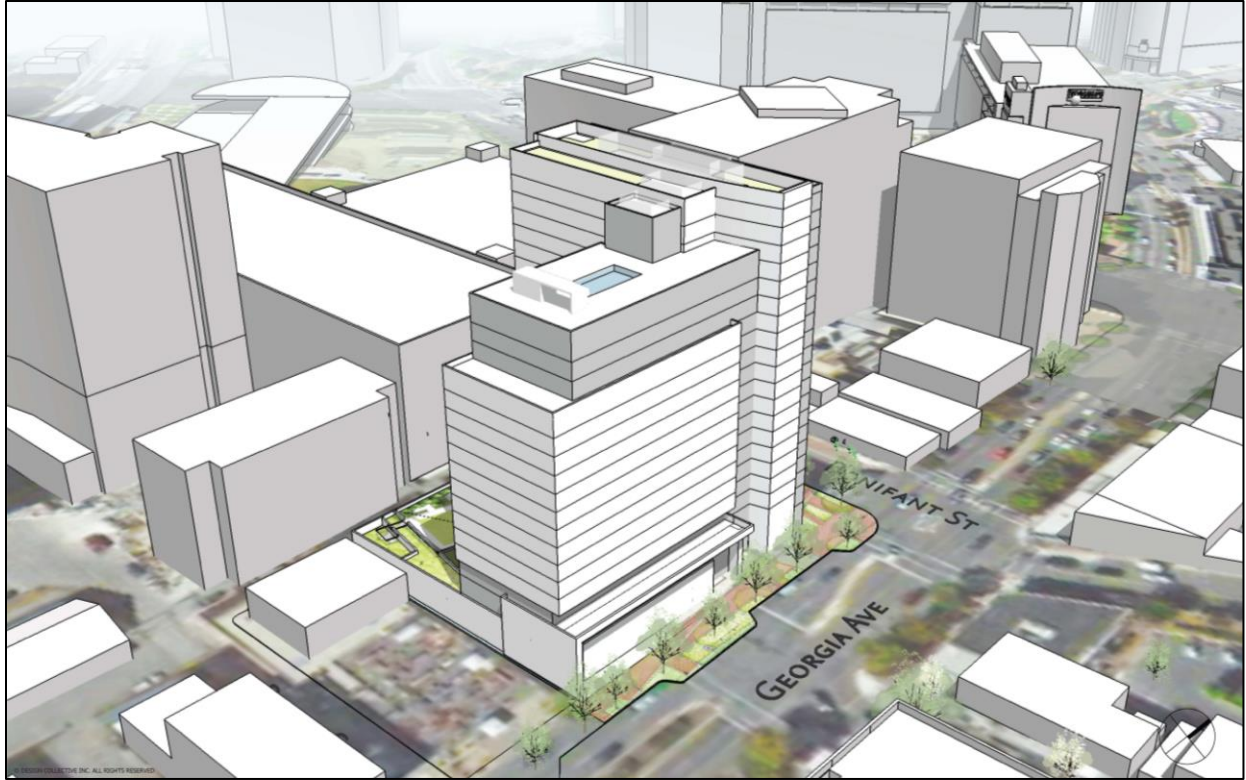


Figure 6-Conceptual Massing along Georgia Avenue

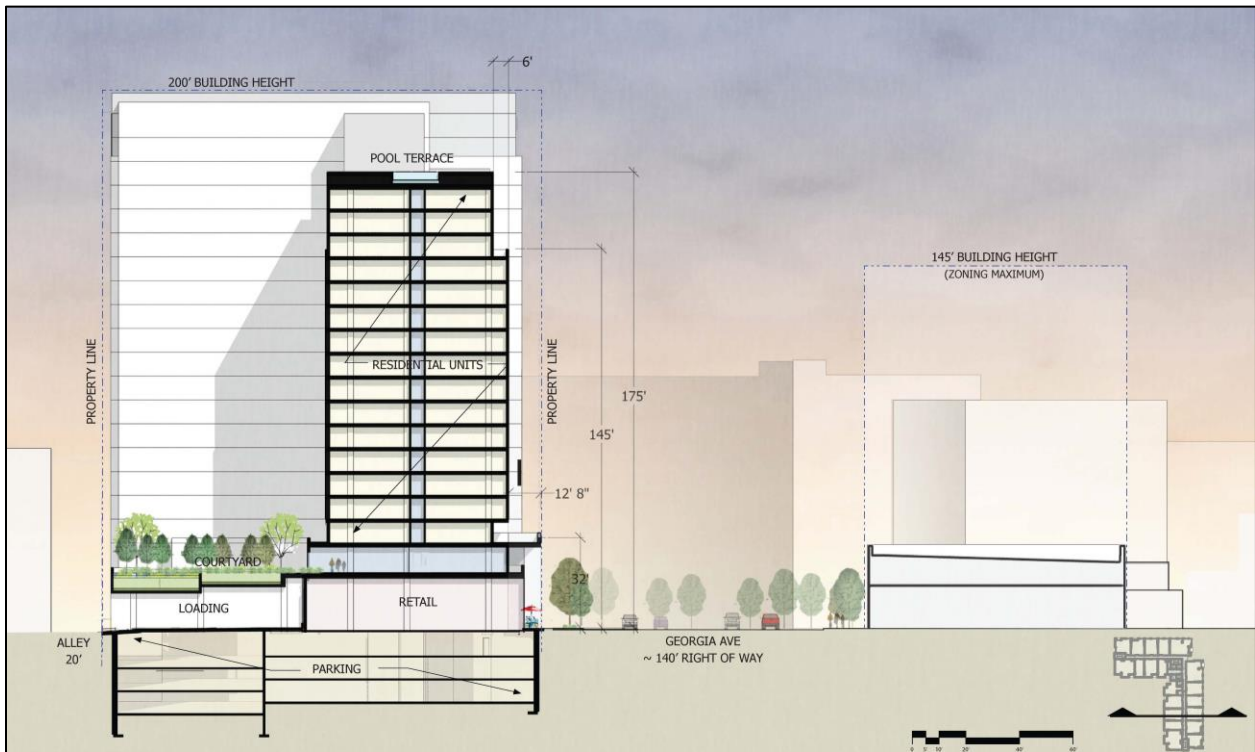


Figure 7-Illustrative EW Section, across Georgia Avenue looking north

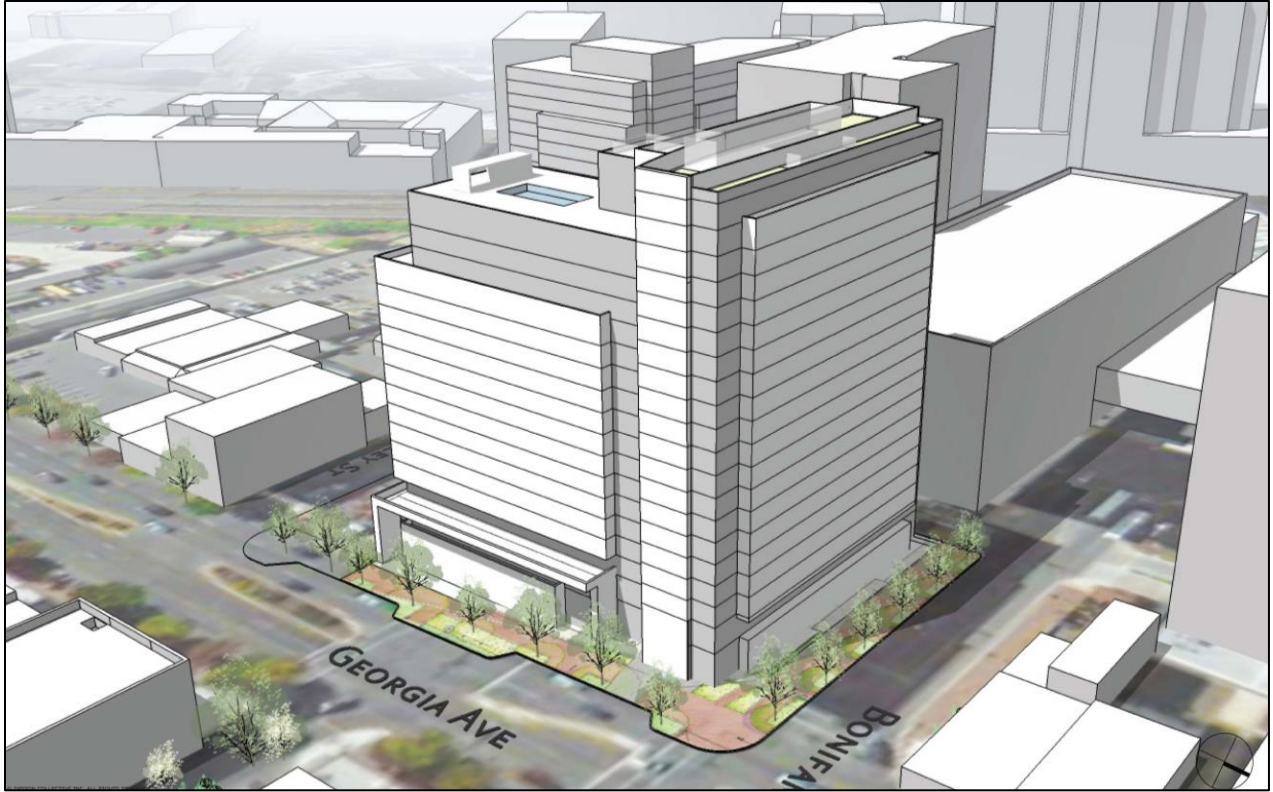


Figure 8-Conceptual Massing at the corner of Georgia Avenue and Bonifant Street

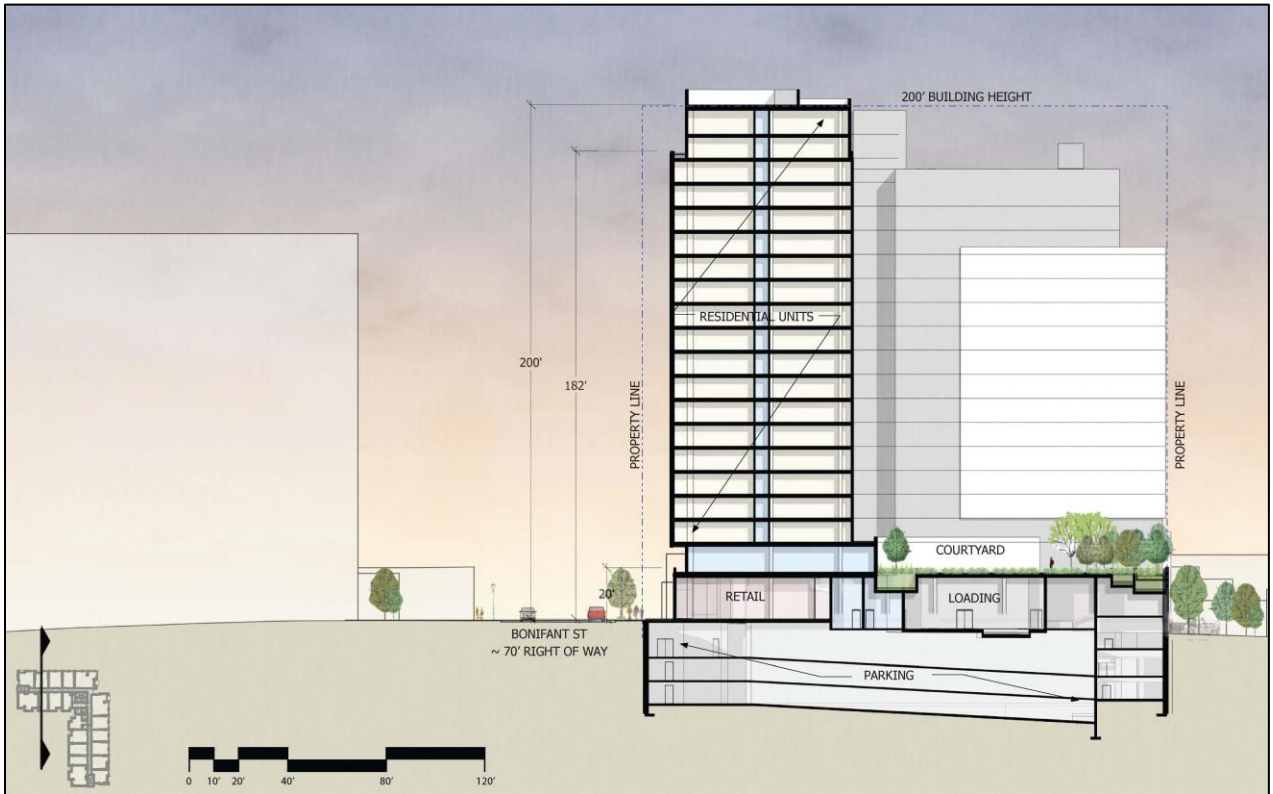


Figure 9-Illustrative NS Section, across Bonifant Street looking east



The majority of the interior space consists of residential dwelling units with select areas allocated for amenity space (Figures 10 and 11). The residential lobby is located between the retail spaces at the corner of Georgia Avenue and Bonifant Street. The lobby space contains ground floor amenities. For cyclists and dog owners, a bike storage facility and dog washing room is proposed, to be located off the alley, and will connect to the service elevator. Additional amenities are located at the second level in order to take advantage of the tall ceiling heights and landscaped courtyard at this level. Certain amenity spaces will have an indoor/outdoor connection to the elevated courtyard. At the rooftop level, the stepped massing along Georgia Avenue allows for a raised pool deck with a modest amount of interior space for restrooms and a small lounge.



Figure 10- First Floor

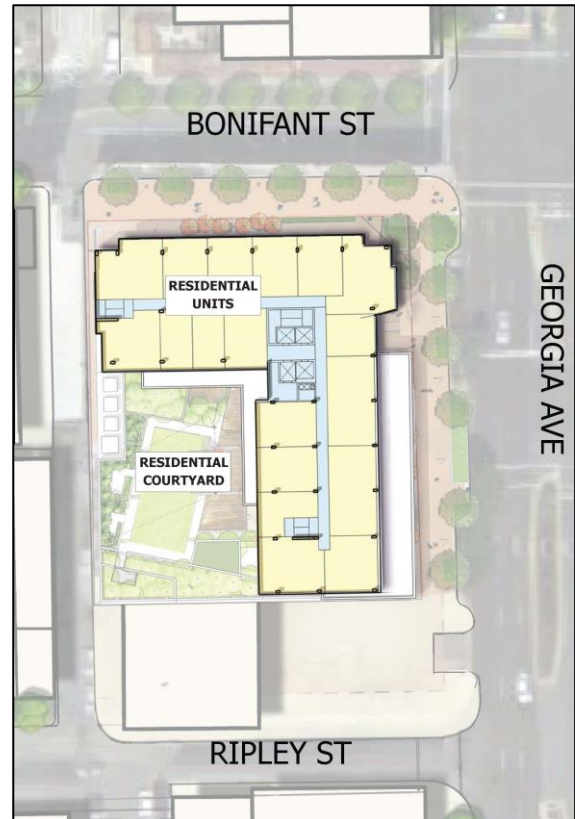


Figure 11- Typical Upper Level Floor Plan

Open Space

The Project proposes the Silver Spring streetscape along Georgia Avenue and Bonifant Street, including a public plaza at the corner of Georgia Avenue and Bonifant Street, a private courtyard atop the parking structure at the second level, located on the back side of the proposed building, along the alley, and a penthouse-level pool and deck area.

The public plaza at the corner of Georgia Avenue and Bonifant Street will allow for seating, gathering and additional plantings. It is envisioned that some café seating will occur at the face of the building as an extension of the retail uses there. In addition, public seating is proposed in the form of seatwalls, benches, or movable seats. Other amenities in the plaza may include special lighting, artwork, and planting beds with shrubs, groundcovers, and perennials.

