



Ripley II Sketch Plan No. 320150030

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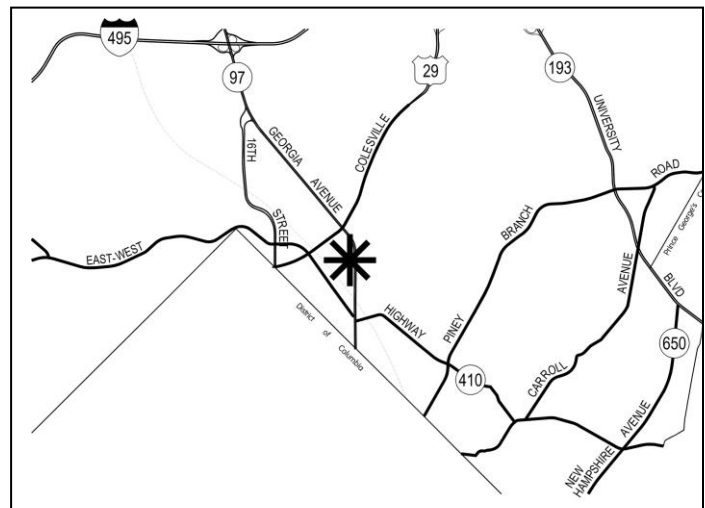
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Completed: 1/30/2015

Description

- Construction of a mixed-use project with up to 419,286 square feet of residential development for up to 440 units, including 15% MPDUs and up to 18,088 square feet of non-residential uses;
- Current use: existing Progress Place facility and County Parking Lot No. 20;
- Located on Dixon Avenue, approximately 150 feet south of Ripley Street;
- 1.66 gross acres zoned CR 5.0: C 4.0, R 4.75, H 200T Ripley/South Silver Spring Overlay Zone in the Ripley District of the Silver Spring CBD Sector Plan area;
- Applicant: Ripley West, LLC;
- Filing date: October 15, 2014.



Summary

- Staff recommends approval of the Ripley II Sketch Plan with conditions and adoption of the Resolution.
- The proposed development will redevelop the site with a mixed-use building including moderately priced dwelling units, public open space, and structured parking.
- Under the terms of a Joint Development Agreement, the County will transfer public parking Lot No. 20 to the Applicant, who will construct a new building for Progress Place on the site of the Silver Spring Fire Station, located south of the Property, at 8110 Georgia Avenue (Mandatory Referral No. 2015009).

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SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of the Ripley II, Sketch Plan No. 320150030, a mixed-use building including up to 419,286 square feet of residential uses with up to 440 multi-family residential units and up to 18,088 square feet of non-residential uses on 1.66 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 December 23, 2014, 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 benefit schedule.

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 development is limited to a maximum total density of 437,374 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
The development is limited to the maximum height of 200 feet.
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. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59-4.5.4.A.2. The requirements of Division 59-4.7 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. Major Public Facility, achieved through the construction of the new facility for Progress Place;
 - b. Transit Proximity, achieved through location within one-quarter mile of the Silver Spring Transit Center;
 - c. Connectivity and Mobility, achieved through minimum parking, trip mitigation and way finding;
 - d. Diversity of Uses and Activities, achieved through affordable housing;
 - e. Quality of Building and Site Design, achieved through public open space and structured parking; and
 - f. Protection and Enhancement of the Natural Environment achieved through building lot terminations, cool roof, energy conservation and generation and a recycling facility plan.
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 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. Location of transformers
- b. Coordination of Metropolitan Branch Trail alignment and infrastructure
- c. Fire and Rescue access and facility details
- d. Streetscape details
- e. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements
- f. Implementation of transportation improvements
- g. Consideration of building-to-street interface to maximize activation and safety
- h. Focus on energy efficiency in building design features
- i. Noise analysis
- j. Dedication along Dixon Avenue and Silver Spring Avenue
- k. Traffic Mitigation Agreement

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject site (Subject Property or Property) comprises the existing Progress Place social services building and Public Parking Lot No. 20, presently located on Colonial Lane (future Dixon Avenue extended), approximately 150 feet south of Ripley Street and approximately 1,000 feet from the Silver Spring Transit Center. Currently, Dixon Avenue does not extend along the Property frontage; however, the Applicant proposes full-width dedication along its frontage with the construction of the Sector-Planned Dixon Avenue extended. The Subject Property is located in the Ripley District of the Silver Spring Central Business District (CBD) Sector Plan (Sector Plan) and Ripley/South Silver Spring Overlay Zone.

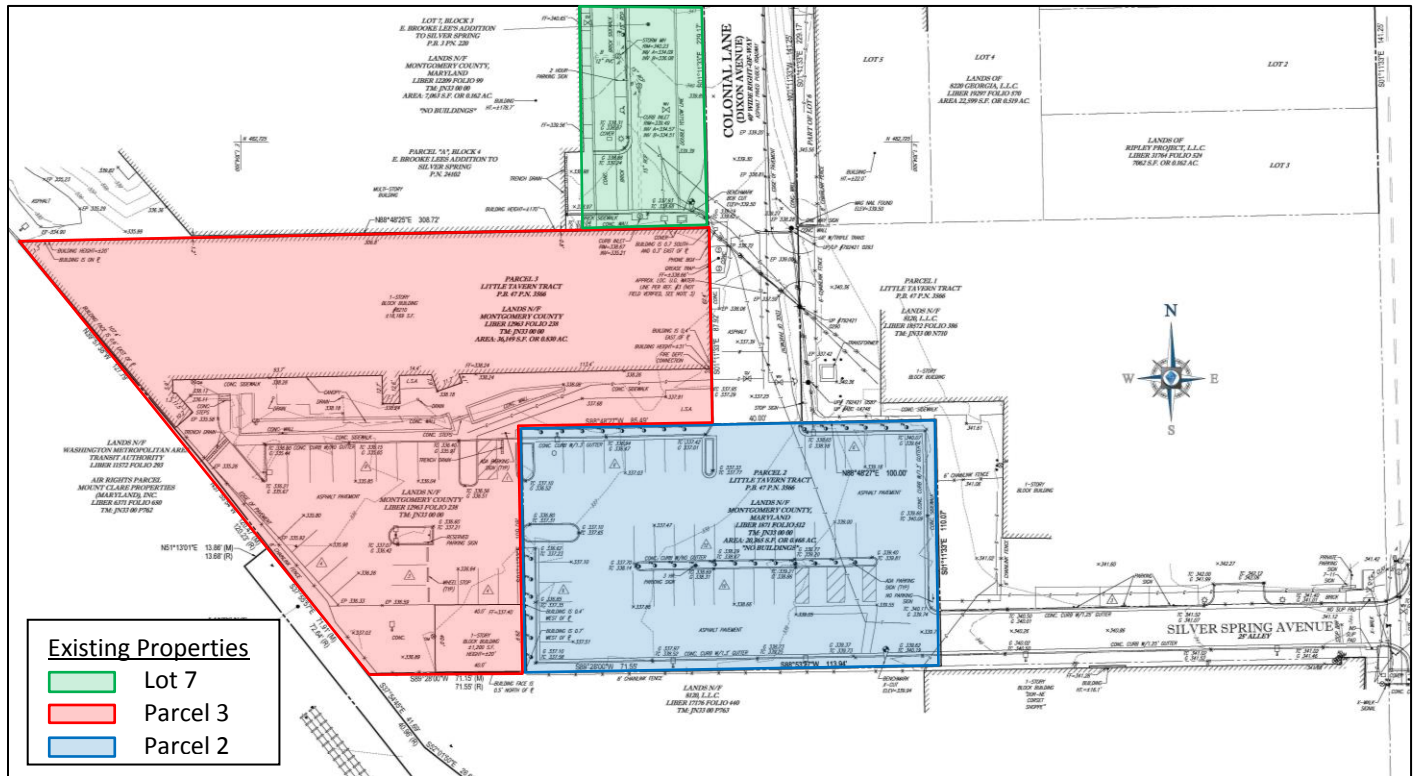


Figure 1-Existing Conditions

The Property is bound by the Metro/CSX tracks to the west, the Solaire Silver Spring high-rise residential building to the north, Dixon Avenue and Silver Spring Avenue to the east and small-scale retail and service uses to the south.

The neighborhood surrounding the Subject Property is a mix of residential and non-residential buildings. Adjacent to the Property to the west is the Metro/CXS railroad tracks, and just west of the tracks are a mid- and high-rise commercial and residential buildings. To the north is the Solaire Silver Spring, developed and owned by the Applicant, and Eleven55 Ripley, both mixed-use high-rise residential buildings. South and east of the Property, along the west side of Georgia Avenue, are a number of small-scale retail and service uses. Further south is the Silver Spring Fire Station site, where Progress Place will be relocating.

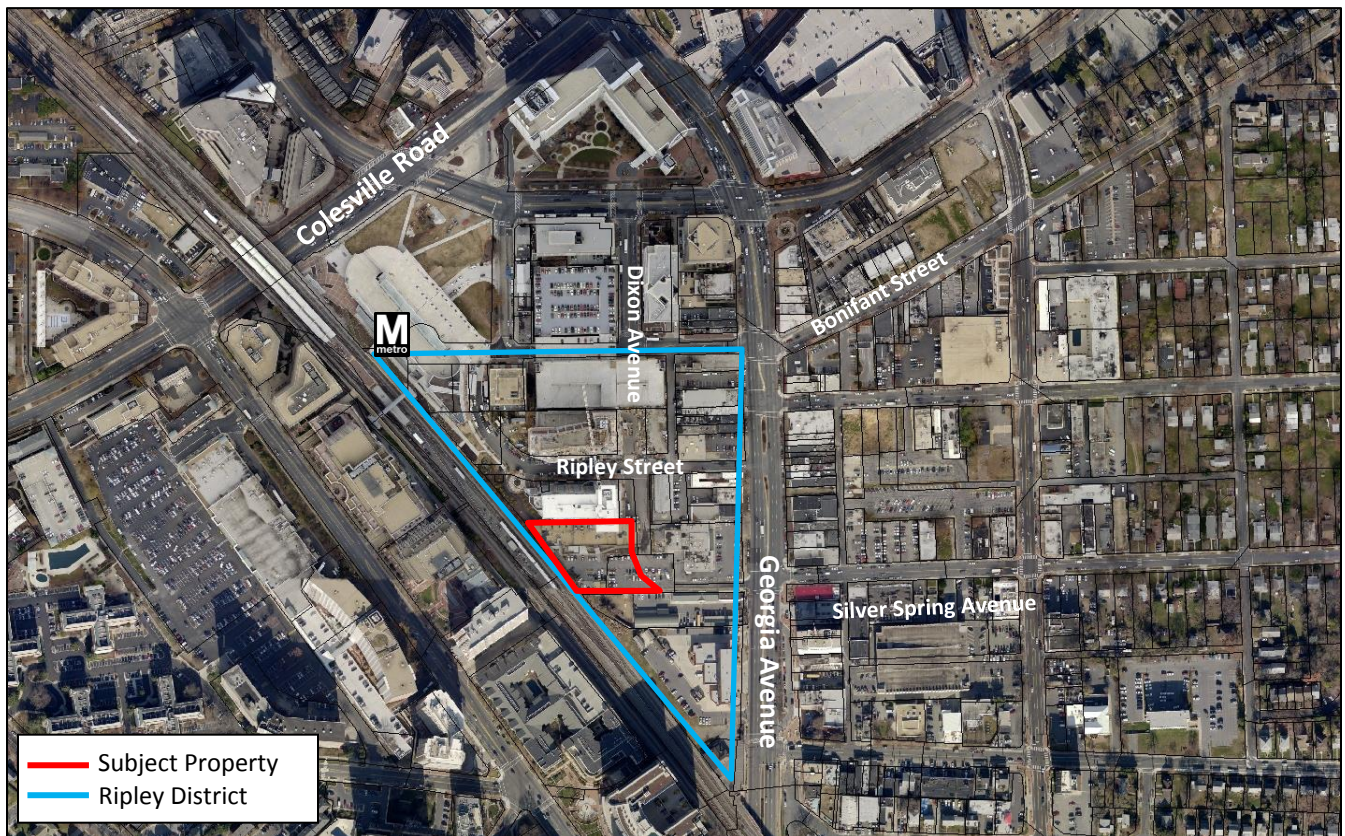


Figure 2-Aerial View

Site Analysis

The 1.66-acre Property is improved with the existing Progress Place building and Public Parking Lot No. 20. It is zoned CR 5.0, C 4.0, R 4.75, H 200T and Ripley/South Silver Spring Overlay Zone.

The site 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.

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 by 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. Further, 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. 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, including the Subject Property. (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 3: PROJECT DESCRIPTION

Proposal

The Sketch Plan application (Application) proposes to redevelop the Property with a mixed-use building including up to 419,286 square feet of residential uses with up to 440 multi-family residential units, up to 18,088 square feet of non-residential uses, and up to 200 feet in height.