At street level, the Project proposes to provide significant sidewalk widths ranging from approximately 37 feet on Georgia Avenue to approximately 30 feet along Bonifant Street, with final widths determined at the time of



Preliminary Plan and Site Plan. Along Georgia Avenue, this will allow for a second set of trees in planters, creating an intimate seating area at the building entry and space for outdoor café tables. On Bonifant Street, the wider sidewalks anticipate that the Purple Line will run down Bonifant Street just several feet from the curb line. The Applicant will provide a wider sidewalk along this frontage in order to provide greater separation between the building and the Purple Line operations, promoting further pedestrian comfort and allowing room for possible outdoor retail/restaurant seating options.

At the rear of the building, the private courtyard atop the retail and service/loading areas (at the second level of the building) features a rectangular lawn panel with raised planters filled with plantings. Entry to the courtyard is from the clubroom. Residents will step out onto an expansive deck including a variety of seating options and an outdoor kitchen area. At the rooftop level, a small pool and deck area are proposed.

The Project includes 5% of the net lot area of the Property as public open space, which meets the CR zone requirement for the Project. The open space requirement is based on the net lot area and number of frontages, and this Project has three frontages and the net lot area of the site is 0.817 acres.

### Environment

#### *Forest Conservation*

This Project is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements are not in excess of 10,000 square feet. (Attachment C)

#### *Noise*

The proposed Purple Line and nearby transit station would likely generate some level of noise impacts to the Subject Property. A noise analysis would be required at the time of Preliminary Plan to determine whether or not mitigation techniques are needed.

#### *Stormwater Management*

The Applicant submitted a Stormwater Management Concept Plan to Department of Permitting Services (DPS) on August 8, 2014. Approval of the Stormwater Management Concept Plan is not required at the time of Sketch Plan and further details on the concept and approval would be required at the time of Preliminary Plan.

### Transportation

#### *Access and Circulation*

Vehicular access to the Property is provided directly from an existing one-way (southbound) public alley located west of the site off Bonifant Street, approximately 200-feet west of Georgia Avenue. The Purple Line light rail project will run on Bonifant Street along the site frontage and Bonifant Street will operate as a single-lane one-way (westbound) street between Georgia Avenue and Ramsey Avenue. Resident vehicular parking is proposed to be contained within a structured subgrade garage beneath the proposed building. (Figure 12)

Bonifant Street is currently improved as a three-lane Business District roadway within a 70 foot-wide public right-of-way and is configured to accommodate a single lane of westbound traffic and two lanes of eastbound traffic. At its intersection with Georgia Avenue, eastbound traffic must turn either left or right onto Georgia Avenue; no through-traffic is permitted across Georgia Avenue at this intersection. Georgia Avenue (MD 97) is currently improved as a six-lane Major Highway within a variable-width right-of-way that will remain in its current configuration and will be dedicated to its ultimate right-of-way of 140 feet. This right-of-way is consistent with the minimum right-of-way requirements described in both the 2000 *Silver Spring CBD Sector Plan* and the 2013 *Countywide Transit Corridors Functional Master Plan*.

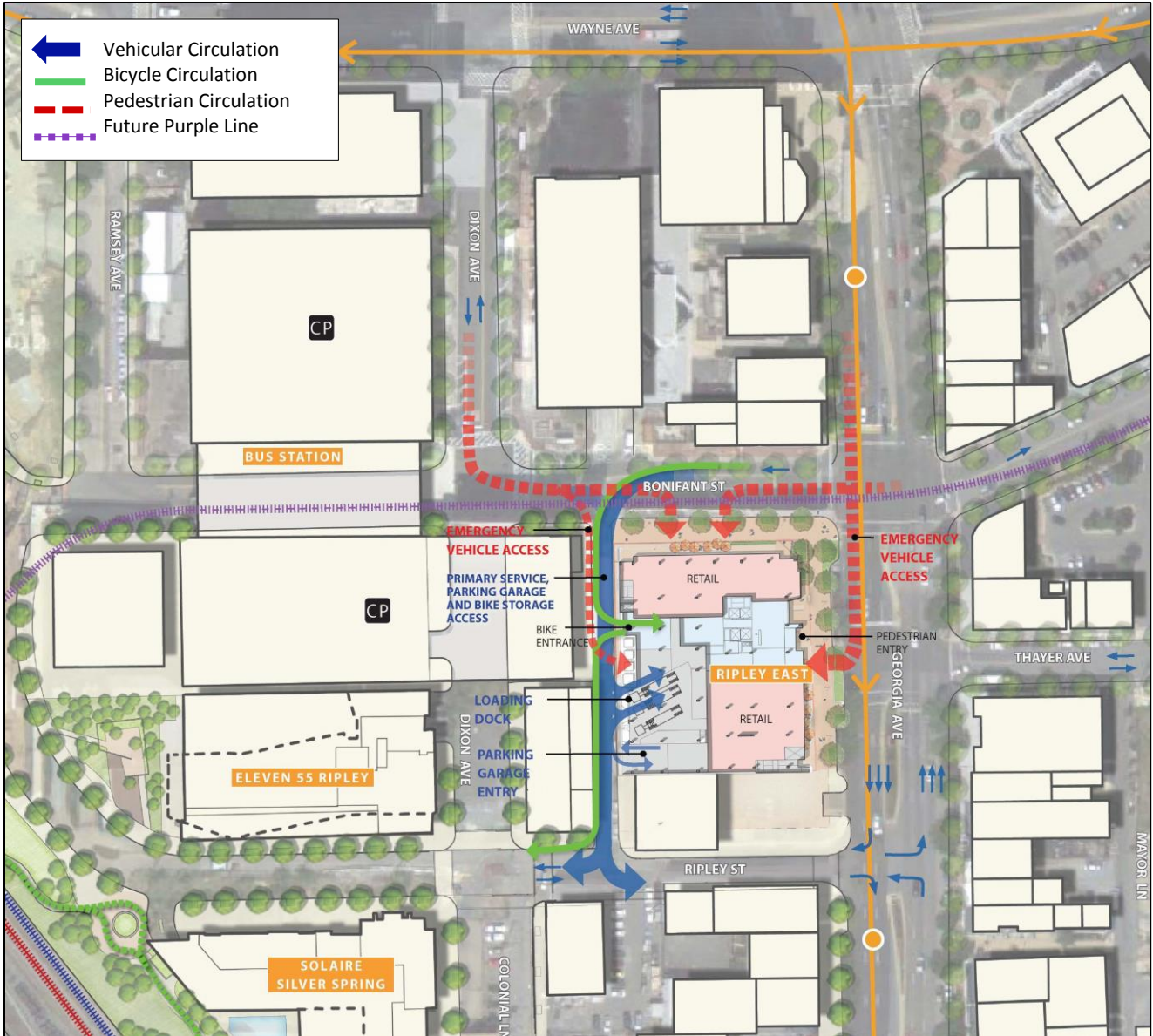


Figure 12-Vehicular Circulation

Pedestrian and bicycle access to the Property will be provided along the property’s Georgia Avenue and Bonifant Street frontages (Figure 13). As a result of the proposed right-of-way dedication, the pedestrian accommodation on the Bonifant Street frontage will be at least 24 feet from the building face to roadway, significantly greater than the existing 5 foot-wide sidewalk. Additionally, the Project provides a designated bicycle garage entrance for building residents via the public alley along the rear of the building. No specific master planned bikeways are recommended for either Bonifant Street or Georgia Avenue, though the Sector Plan identifies Bonifant Street as a “mixed street” that could accommodate bicyclists within the vehicular travelway. However, the Sector Plan did not anticipate the Purple Line on Bonifant Street.



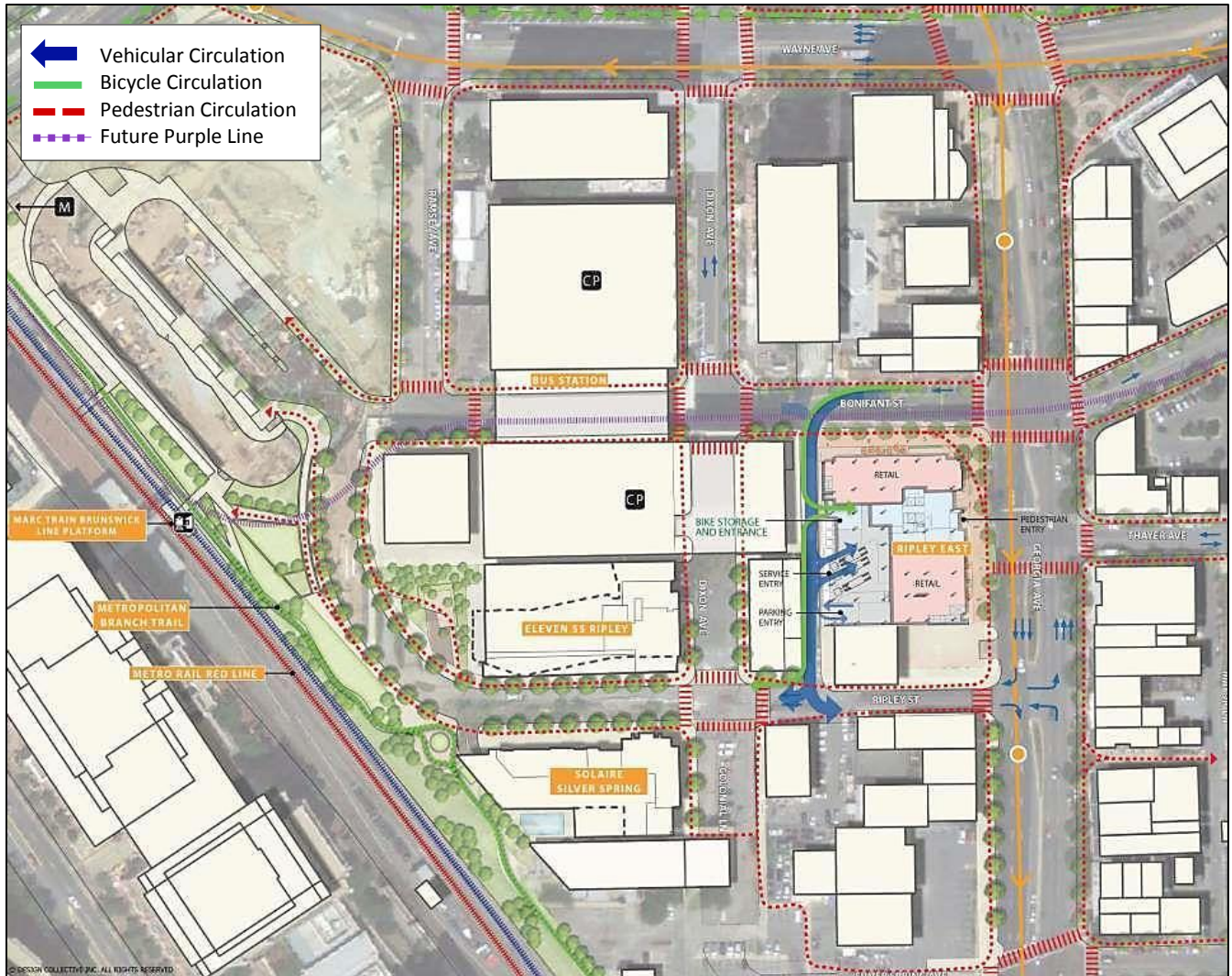


Figure 13-Pedestrian Circulation

### Transit Connectivity

The immediate area is well served by transit that includes the Red Line Silver Spring Metrorail Station, Metrobus, RideOn, and the Silver Spring VanGo Circulator. Future transit in the area includes a proposed Purple Line station at the existing Silver Spring Metrorail Redline station to the west, and a Purple Line station at the new Silver Spring Library to the east. Specific transit routes near the Site include:

1. RideOn Bus Routes 1, 2, 3, 4, 5, 8, 9, 11, 12, 13, 14, and 15
2. WMATA Metrobus Routes J5, Q1, Q2, Q4, S2, S4, Y5, Y7, Y8, Y9, Z2, Z6, Z8, Z9, Z11, Z13

### Sector-Planned Transportation Demand Management

As a commercial development within the Silver Spring Transportation Management District (TMD), the Applicant is required to enter into a Traffic Mitigation Agreement to participate in the Silver Spring TMD.

### Adequate Public Facilities

Adequate Public Facilities (APF) review will be conducted at the time of Preliminary Plan. Although the Application is not eligible for formal APF transportation review at Sketch Plan, Staff is including the following

preliminary analysis of traffic impacts. The proposed development will generate 117 morning peak-hour trips and 143 evening peak-hour trips (Table 1). As a result of the proposed transportation impact, a full traffic study will be submitted with the subsequent Preliminary Plan application.

Table 1: Proposed Ripley East Application

Trip Generation	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
<b>Proposed</b>						
General Retail	5	4	9	18	17	35
360 High Rise Apartments	22	86	108	76	32	108
<b>Total</b>	<b>27</b>	<b>90</b>	<b>117</b>	<b>94</b>	<b>49</b>	<b>143</b>

Source: Kimley Horn. Traffic Statement, dated October 7, 2014.

*Transportation Policy Area Review (TPAR)*

Since the proposed development is within the Silver Spring CBD Policy Area, the Application is exempt from both the roadway and transit tests set forth in the 2012-2016 *Subdivision Staging Policy*. As a result, the proposed development is not required to pay the transportation impact tax to satisfy the TPAR requirement.

**Sector Plan**

The Property is located within the Ripley District area as identified in the *Silver Spring CBD Sector Plan* approved and adopted February 2000 (Attachment D, Applicable Sector Plan pages). The Project conforms to the vision and objectives provided by the Sector Plan for the Property.

*Land Use and Zoning*

The Sector Plan contains specific recommendations for the Ripley District. Consistent with page 45 of the Sector Plan, “the Ripley District is envisioned as a revitalized, mixed-use district with its primary focal point a high-density commercial development. It will link Georgia Avenue and East West Highway with bike trails and pedestrian routes, organized around open space.” (Figure 14)

The Sketch Plan proposes a mixed-use development with both high-rise residential uses as well as potential ground-floor retail. The Project proposes up to 360 multi-family residential units (with final unit count and unit mix to be determined at Site Plan) with 15% on-site MPDUs and up to 17,300 square feet of non-residential uses, as well as underground parking, on-site amenities for the residents, and public open space.

Although the Sector Plan called for a new inter-connected street system, it did not propose any new streets to be constructed through the Property. The Sector Plan also calls for facilitating improvements to the character of Georgia Avenue and the Project will improve upon the existing street frontages of Georgia Avenue and Bonifant Street, providing an enhanced pedestrian environment through setbacks for a wider sidewalk and streetscaping features. All loading and vehicular access will be from the alley on the west side of the Property.

The Sector Plan also called for addressing obstacles to development that include small parcels not suitable for a combination of building floor area and required open space, and the reduction of available building area due to dedication of the Metropolitan Branch Trail. The Applicant has assembled the Property by acquiring a number of small parcels in the Ripley District. While the Project is not located adjacent to the Metropolitan Branch Trail, the Applicant anticipates the significant number of residents who will take advantage of the nearby bicycle



facilities and trails, and therefore proposes a bicycle-only access into the Property from the alley on the west side of the building.

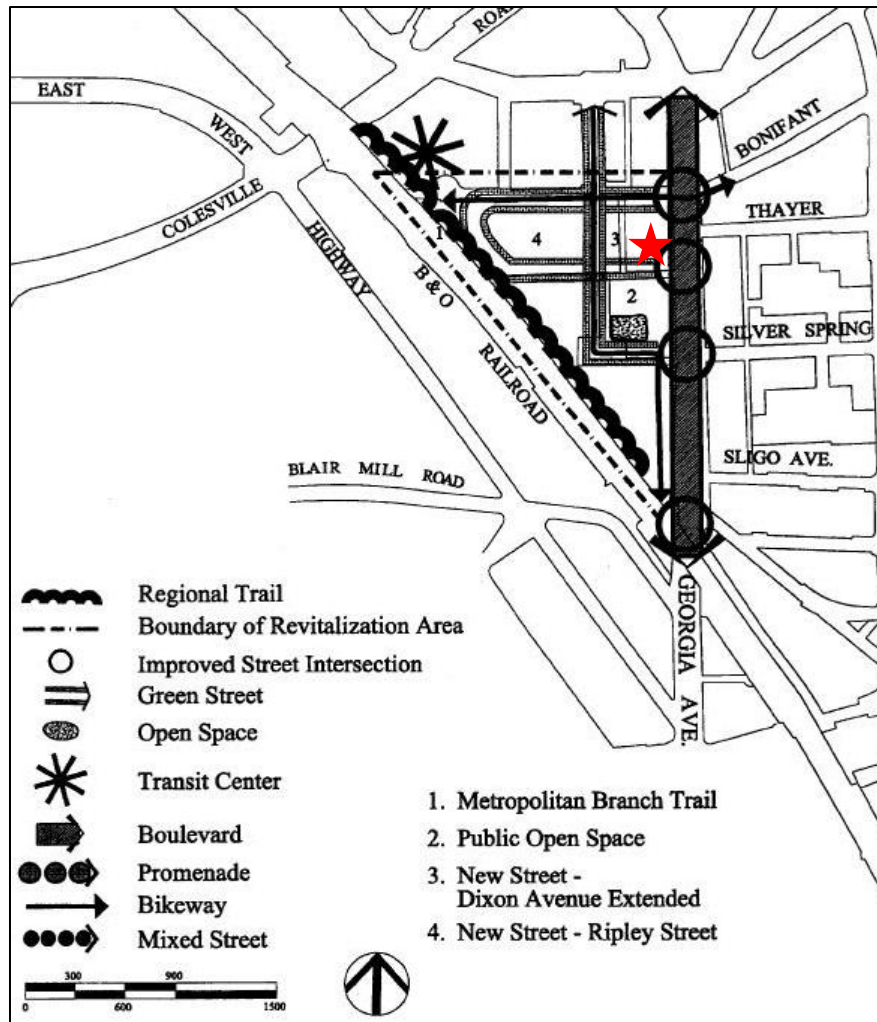


Figure 14-Ripley District Concept Plan

Although the 2000 Sector Plan calls to retain the CBD-2 Zone on parcels currently zoned CBD-2 and rezone all CBD-R2 properties in the Ripley District to CBD-2, the Property was rezoned through the Zoning Ordinance rewrite to CR-5.0, C-4.0, R-4.75, H-200T and Ripley/South Silver Spring Overlay Zone, effective October 31, 2014. The intent of the CBD-2 zoning was to encourage redevelopment near the Transit Center by allowing more commercial density in response to the current market (in 2000), but also provide the flexibility for both commercial or residential high-rises, or mixed use projects. The intent of the Overlay Zone is to encourage redevelopment in the Ripley District by providing more flexibility in the development standards and the range of permitted uses, while ensuring that new development is compatible with nearby uses and that it incorporates critical design elements, such as streetscaping and useful public open spaces. (Page 58) The Application proposes a mixed-use, high-rise residential development with ground-floor non-residential uses under the optional method of development, streetscaping and public open space, and is compatible with nearby uses, which satisfies the intent of the CBD-2 Zone, the Ripley/South Silver Spring Overlay Zone and the current CR Zone.