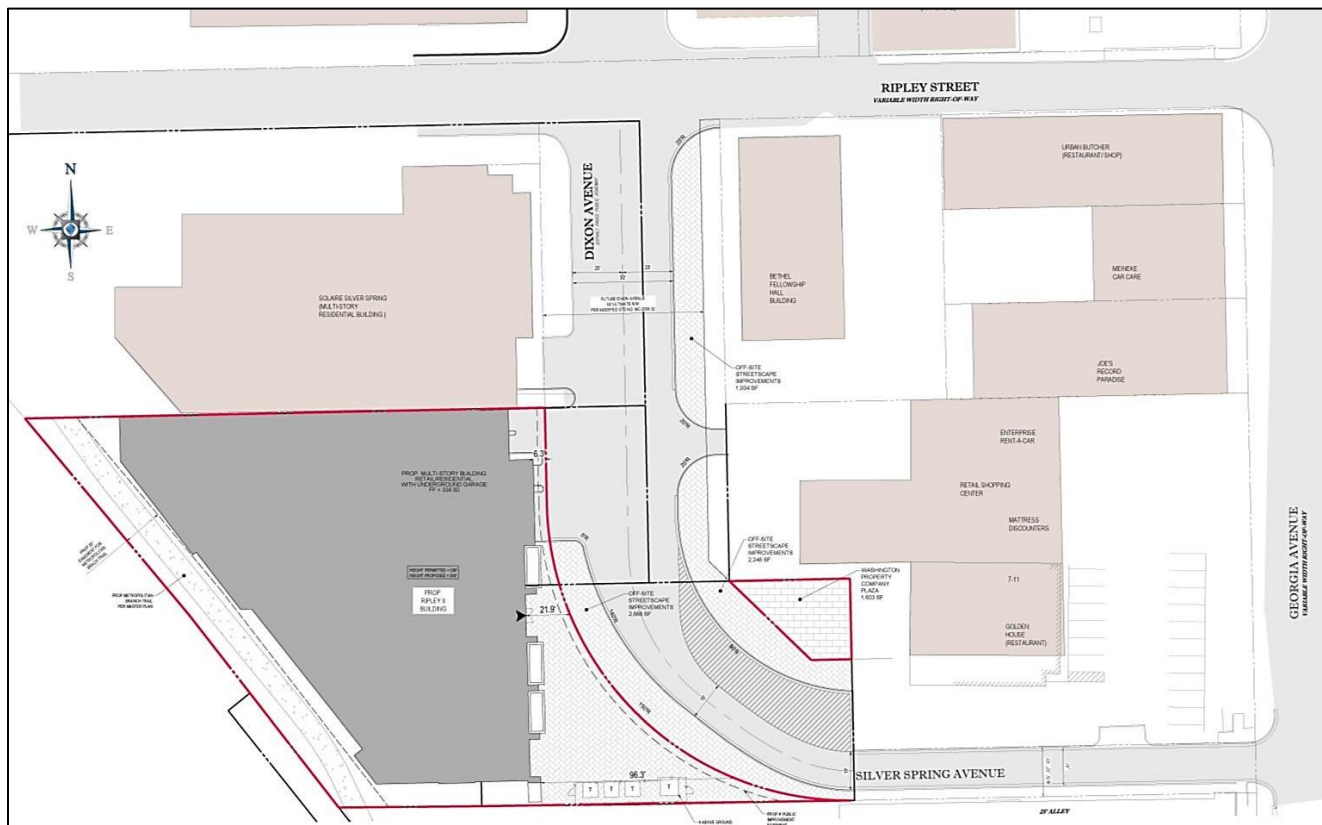


Figure 3-Sketch Plan

Uses and Density

The proposed redevelopment of the Property will be located on one new lot, consisting of 73,353 square feet of gross tract area. The Applicant proposes up to 419,286 square feet of residential uses with up to 440 multi-family residential units, including 15 percent MPDUs, and up to 18,088 square feet of non-residential uses, as well as underground parking, on-site amenities for the residents, and public open space and amenities.

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 (CR 5.0) by an amount equal to the residential bonus density achieved.

Because the Application proposes 15% MPDUs, pursuant to the provisions of Chapter 25A of the County Code, the Application achieves a 22% residential density bonus. The resulting FAR is CR 6.05, C 0.25, R 5.80 with a height of 200 feet. The final unit count and non-residential square footage will be finalized at the time of Site Plan.

Buildings

The Property is located at the intersection of Dixon Avenue extended and Silver Spring Avenue. As part of the development, the Applicant will extend the north-south Dixon Avenue along on the eastern Property frontage, joining it with Silver Spring Avenue, which runs east-west near the southern edge of the Property. The Applicant proposes an L-shaped building that fronts on both the Dixon Avenue extension and the terminus of Silver Spring Avenue.

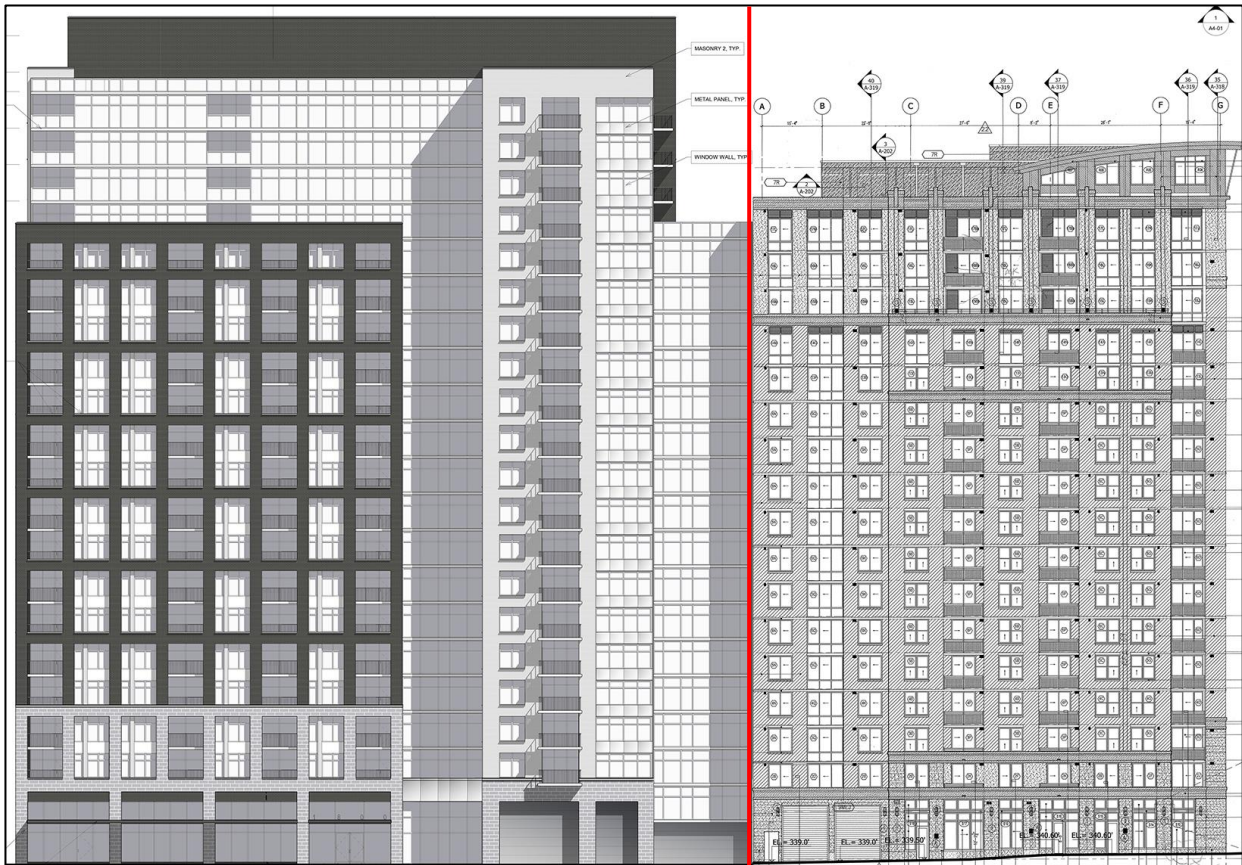


Figure 4-Proposed Ripley II building elevation with connection to existing Solaire Silver Spring building

The Applicant has strived to meet the intent of Sector Plan design guidelines (discussed further in the Project Analysis and Findings Section) through articulation of the massing on Dixon Avenue and Silver Spring Avenue in a variety of ways, using material changes and vertical and horizontal step-backs. Specifically, along Dixon Avenue, the building consists of a 21-story recessed glazed bar punctuated by a narrow 21-story masonry tower and an 18-story masonry screen to break down the mass of the building. Where the building meets the Solaire Silver Spring building, a shorter all-glass “gasket” element further modulates the perceived roofline and sets off the 21-story tower element.

The base of the building also features a 2- to 4-story datum line to accentuate the alignment of the building base with Solaire Silver Spring and Eleven55 Ripley directly to the north. This datum line emphasizes the commercial zone and pedestrian scale. The 18-story masonry volume steps back five feet to a larger glass volume approximately 165 feet above grade level along Dixon Avenue and the 21-story tower element is positioned four feet in front of the larger glass volume. Each visual massing element is articulated with a different color or material.



Figure 5-View from Northeast



Figure 6-View from Southeast

The Project’s Dixon Avenue scale and massing strongly relates to the Solaire Silver Spring and Eleven55 Ripley buildings to the north, and continues the consistent building streetscape that has been established by recent development along Dixon Avenue.



Figure 7-Massing View from NE

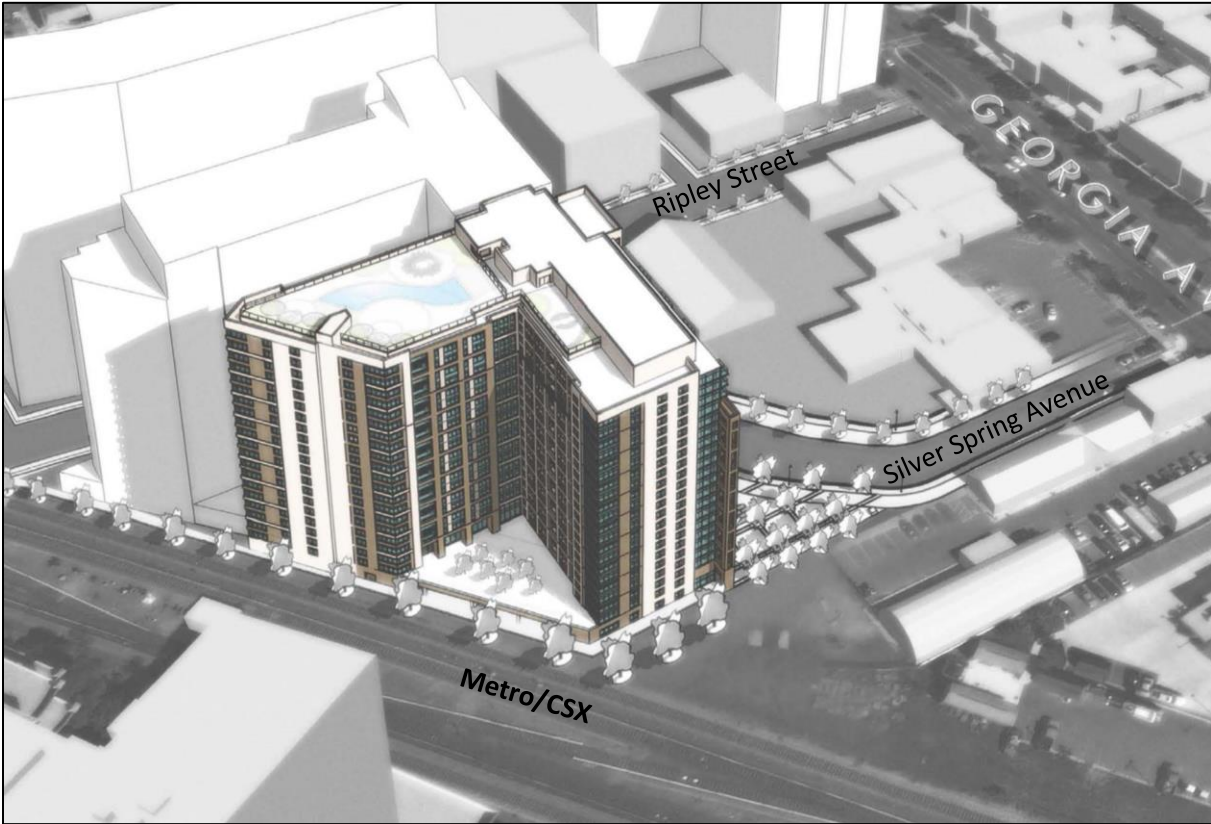


Figure 8-Massing View from SW

The eastern building façade is set back off Dixon Avenue to create a generous public plaza as the street bends to connect to Silver Spring Avenue. This public plaza will be activated by the residential lobby, live-work uses, landscaping, and eventually by adjacent future development along the plaza's southern edge. The western building face is positioned along the extension of the Metropolitan Branch Trail and Metro/CSX railroad tracks.

All access to the Project will be from Dixon Avenue. The entrance to the underground parking garage will be located on the northern edge of the Property, with the loading and service access just to the south. All of the parking for the Project is proposed to be located underground, and the Applicant anticipates that there will be three levels of parking. The residential entrance for pedestrians is from the northern edge of the public plaza and just north of the pedestrian entrance is a dedicated bicycle entry. In addition, the Applicant proposes to provide a pedestrian connection from the proposed underground garage to the existing underground garage of the adjacent Solaire Silver Spring building.

The majority of the interior spaces of the building are comprised of residential dwelling units with select areas allocated for residential amenity space. The residential lobby is located between live-work spaces along Dixon Avenue, and will help activate the public plaza at this location. This lobby and leasing space will contain the ground-floor amenities for the tenants such as the concierge desk, mailroom, and cyber café. The fitness area is also proposed on the ground-level floor, with full window exposure to the Metropolitan Branch Trail. For cyclists and dog owners, a conveniently located bike storage facility and dog washing room is proposed to be in close proximity to the building entries and service elevator. Additional proposed amenities include a lounge, kitchen/dining, and gaming to be located at the second floor of the building in order to take advantage of the tall ceiling heights and landscaped courtyard at this level. These amenities will also have an indoor/outdoor connection to the courtyard. On the rooftop level, a raised pool deck and ancillary interior space is proposed.