The Project conforms to the Sector Plan recommendations for Land Use and Zoning.

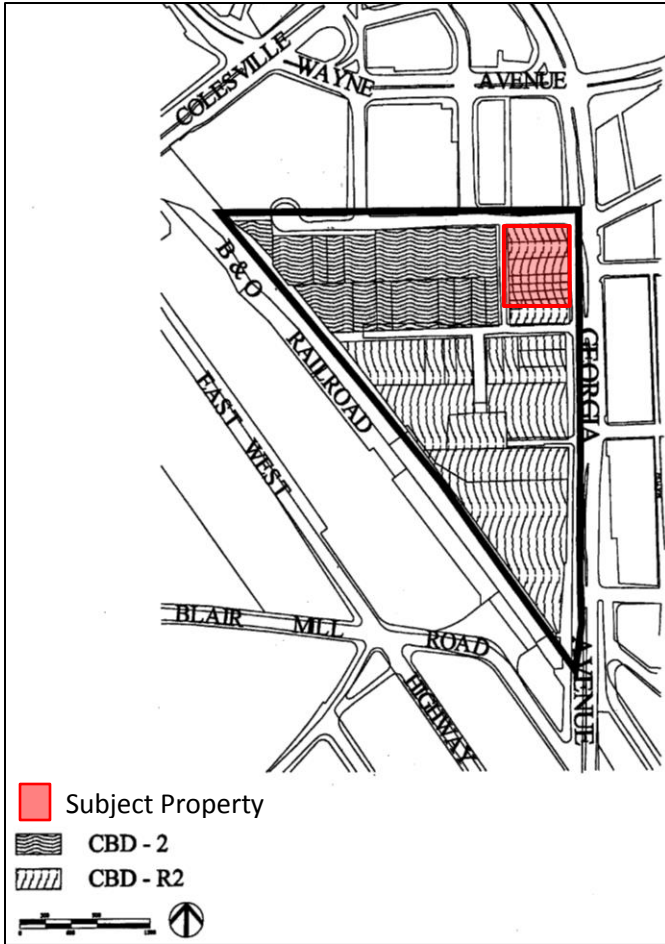


Figure 15-1993 Ripley District Existing Zoning

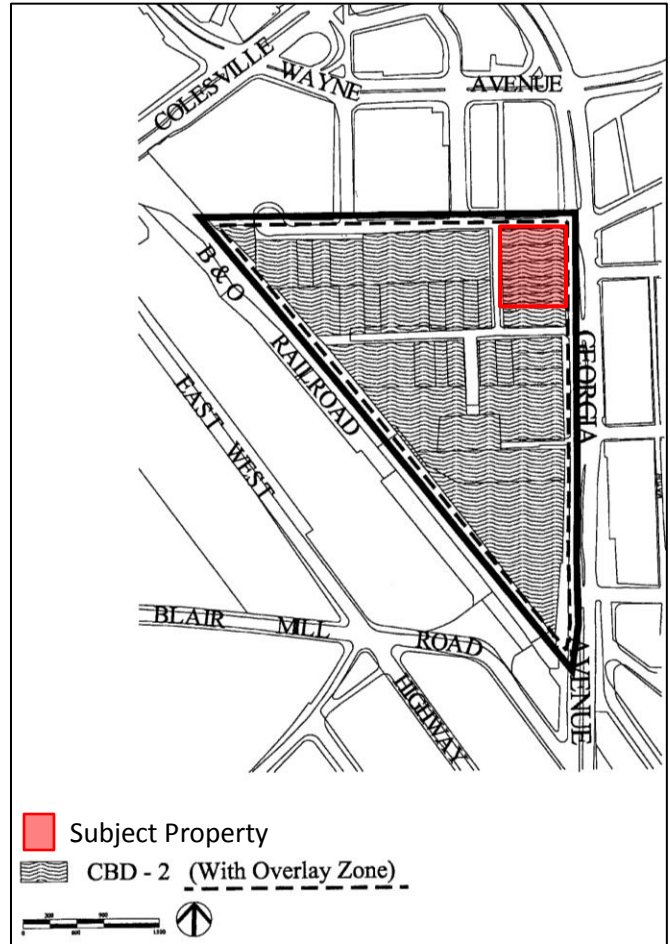


Figure 16-2000 Ripley District Proposed Zoning

### Urban Design

The Sector Plan provides the following urban design goals and guidelines for future development in the Ripley District (pages 83-85). These recommendations apply to the Subject Property.

- *Make connections to the proposed Transit Center, the Capital Crescent Metropolitan Branch Trail, and other CBD facilities and neighborhoods.*

The Property is located approximately 1,000 feet east of the Silver Spring Transit Center, and within two blocks of the Metropolitan Branch Trail. The Project facilitates pedestrian access to and from these and other CBD facilities with its proposed wider sidewalks along the Georgia Avenue and Bonifant Street frontages, to be improved to the Silver Spring streetscape standard. In addition, the Project includes access for bicyclists either residing at or visiting the Property, with a designated bicycle access point on the west side of the Property off the public alley. With easy access to two Purple Line stations (the SSTC and the proposed Library Station), residents and visitors to the site will have improved connection to these CBD facilities and neighborhoods that surround them.

- *Incorporate one or more recreational facilities sized and programmed to meet community interests, and that make use of their urban location.*

The Project's public plaza at the corner of Georgia Avenue and Bonifant Street provides the opportunity for a sitting and gathering space. In addition, the Project proposes recreational facilities and amenities for its residents such as a rooftop pool and fitness center.

- *Create open spaces designed to form a new image for this neighborhood, and contribute to an improved visual quality along Georgia Avenue.*

The Applicant proposes to improve the Georgia Avenue streetscape through a significant setback of the building from the curb and with the Silver Spring standard streetscape improvement along the length of the Property. Outdoor seating options for the ground-floor retail or restaurant uses could activate this frontage. In addition, the public plaza at the corner of Georgia Avenue and Bonifant Street would improve the visual quality of Georgia Avenue as vehicles and pedestrians pass by.

- *Building heights along Georgia Avenue should contribute to an attractive and coherent street.*
  - *At the building line, limit height to 90 feet, consistent with height limits on the east side of Georgia Avenue.*
  - *The building may step back and its height may be increased up to 143 feet, provided that the building is contained within a 2:1 slope.*

The Project proposes to hold the street edges of Georgia Avenue and Bonifant Street to create an L-shaped building, which is comprised of two major masses at varying heights set atop a base level that meet at the Georgia Avenue and Bonifant Street corner.

To contribute to an attractive and coherent Street, the building design modulates its massing to break down the overall scale of the building. The massing along Georgia Avenue is lower and set back to transition towards Fenton Village and the surrounding neighborhoods on the east side of Georgia Avenue. At the retail base of the building, a low two- to three-story volume of approximately 35 feet in height brings the building forward to the property line along Georgia Avenue to create a more pedestrian scale and relate to the surrounding retail buildings. Above this, the primary mass of the building steps back approximately 12 feet, de-emphasizing the overall building height and enhancing compatibility with the buildings across Georgia Avenue. At 145 feet, the building steps back again along both Georgia Avenue and the southern facade facing Pyramid Atlantic and Ripley Street. These step-backs further break down the massing along Georgia Avenue, particularly as viewed from the south, as shown in Figure 17. The Project also provides an offset roofline, with the Bonifant Street side rising to approximately 200 feet and along the Georgia Avenue frontage stepping down to approximately 175 feet.

The Project is also compatible with building heights of the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the west and the recently approved Ripley II Sketch Plan, all three projects located in the Ripley District. Both the Solaire Silver Spring and Eleven55 Ripley projects were designed and constructed in ways that addressed the intent of the Sector Plan, but did not adhere strictly to the step-back language of the Sector Plan. In February 2015, the Planning Board found that the Ripley II Sketch Plan project addressed the intent of the Sector Plan, but did not adhere strictly to the step-back language of the Sector Plan.

While the design does not strictly adhere to this urban design guideline, the Applicant has strived to meet the intent of Sector Plan design guidelines through articulation of the massing, vertical and horizontal step-backs, and varying heights. The modulated building massing will provide open space and relate to the surrounding uses and character of the neighborhood. The building step-backs along Georgia Avenue will enhance access to light and air, preventing a "canyon effect" along the Georgia Avenue corridor. The

Applicant has provided a significant setback of the building along Georgia Avenue to provide a wider sidewalk, more pleasant pedestrian experience, and opportunities for outdoor seating for retail or restaurant uses. Given the Applicant's efforts to achieve compatible relationships with adjoining development and neighborhoods, to maximize housing opportunities in the Ripley District, to create open spaces designed to form a new image for this neighborhood, and to contribute to an improved visual quality along Georgia Avenue, Staff believes that the Project achieves the intent of the Sector Plan's urban design recommendations.