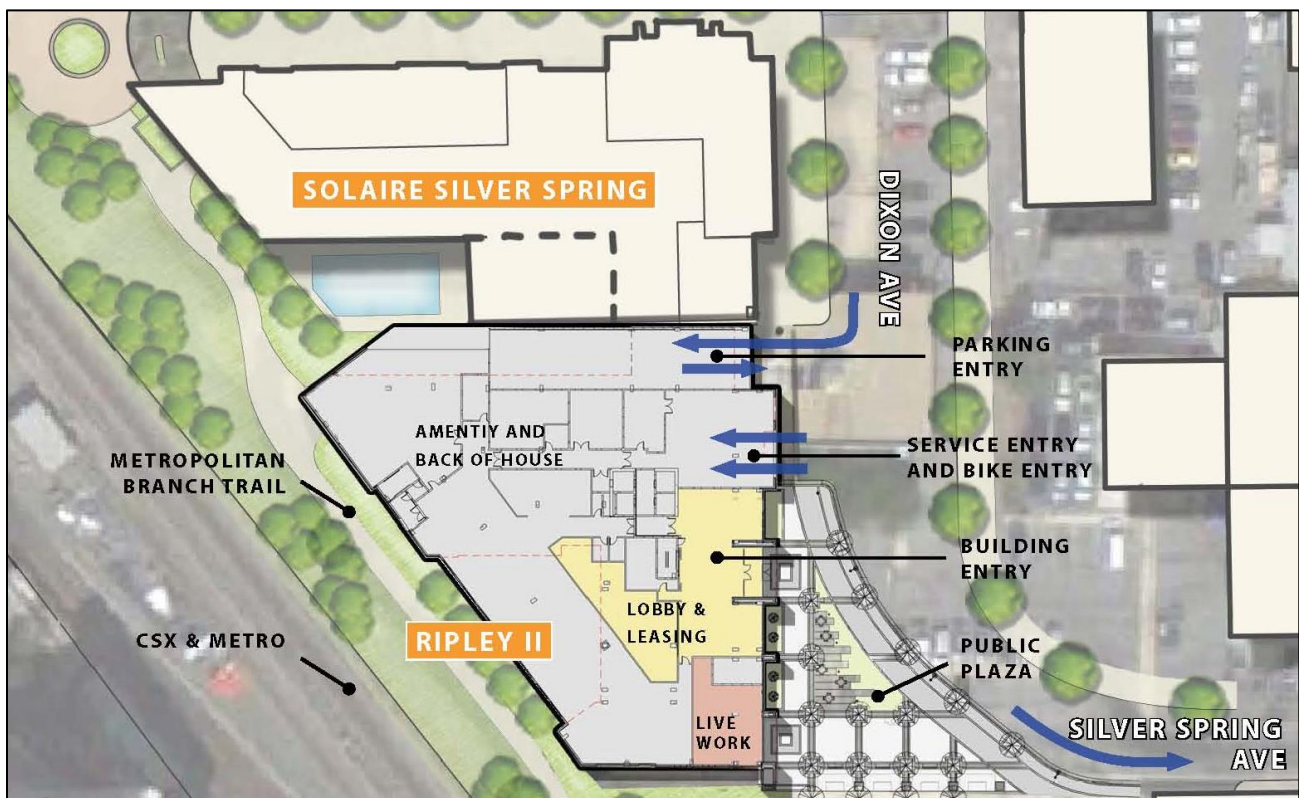


Figure 9-Illustrative First Floor Plan

Open Space

The Application includes two public plazas along Dixon Avenue extended. The first plaza, located between the building and Dixon Avenue extended, features an area for seating, gathering, and additional plantings. It is also envisioned that some plaza seating will occur at the street bend in the form of seat walls, benches, or movable seats. Other amenities in the plaza may include special lighting and planting beds with shrubs, groundcovers, and perennials. Currently, the Applicant has proposed to locate the necessary transformers above grade at the southern edge of the public plaza. Staff's preference is for the transformers not to be located in the public plaza, and that they be placed either underground or in an alternative location. The final location of the transformers will be determined at the time of Preliminary and Site Plan. The second smaller plaza, located on the east side of Dixon Avenue extended will include seating areas and additional plantings.

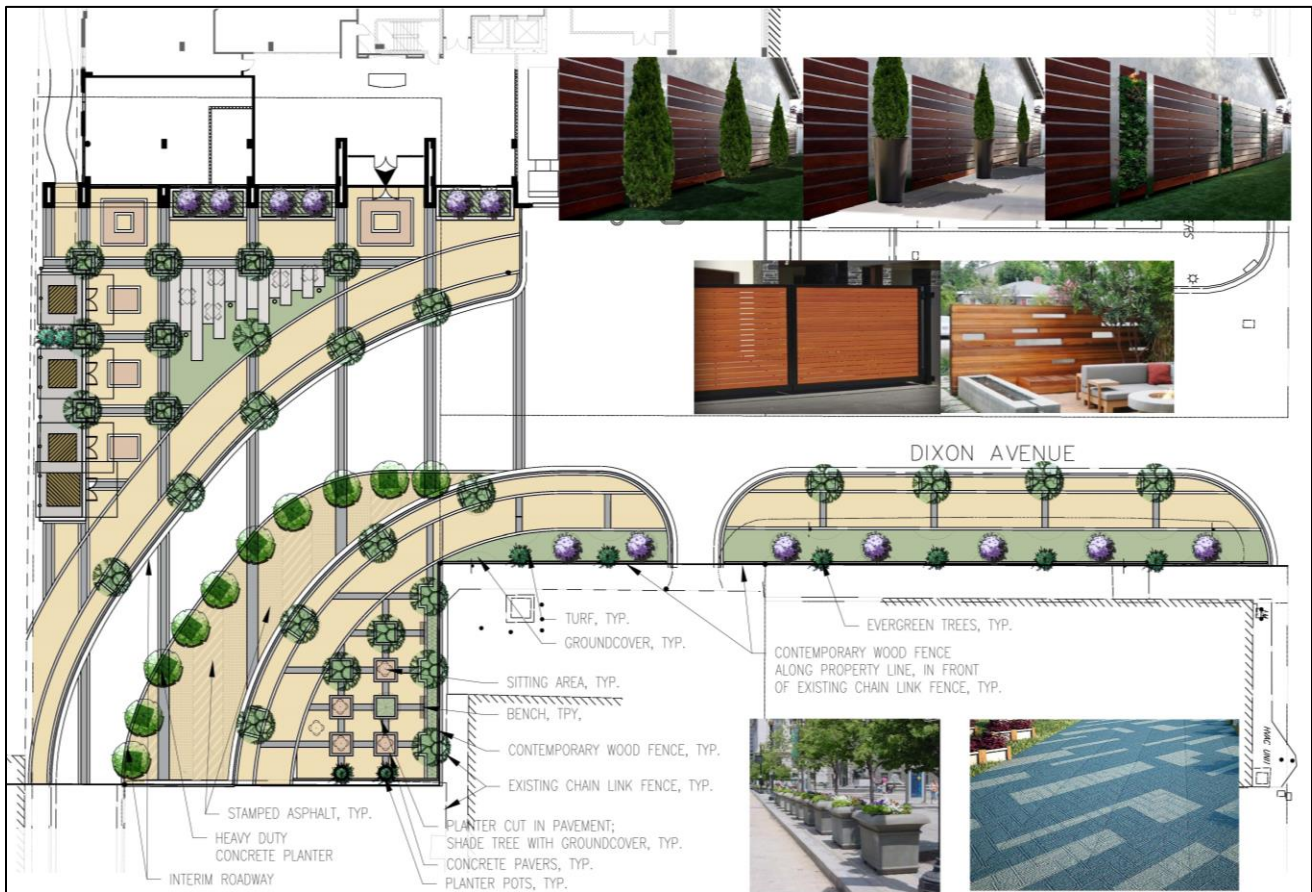


Figure 10-Conceptual Public Plaza Plan

The Applicant is proposing the standard Silver Spring streetscape treatment, including pavers, street trees, and lighting along the Property frontage on Dixon Avenue as well as extending on both sides of the curve where Dixon and Silver Spring Avenues meet. In addition, the Applicant is voluntarily providing the Silver Spring streetscape treatment on the east side of Dixon Avenue extending up to its intersection with Ripley Street, in order to complete the streetscaping on Dixon Avenue south of Ripley Street and improve the pedestrian experience along the entirety of this portion of Dixon Avenue.

The Applicant will extend the Metropolitan Branch Trail southward along the Property with a bicycle path cut through a 20-foot-wide landscaped setback. Tall windows in the building along the landscaped area will provide a visual connection from the building amenities to the extended trail.

The Application includes 32.1% of the net lot area of the Property, or 13,511 square feet, as public open space. Given the property size and frontage, the CR zone requirement for public open space for this Property is 0%.

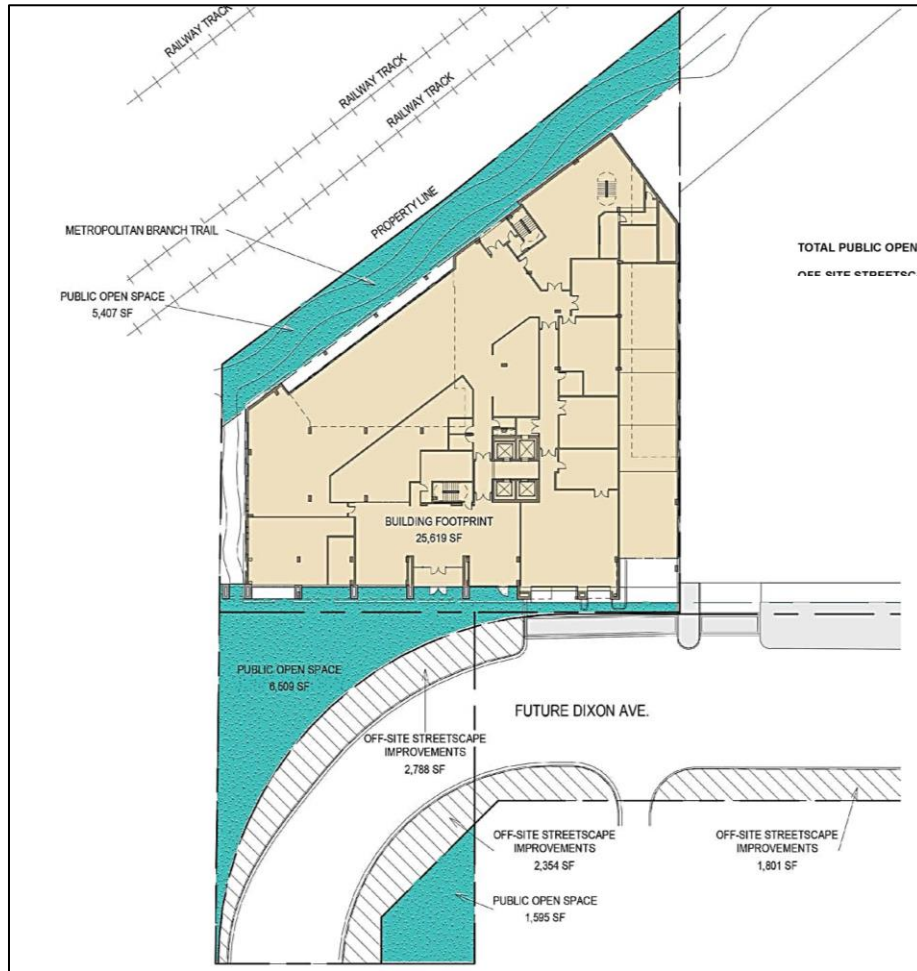


Figure 11-Open Space/Streetscape Improvements Plan

The Project will also provide private amenities for the residents including a courtyard at the second level of the building and a penthouse level pool and deck area. The courtyard features a circular plaza with an integrated water feature anchored by raised planters to create a serene experience for the residents. The courtyard plantings will include separate areas of bio-retention basins. The rooftop level, a small pool and deck area will be provided and will accommodate a variety of seating and sunning opportunities.

Environment

Forest Conservation

This Application is not currently subject to the Chapter 22A, Montgomery County Forest Conservation Law at the sketch plan stage. The Forest Conservation Law will be applicable to the project at the time of Preliminary Plan submission. However, an exemption from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) has already been confirmed through forest conservation exemption application 42015032E because the proposed activity occurs on a tract of land less than 1.5 net 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 B) However, if the ultimate net tract area increases, the exemption could be invalidated. Without a valid exemption the Project would then be subject to a formal NRI/FSD and Forest Conservation Plan at the time of Preliminary Plan.

Noise

The adjacent Metro/CSX tracks will likely generate some level of noise impacts to the Subject Property. A noise analysis will 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 the Department of Permitting Services (DPS) on August 15, 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 will be required at the time of Preliminary Plan.

Transportation

Access and Circulation

Dixon Avenue does not currently extend along the Property frontage, however, the Applicant proposes full-width dedication along its frontage to support an 80 foot-wide ultimate right-of-way width. As a result of this project, Dixon Avenue will be improved as a two-lane minor arterial roadway configured to accommodate two-way traffic and a master planned shared use path.

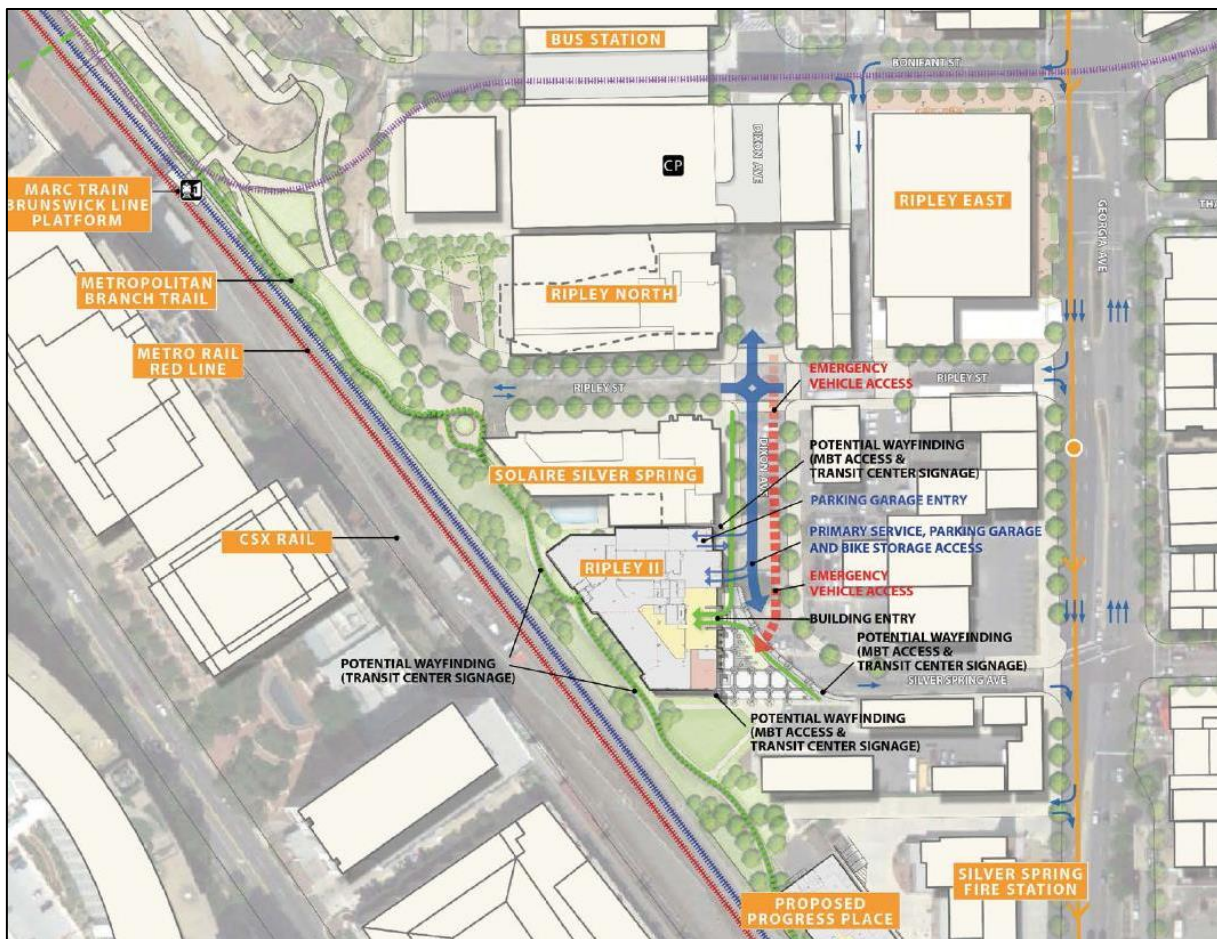


Figure 12- Circulation Plan

Silver Spring Avenue, located along the Property’s southeast frontage, is not currently dedicated or improved within the project limits. Silver Spring Avenue is currently improved as a 25 foot-wide public alley between the existing Property frontage and Georgia Avenue (US 29), a distance of approximately 200 linear feet. As part of this Application, the Applicant proposes full-width dedication along its frontage to achieve the master plan