*Figure 17-Conceptual Massing and view from Georgia Avenue (looking north)*

### *Housing*

The housing objective of the of the Sector Plan is to develop new residential projects to provide housing and encourage maintenance of existing housing, creating Silver Spring as an even more desirable residential market.

The recommendations include:

- provide housing choice and market-feasible development options, including apartments and townhouses;
- rezone CBD properties to encourage residential development; and
- convert selected public sector surface parking lots to housing.

The Sector Plan identified the Subject Property as a potential housing site (Figure 18). The Application proposes a new mixed-use project with up to 360 multifamily residential units with 15% on-site MPDUs, offering housing opportunities proximate to the numerous transit options of downtown Silver Spring. The Application meets the Sector Plan's housing objective.



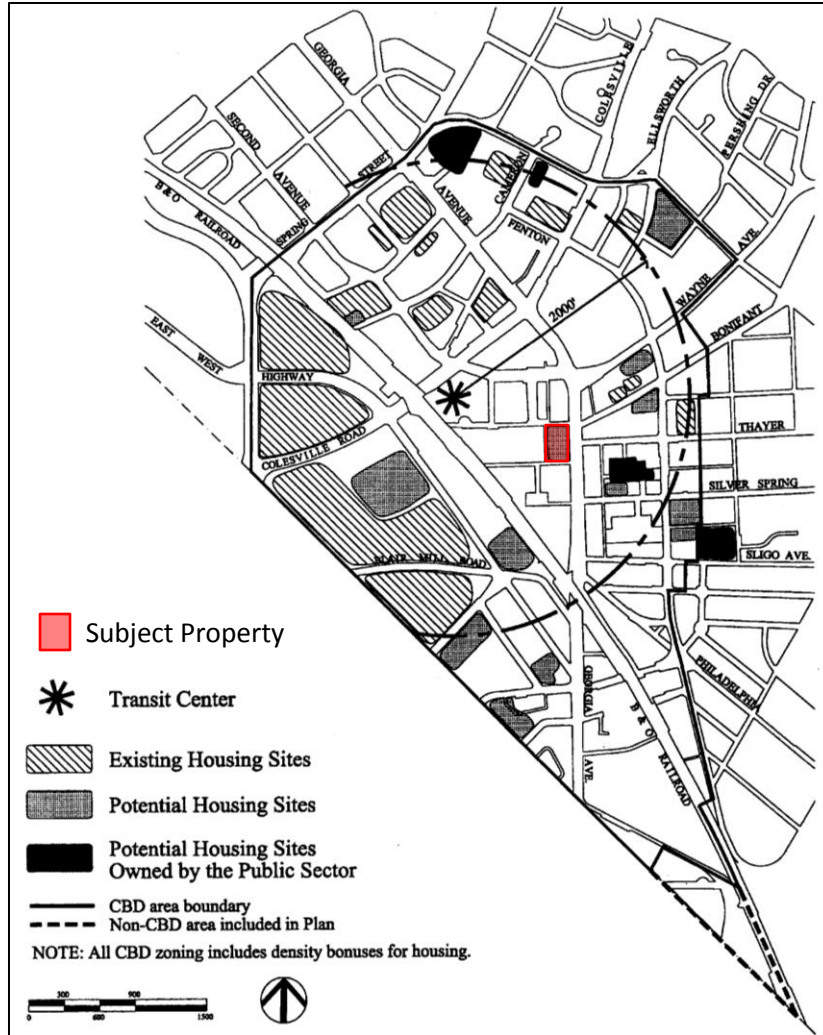


Figure 18-Residential Downtown

### Historic Resources

The Application includes development of the former Silver Spring National Bank located at 8252 Georgia Avenue, which does not have a historic designation. Staff would also like to clarify that on page 139 of the Sector Plan, on Map 42, the Silver Spring Post Office is incorrectly located on the Subject Property. The correct location is a block north of the Subject Property.

### Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On July 17, 2014, the Applicant held a pre-submittal public meeting at the Silver Spring Civic Building. Staff received correspondence from the Silver Spring Historical Society and East Silver Spring Citizen’s Association that contributed to the deferral of the original design, but Staff has not received any new correspondence regarding the recent February revised submittal.

**SECTION 4: PROJECT ANALYSIS AND FINDINGS**

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59-7.3.3E of the Zoning Ordinance states: “To approve a sketch plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:”

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the development standards of Section 59-4.5.4, as shown in the Data Table below:

<b>Project Data Table for the CR5.0 C4.0 R4.75 H200’T Zone</b>		
<b>Development Standard Section 59 – 4.5.4</b>	<b>Permitted/Required</b>	<b>Proposed</b>
Gross Tract Area (sf)	n/a	<b>60,812</b>
Maximum Density (CR) <b>Non-residential (C)</b> <b>Residential (R)<sup>1</sup></b>	<b>5.0 FAR (304,060 sf)</b> 4.0 FAR (243,248 sf) 4.75 FAR (288,857 sf)	<b>Up to 6.03 FAR (367,147 sf)<sup>2</sup></b> Up to 0.28 FAR (17,300 sf) Up to 5.75 FAR (349,847 sf)
Building Height (feet)	200 <sup>3</sup>	Up to 200’ on Bonifant Street Up to 175’ on Georgia Avenue
Minimum Public Open Space (%)	5% (1,781 sf)	5% (1,781 sf)
Parking spaces (§59-6.2.4) <b>Multi-family</b>  <b>Restaurant</b>  <b>Retail/service establishment</b>	Minimum 1 space/unit; Maximum 1 space/studio, 1.25 space/one bedroom, 1.5/two bedroom  Minimum 4 space/1,000 sf of patron use; Maximum 12 space/1,000 sf of patron use Minimum 3.5 space/1,000 sf GLA; Maximum 6 space/1,000 sf of GLA	TBD at Site Plan  TBD at Site Plan  TBD at Site Plan

<sup>1</sup> As noted previously, pursuant to Section 59-4.5.2.C.2 of the Zoning Ordinance, for CR zoned properties designated with a “T”, residential density may be increased above the number following the R on the zoning map in proportion to any MPDU density bonus achieved under Chapter 25A of the County Code for providing more than 12.5% of the residential units as MPDUs, and total density may be increased above the number following the zoning classification on the zoning map by an amount equal to the residential bonus density achieved.

<sup>2</sup> The Application utilizes the optional method of development to develop the Property with up to the maximum density (6.037 FAR, with up to 5.75 FAR in residential uses and up to 0.28 FAR in non-residential uses (retail and/or restaurant) and the maximum height (200 feet) permitted for the Property under the CR Zone and Ripley District Overlay Zone (including as the result of provision of 15% MPDUs and the accompanying 22% residential density bonus). Final density and final building heights will be determined at the time of Site Plan.

<sup>3</sup> Section 59-4.9.9 of the Zoning Ordinance contains the provisions applicable to properties located in the Ripley/South Silver Spring Overlay Zone. Section 59-4.9.9.C.1.b provides that the Planning Board may approve a maximum building height of 200 feet in any CR optional method development project that provides ground-floor retail, as this Project does.

The Application will provide the minimum required number of bicycle parking spaces for residents and visitors, and commuter shower/change facilities within the building to be determined at the time of Site Plan. The number of parking spaces will also be determined at Site Plan based on the number of residential dwelling units.

- a) *Implement the recommendations of applicable master plans.*

**Land Use and Zoning**

The Ripley District is envisioned as a revitalized, mixed-use district with its primary focal point a high-density commercial development. The Sketch Plan provides a mixed-use, high-rise residential development with ground-floor retail or other non-residential uses. The Project provides up to 360 multi-family residential units (with final unit count and unit mix to be determined at Site Plan) with 15% on-site MPDUs and up to 17,300 square feet of non-residential uses.

Although the Sector Plan called for a new inter-connected street system, it did not propose any new streets to be constructed through the Property. The Sector Plan also calls for facilitating improvements to the character of Georgia Avenue and the Project will improve upon the existing street frontages of Georgia Avenue and Bonifant Street, providing an enhanced pedestrian environment through setbacks for a wider sidewalk and streetscaping features. All loading and vehicular access will be from the alley on the west side of the Property.

The Sector Plan also called for addressing obstacles to development that include small parcels not suitable for a combination of building floor area and required open space, and the reduction of available building area due to dedication of the Metropolitan Branch Trail. The Applicant has assembled the Property by acquiring a number of small parcels in the Ripley District. While the Project is not located adjacent to the Metropolitan Branch Trail, the Applicant anticipates the significant number of residents who will take advantage of the nearby bicycle facilities and trails, and will provide a bicycle-only access into the Property from the alley on the west side of the building.