recommended width for Silver Spring Avenue. Additionally, the segment of Silver Spring Avenue within the project limits will be improved to an interim condition in anticipation of future development on the adjacent property (7-Eleven *et al*). The rights-of-way described in this section for both Dixon Avenue and Silver Spring Avenue are consistent with the minimum right-of-way requirements described in both the 2000 *Silver Spring CBD Sector Plan*.

Vehicular access to the Property is proposed directly from the new street, Dixon Avenue extended. This new street will extend the existing Dixon Avenue (formerly Colonial Lane) approximately 160’ to intersect with Silver Spring Avenue at the southeast corner of the property. Vehicular access to the parking and loading entrances will be provided via two full-movement driveway aprons at the northeast corner of the property. Resident vehicular parking is proposed to be contained within a structured subgrade garage beneath the proposed building.

Pedestrian and bicycle access to the Property will be provided along the Property’s Dixon Avenue frontage. As discussed above, the Application will dedicate and construct the segment of Metropolitan Branch Trail within the project limits, along the west side of the proposed building. The final trail design and section to be determined at Site Plan. Additional master planned share use paths are recommended on both Dixon Avenue and Silver Spring Avenue.

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 northwest, 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 mixed-use 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 at the time of Preliminary Plan.

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 141 morning peak-hour trips and 168 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 II Application

Trip Generation	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Proposed						
18,008 SF General Retail	5	4	9	18	18	36
440 High Rise Apartments	26	106	132	92	40	132
Total	31	110	141	110	58	168

Source: Kimley Horn. Traffic Statement, dated September 23, 2014.

Transportation Policy Area Review (TPAR)

Since the 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 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. The Project conforms to the vision and objectives provided by the Sector Plan for the Property. (See Attachment C, applicable Sector Plan pages)

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. (Page 45) The Sketch Plan proposes a mixed-use development with both high-rise residential uses as well as potential ground-floor retail, live-work units or other non-residential uses. The Application proposes up to 440 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 18,088 square feet of non-residential uses.

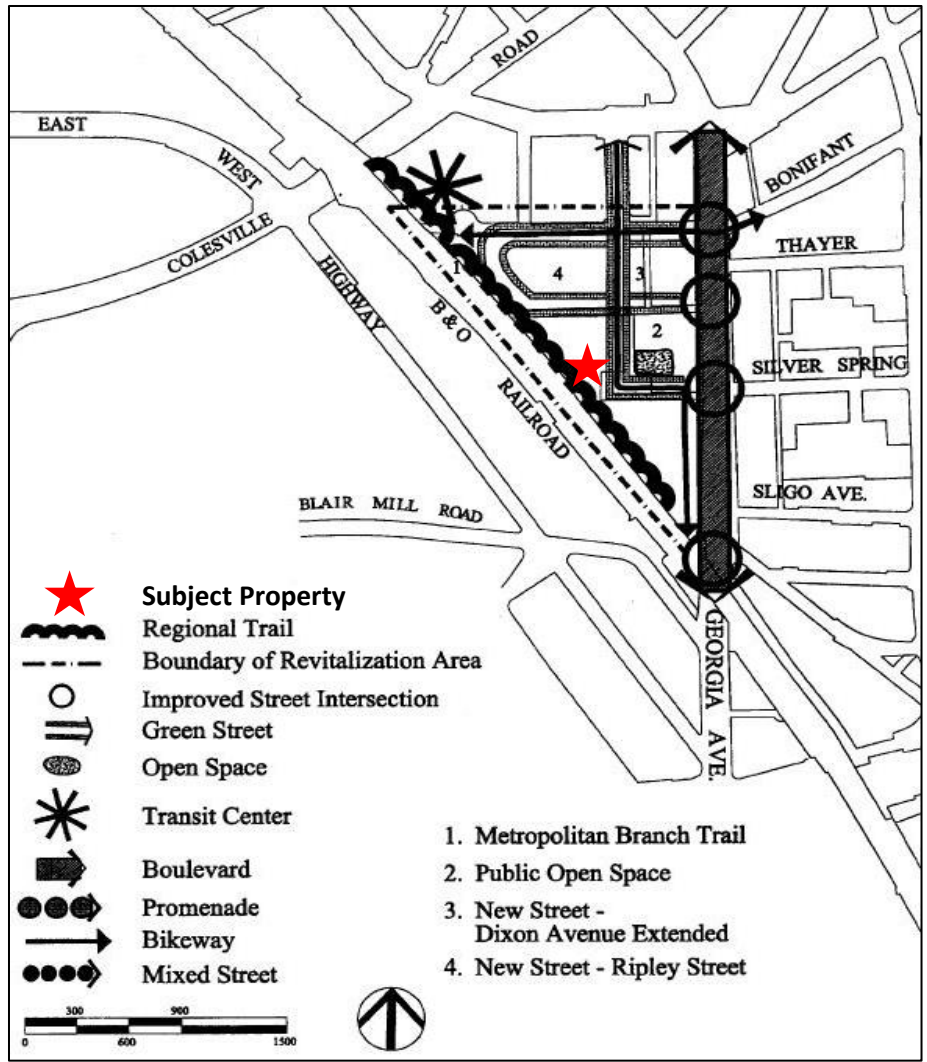


Figure 13-Ripley District Concept

The Sector Plan called for a new inter-connected street system, extending Dixon Avenue along the Property to Silver Spring Avenue, which the Project will provide. The Project will also provide an enhanced pedestrian environment through wide sidewalks and attractive streetscaping features along Dixon Avenue adjacent to the Property and a portion of Silver Spring Avenue and improve the eastern side of Dixon Avenue south of Ripley Street.

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 Property is an assemblage of three separate small parcels, providing for an efficient consolidation while also including construction of the Dixon Avenue-Silver Spring Avenue connection and that portion of the Metropolitan Branch Trail adjacent to the Property. The Applicant anticipates a significant number of residents who will take advantage of the nearby bicycle facilities and trails, and therefore proposes a bicycle-only access into 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 market, 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 spaces, 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 Application conforms to the Sector Plan recommendations for Land Use and Zoning.