Although the 2000 Sector Plan calls to retain the CBD-2 Zone on parcels currently zoned CBD-2 and rezone all CBD-R2 properties in the Ripley District to CBD-2, the Property was rezoned through the Zoning Ordinance rewrite to CR-5.0, C-4.0, R-4.75, H-200T and Ripley/South Silver Spring Overlay Zone, effective October 31, 2014. The intent of the CBD-2 zoning was to encourage redevelopment near the Transit Center by allowing more commercial density in response to the current market (in 2000), but also provide the flexibility for both commercial or residential high-rises, or mixed use projects. The Project will be a mixed-use, high-rise residential development with ground-floor non-residential uses under the optional method of development, which satisfies the intent of the CBD-2 Zone, the Ripley/South Silver Spring Overlay Zone and the current CR Zone.

The Application conforms to the Sector Plan recommendations for Land Use and Zoning.

## Urban Design

The Sector Plan also provides urban design goals and guidelines for future development in the Ripley District:

- *Make connections to the proposed Transit Center, the Capital Crescent Metropolitan Branch Trail, and other CBD facilities and neighborhoods.*

The Property is located approximately 1,000 feet east of the Silver Spring Transit Center, and within two blocks of the Metropolitan Branch Trail. The Project facilitates pedestrian access to and from these and other CBD facilities with its wider sidewalks along the Georgia Avenue and Bonifant Street frontages, to be improved to the Silver Spring streetscape standard. In addition, the Project includes access for bicyclists either residing at or visiting the Property, with a designated bicycle access point on the west side of the Property off the public alley. With easy access to two Purple Line stations (the SSTC and the proposed Library Station), residents and visitors to the site will have improved connection to these CBD facilities and neighborhoods that surround them.

- *Incorporate one or more recreational facilities sized and programmed to meet community interests, and that make use of their urban location.*

The Project's public plaza at the corner of Georgia Avenue and Bonifant Street provides the opportunity for a sitting and gathering space. In addition, the Project will provide recreational facilities and amenities for its residents such as a rooftop pool and fitness center.

- *Create open spaces designed to form a new image for this neighborhood, and contribute to an improved visual quality along Georgia Avenue.*

The Applicant will improve the Georgia Avenue streetscape through a significant setback of the building from the curb and with the Silver Spring standard streetscape improvement along the length of the Property. Outdoor seating options for the ground-floor retail or restaurant uses could activate this frontage. In addition, the public plaza at the corner of Georgia Avenue and Bonifant Street would improve the visual quality of Georgia Avenue as vehicles and pedestrians pass by.

- *Building heights along Georgia Avenue should contribute to an attractive and coherent street.*
  - *At the building line, limit height to 90 feet, consistent with height limits on the east side of Georgia Avenue.*
  - *The building may step back and its height may be increased up to 143 feet, provided that the building is contained within a 2:1 slope.*

The Project proposes to hold the street edges of Georgia Avenue and Bonifant Street to create an L-shaped building, which is comprised of two major masses at varying heights set atop a base level that meet at the Georgia Avenue and Bonifant Street corner.

To contribute to an attractive and coherent street, the building design modulates its massing to break down the overall scale of the building. The massing along Georgia Avenue is lower and set back to transition towards Fenton Village and the surrounding neighborhoods on the east side of Georgia Avenue. At the retail base of the building, a low two- to three-story volume of approximately 35 feet in height brings the building forward to the property line



along Georgia Avenue to create a more pedestrian scale and relate to the surrounding retail buildings. Above this, the primary mass of the building steps back approximately 12 feet, de-emphasizing the overall building height and enhancing compatibility with the buildings across Georgia Avenue. At 145 feet, the building steps back again along both Georgia Avenue and the southern facade facing Pyramid Atlantic and Ripley Street. These step-backs further break down the massing along Georgia Avenue, particularly as viewed from the south. The Project also provides an offset roofline, with the Bonifant Street side rising to approximately 200 feet and along the Georgia Avenue frontage stepping down to approximately 175 feet.

The Project is also compatible with building heights of the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the west and the recently approved Ripley II Sketch Plan, all three projects located in the Ripley District. Both the Solaire Silver Spring and Eleven55 Ripley projects were designed and constructed in ways that addressed the intent of the Sector Plan, but did not adhere strictly to the step-back language of the Sector Plan. In February 2015, the Planning Board found that the Ripley II Sketch Plan project addressed the intent of the Sector Plan, but did not adhere strictly to the step-back language of the Sector Plan.

While the design does not strictly adhere to this last urban design guideline, the Applicant has strived to meet the intent of Sector Plan design guidelines through articulation of the massing, vertical and horizontal step-backs, and varying heights. The modulated building massing will provide open space and relate to the surrounding uses and character of the neighborhood. The building step-backs along Georgia Avenue will enhance access to light and air, preventing a “canyon effect” along the Georgia Avenue corridor. The Applicant has provided a significant setback of the building along Georgia Avenue to provide a wider sidewalk, more pleasant pedestrian experience, and opportunities for outdoor seating for retail or restaurant uses. Given the Applicant’s efforts to achieve compatible relationships with adjoining development and neighborhoods, to maximize housing opportunities in the Ripley District, to create open spaces designed to form a new image for this neighborhood, and to contribute to an improved visual quality along Georgia Avenue, Staff believes that the Project achieves the intent of the Sector Plan’s urban design recommendations.

### **Housing**

The housing objective of the Sector Plan is to develop new residential projects to provide housing and encourage maintenance of existing housing, creating Silver Spring as an even more desirable residential market. The Sector Plan identified the Subject Property as a housing site. The Application provides a new mixed-use project with up to 360 multi-family residential units with 15% on-site MPDUs, offering housing opportunities proximate to the numerous transit options of downtown Silver Spring. The Application meets the Sector Plan housing objective.

### **Historic Resources**

The Sector Plan did not recommend designation of the Subject Property as historic. However, the Application includes development of the former Silver Spring National Bank located at 8252 Georgia Avenue, which does not have a historic designation.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Property is currently comprised of vacant lots and existing aging buildings. The Project will

redevelop the lots and existing single-use buildings on the site with a higher-density mixed-use development with underground parking to maximize residential development within a quarter mile from the Silver Spring Metro and the planned Purple Line. The Project includes ground-floor non-residential uses, upper level residential units, public open space and residential amenity space. The Project meets the objective of this finding.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project encourages such development by proposing market-rate residential units in a variety of unit types (studios, one- and two-bedrooms) as well as 15% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of downtown Silver Spring. The non-residential uses (retail and/or restaurant) on the ground floor provide commercial services for the residents and surrounding neighborhood. The Project facilitates all modes of transit – pedestrian, bicycle, and vehicular, proximate to the Purple Line and the SSTC. It will provide wide sidewalks along Georgia Avenue and Bonifant Street for pedestrian passage and comfort as well as a public plaza at the corner of Georgia Avenue and Bonifant Street. The Project provides a separate access point for bicycles and will provide vehicular parking and loading access to meet market demands. The Project does not propose any parking between the building and the street frontages.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Project will provide a mix of uses on-site, including a significant amount of new residential development and ground floor retail with a building height of up to 175 feet on Georgia Avenue and up to 200 feet on Bonifant Street, as allowed in the CR-5.0, C-4.0, R-4.75, H-200T zone. Adjacent building heights and uses in the Ripley District, west of the Property, include the recently completed Eleven55 Ripley and Solaire Silver Spring to the west and southwest, with heights up to 200 feet and the recently approved Ripley II Sketch Plan with a height of up to 200 feet. Directly on the east side of Georgia Avenue, are existing one-two story retail/commercial buildings and two projects that have just begun or are soon to begin construction: Bonifant at Silver Spring and Studio Plaza, both with a height limit of 110 feet.

To further enhance the pedestrian experience and soften the height of the building, the Project incorporates low two- to three-story volumes along both the Georgia Avenue and Bonifant Street frontages at the retail base, providing setbacks at the street level. This feature brings the building to a more pedestrian scale at the street level and better relates to the surrounding retail buildings. In addition, a second step-back on the Georgia Avenue facade occurs at approximately the 145-foot level, with an additional step-back on the south façade at the 145-foot level. These step-backs further break down the massing of the building along Georgia Avenue. In addition, the Project will provide an offset roofline, with the roofline of the Bonifant Street façade rising to approximately 200 feet and the roofline of the Georgia Avenue frontage stepping down to approximately 175 feet to transition toward Fenton Village and the surrounding neighborhoods on the east side of Georgia Avenue.

The Project's building heights are appropriate at this location and ensure compatible relationships with adjoining neighborhoods, and therefore meets the finding.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

The Project will help to meet the need for additional housing options in the Ripley District. The mixed-use development will provide more residents to patronize local businesses, and strengthen the Ripley District as a revitalized, mixed-use district. Additionally, providing more housing stock in the CBD provides greater opportunities for employment, a fundamental ingredient for the “smart growth” promoted by the previous CBD zones. The Project provides a variety of housing options through provision of both market-rate units and MPDUs in an array of unit sizes. In addition, the Project provides non-residential uses such as retail and/or restaurant.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

- 2. *substantially conform with the recommendations of the applicable master plan;*

As discussed earlier in the findings, the Project provides the diversity of housing, connectivity improvements, and will create an open space that will contribute to an improved visual quality along Georgia Avenue. In addition, the Applicant will design the Georgia Avenue façade with articulation in building massing, step-backs, and heights, which achieves many of the same objectives accomplished by building step-back. The Project conforms to the intent and recommendations of the Sector Plan.

- 3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

- 4. *achieve compatible internal and external relationships between existing and pending nearby development;*

The building is compatible in height and scale with the recent development in the Ripley District. The Project will provide a 200-foot building height on Bonifant Street, with the building stepping down in height to 175 feet on Georgia Avenue. The massing of the building will provide ample open space and setbacks to relate to the surrounding uses and character and the building step-backs along Georgia Avenue will ensure adequate light and air and preventing a “canyon effect” along the Georgia Avenue corridor. The Project is also compatible with building heights of the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the west and the recently approved Ripley II Sketch Plan, all three projects located in the Ripley District. The building provides an appropriate transition to adjoining neighborhoods as recommended with the urban design goals and guidelines in the Sector Plan. The Project achieves compatible internal and external relationships between existing and pending nearby development.

- 5. *provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Project appropriately locates activating pedestrian uses along the Georgia Avenue and Bonifant Street frontages, including the residential entrance, the public plaza, and wide streetscapes with the Silver Spring standard streetscaping. The public alley on the west side of the Property appropriately

functions for vehicular access (cars and bicycles will each have their own designated access point) and loading.

6. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

The Application includes public benefits that address the general incentive and density considerations required by Section 59-4.7.1.B. The public benefits:

- a. Take into consideration “the recommendations of the applicable master plan” by providing the diversity of housing, structured parking, general sustainability measures, and connectivity improvements;
- b. Meet “the CR Zone Incentive Density Implementation Guidelines” by providing the proper calculations and criteria for each public benefit;
- c. Meet “any design guidelines adopted for the applicable master plan area” by providing connectivity improvements, and articulation in building massing, heights and step-backs which achieves the objectives of the design guidelines;
- d. Are appropriate for “the size and configuration of the site” by improving the existing configuration of surface parking lots and replacing them with structured parking close to transit;
- e. Adequately address “the relationship of the site to adjacent properties” by designing the building at an appropriate scale that complements and enhances the existing character of the area;
- f. Consider “the presence or lack of similar public benefits nearby” through the provision of affordable housing, environmental benefits, and upgraded pedestrian connections, all of which are currently needed in this area; and
- g. Provide “enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit” which will be developed and assessed during Preliminary and Site Plan reviews.

<b>Public Benefits Calculations</b>			
<b>Public Benefit</b>	<b>Incentive Density Points</b>		
	<b>Max Allowed</b>	<b>Requested</b>	<b>Recommended</b>
<b>59-4.7.3B: Transit Proximity</b>	<b>40</b>	<b>40</b>	<b>40</b>
<b>59-4.7.3C: Connectivity and Mobility</b>			
<b>Minimum Parking</b>	<b>10</b>	<b>9</b>	<b>9</b>
<b>Trip Mitigation</b>	<b>20</b>	<b>10</b>	<b>10</b>
<b>Way-finding</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>59-4.7.3D: Diversity of Uses and Activities</b>			
<b>Affordable Housing (MPDUs)</b>	<b>No limit</b>	<b>30</b>	<b>30</b>
<b>59-4.7.3E: Quality of Building and Site Design</b>			
<b>Structured Parking</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b>Tower Step-back</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>59-59-4.7.3F: Protection and Enhancement of the Natural Environment</b>			
<b>Building Lot Terminations</b>	<b>30</b>	<b>9</b>	<b>9</b>
<b>Cool Roof</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>Energy Conservation and Generation</b>	<b>15</b>	<b>10</b>	<b>10</b>
<b>Recycling Facility Plan</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>Vegetated Roof</b>	<b>10</b>	<b>7.5</b>	<b>7.5</b>
<b>TOTAL</b>	<b>205</b>	<b>155.5</b>	<b>155.5</b>

### Transit Proximity

The Property is located within one-quarter mile of the Silver Spring Transit Center (and Metro Station). Staff supports the Applicant's request for 40 points as suggested in the *2012 Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

### Connectivity and Mobility

*Minimum Parking:* The Applicant proposes to provide fewer than the maximum number of parking spaces permitted under the Zoning Ordinance, and at this time anticipates achieving 9 points. Staff supports the Applicant's request.

*Trip Mitigation:* The Applicant will enter into a binding Traffic Mitigation Agreement to reduce the number of weekday morning and evening peak hour trips to the site in excess of any other regulatory requirement and the agreement must result in a reduction of at least 50% for trips attributable to the site. Staff supports the Applicant's request of 10 points.

*Way-finding:* The Applicant requests 5 points for providing a way-finding system that orients pedestrians and cyclists to transit facilities, the nearby Metropolitan Branch Trail, and public use and open spaces. Further details and refinement to be provided at the time of Site Plan. Staff supports the Applicant's request.

### Diversity of Uses and Activities

*Affordable Housing:* The Applicant requests 30 points for providing 15% of the multi-family units as MPDUs. The incentive density points for MPDUs are calculated as a percentage of the total number of dwelling units (assuming 360 multi-family units). The Applicant's initial estimate of providing 54 MPDUs yields 30 points. Final number of MPDU units to be determined at Site Plan. Staff supports the Applicant's request.

### Quality of Building and Site Design

*Structured Parking:* The Applicant requests 20 points for structured parking for the parking that will be below grade. The Application proposes all parking spaces to be provided in a below-ground parking garage with final parking counts to be determined at Site Plan. Staff supports 20 points for this benefit.

*Tower step-back:* Up to 10 points can be granted for stepping back a building's upper floors by a minimum of six feet behind the first floor façade and must begin at a height no greater than 72 feet. A low two- to three-story volume, up to approximately 35 feet in height at the retail base, brings the building forward to the property line along Georgia Avenue and Bonifant Street to create a more pedestrian scale and relate to the surrounding retail buildings. At the top of the two- to three-story volume, the building steps back approximately 12 feet. The Applicant is requesting 5 points for the tower-step back. Staff supports 5 points for this benefit.

### Protection and Enhancement of the Natural Environment

*BLTs:* Up to 30 points can be granted for the purchase of Building Lot Termination (BLT) easements or payment to the Agricultural Land Preservation Fund (ALPF). The Applicant proposes the purchase of BLT easements for the requisite 9 public benefit points. Staff supports this request.

*Cool Roof:* The Application proposes to provide a cool roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum of SRI of 25 for slopes above 2:12, thus achieving 5 points in this public benefit category. The final layout will be determined at the time of Site Plan and Staff supports 5 points for this benefit.



*Energy Conservation and Generation:* Up to 15 points can be granted for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5% for new building. The Project is being designed to exceed the energy efficiency standards for its building type by 17.5%, through such features as a centralized mechanical system, energy efficient lighting, and low-flow plumbing fixtures. The Applicant anticipates achieving 10 points in this public benefit category with further details and refinement to be provided at the time of Site Plan. Staff supports the Applicant's request.

*Recycling Facility Plan:* Up to 10 points may be granted for providing a recycling facility plan to be approved as part of the site plan and must comply with the Montgomery County Executive Regulation 15-04AM or Montgomery County Executive Regulation 18-04. In addition, per Zoning Ordinance Section 59-4.7.1.B, granting points as a public benefit for any amenity or project feature otherwise required by law is prohibited. The Application proposes a recycling facility plan, which is required by law, but at the time of Site Plan, the Applicant will have to provide justification on how the development exceeds the requirements of Montgomery County Executive Regulation 15-04 AM to achieve the 5 points proposed in this public benefit category. Staff supports the Applicant's request at this time.

*Vegetated Area:* The Applicant requests 7.5 points for the installation of plantings in a minimum of 12 inches of soil, covering at least 5,000 square feet. The CR Guidelines recommends 5 points for development that meets the Zoning Ordinance requirements with areas not part of the required public use space or open space used for incentive density. Areas within stormwater management easements may not be counted either. The Project will include a courtyard lawn on the second level and the lawn will encompass approximately 9,000 square feet, of which approximately 7,200 square feet, or 80%, will be vegetated with soil depths of at least 12 inches. Staff supports this request.

7. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Project will be built in one phase.

## **CONCLUSION**

The Sketch Plan Application satisfies the findings under Section 59-4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2000 *Silver Spring CBD Sector Plan* and Ripley/South Silver Spring Overlay Zone. Therefore, Staff recommends approval of the Sketch Plan with the conditions specified at the beginning of this report.

## **ATTACHMENTS**

- A. ZTA 07-14
- B. December 1, 2014 Staff Report
- C. FCP Exemption Letter
- D. Sector Plan pages
- E. Applicant's revised Justification letter
- F. Agency Letters