Urban Design

The Sector Plan provides 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 south of the Silver Spring Transit Center, and directly adjacent to the Metropolitan Branch Trail. The Application facilitates pedestrian access to and from these and other CBD facilities with its proposed streetscape along Dixon Avenue and a portion of Silver Spring Avenue, to be improved to the Silver Spring streetscape standard. In addition, the Application includes construction of the Metropolitan Branch Trail adjacent to the Property and access dedicated for bicyclists with a designated bicycle access point. Furthermore, construction of the Sector-Planned Dixon Avenue extended and Silver Spring Avenue connection will facilitate vehicular connectivity between the CBD core to the north, Fenton Village to the east, and to South Silver Spring.

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

The Application's public plaza at the curve where Dixon Avenue and Silver Spring Avenue meet provides the opportunity for a sitting and gathering space. In addition, the Applicant will be constructing the next segment of the Metropolitan Branch Trail along the eastern edge of the Property. The building also includes 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 public open space plaza at the curve where Dixon Avenue meets Silver Spring Avenue provides the opportunity for a sitting and gathering space and will be the central open space for Dixon Avenue. Continuing the streetwall established by recent development on the west side of Dixon Avenue, the plaza will transform the street from a service road to a Ripley District main street. The Applicant will also continue the extension of the Metropolitan Branch Trail southward, constructing that portion adjacent to the Property. The standard Silver Spring streetscape treatment (including pavers, street trees, and lighting) along the Property frontage on Dixon Avenue as well as extending on both sides of the curve where Dixon and Silver Spring Avenues meet will be provided. Further, the Applicant is voluntarily providing the Silver Spring streetscape treatment on the south side of Dixon Avenue extending up to its intersection with Ripley Street, in order to complete the streetscaping on Dixon Avenue south of Ripley Street and improve the pedestrian experience along the entirety of this portion of Dixon Avenue.

- *Building heights along Dixon Avenue and Ripley Street should contribute to an attractive street with adequate light and air.*
 - *To be in proportion with the 70- to 80-foot street widths, building height should be limited to 80 feet at the property line.*
 - *Beyond 80 feet, the building may step back and its height may be increased up to 143 feet, provided they are contained within a 2: 1 slope.*

The Application fulfills the intent of this Sector Plan recommendation and is compatible with building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue. 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 the case of Eleven55 Ripley, the Planning Board found that there were mitigating factors that made it impractical to explicitly conform to the step-back guideline in the Sector Plan. The parcel was constrained in depth as well as by required street dedication and infrastructure for the Ripley Street and Dixon Avenue right-of-ways and the proposed urban park. The building design featured a three-story townhouse façade on the street, with an angled tower bar above, set back from the street. The Planning Board also found that the project met the Zoning Ordinance criteria for an increase in height because it was within 800 feet of the Silver Spring Metro Station and within the Silver Spring CBD Revitalization Area; the height was consistent with the guidelines for the Property to initiate redevelopment of the Ripley District with a mixed-use development near transit that will provide interconnectivity and public open spaces; the Project was compatible with the existing and potential surrounding development; and the Project would provide significant public facilities and amenities.

In the case of Solaire Silver Spring, the Planning Board also determined that there were mitigating factors that did not require the building to conform strictly to the step-back guideline. The building design featured a tower element at the intersection of Ripley Street and Dixon Avenue and then set the building back from Ripley Street to provide a significantly deeper sidewalk that expanded into a public plaza where the

Metropolitan Branch Trail and Ripley Street met. Along with the shallowness of the site and voluntary setback to accommodate a potential Purple Line tail track, the design produced a building face-to-building face distance of roughly 100 feet (30 feet greater than the ROW) across Ripley Street to the Eleven55 Ripley project. The Planning Board found that the project would further the revitalization of the Ripley District and contribute to the supply of residential choices in the Silver Spring CBD and the height of 200 feet was compatible with the scale of residential and commercial development across the railroad tracks, with the proposed Eleven55 Ripley development across Ripley Street, and the commercial buildings on the northern end of the Ripley District and adjacent CBD Core. The Planning Board found that while these two buildings astride Ripley Street were proposed for the maximum height of 200 feet, given their distance from lower density development west of East-West Highway, east of Fenton Street, and north of Spring Street, there was no concern about the compatibility of this design to the Fenton Village and South Silver Spring communities.

The Subject Property is similarly constrained, with the adjacent CSX railroad tracks to the west and significant portions of the Property (nearly the entirety of Parking Lot 20) being dedicated to right-of-way for the connection of Dixon Avenue to Silver Spring Avenue. The building is designed to extend the existing street wall on Dixon Avenue and provides a generous public plaza between the buildings and the curved right-of-ways of Dixon Avenue and Silver Spring Avenue. The public plaza to be constructed on the east side of the curve will ensure adequate light and air and will contribute to an attractive street. The Subject Property has frontage on both Dixon Avenue and Silver Spring Avenue and the proposed building is set back from the property line a considerable distance. While at the narrowest point along Dixon Avenue, the proposed building is set back from the property line approximately six feet, as one travels south on Dixon Avenue, which curves and becomes Silver Spring Avenue, the building is set back approximately 96 feet from the property line, allowing for the substantial public plaza and pulling the building away from the property line.

Additionally, the Applicant has strived to meet the intent of Sector Plan design guidelines through articulation of the massing on Dixon Avenue and Silver Spring Avenue in a variety of ways, using material changes and vertical and horizontal step-backs. Specifically:

- Along Dixon Avenue, the building is comprised of a 21-story recessed glazed bar punctuated by a narrow 21-story masonry tower and an 18-story masonry screen to break down the mass of the building. Where the building meets the Solaire Silver Spring building, a shorter all-glass “gasket” element further modulates the perceived roofline and sets off the 21-story tower element.
- The base of the building also features a 2- to 4-story datum line to accentuate the alignment of the building base with Solaire Silver Spring and Eleven55 Ripley directly to the north. This datum line emphasizes the commercial zone and pedestrian scale.
- The 18-story masonry volume steps back five (5) feet to a larger glass volume approximately 165 feet above grade level along Dixon Avenue.
- The 21-story tower element is positioned four (4) feet in front of the larger glass volume.
- Each visual massing element is articulated with a different color or material.

The Project’s Dixon Avenue scale and massing strongly relates to the Solaire Silver Spring and Eleven55 Ripley buildings to the north, and continues the consistent building streetscape that has been established by the recent development along Dixon Avenue specifically and in the Ripley District as a whole.

In addition, although the 2000 Sector Plan limited heights along Dixon Avenue to 80 feet with additional height of up to 143 feet contained in a 2:1 slope, the County Council approved the ZTA in 2007 to allow heights up to 200 feet for the CBD-2 portion of the Ripley/South Silver Spring Overlay Zone. For new

development along Georgia Avenue, the ZTA reinforced the Sector Plan’s step-back guidelines. The ZTA did not make specific mention of the step-back guidelines for new development along Dixon Avenue. The Applicant has provided significant right-of-way through the eastern half of the Property, public plazas on both sides of that right-of-way, and articulation in building massing, thereby achieving many of the same objectives envisioned in the design guidelines. Given the Applicant’s efforts to achieve compatibility with the redeveloped properties to the north, the Property constraints, the Sector Plan objective to maximize housing opportunities in the Ripley District, and the Sector Plan’s recommendation for Progress Place to maintain its presence and purpose in the Ripley District, Staff believes that the Application achieves the intent of the Sector Plan.

Circulation Systems

The Sector Plan recommends creating a system of trails and bike routes, implementing streetscape to create a safe and pleasant pedestrian environment to assess, and where appropriate, reuse public parking facilities, and to make circulation improvements to local roads. (Page 93)

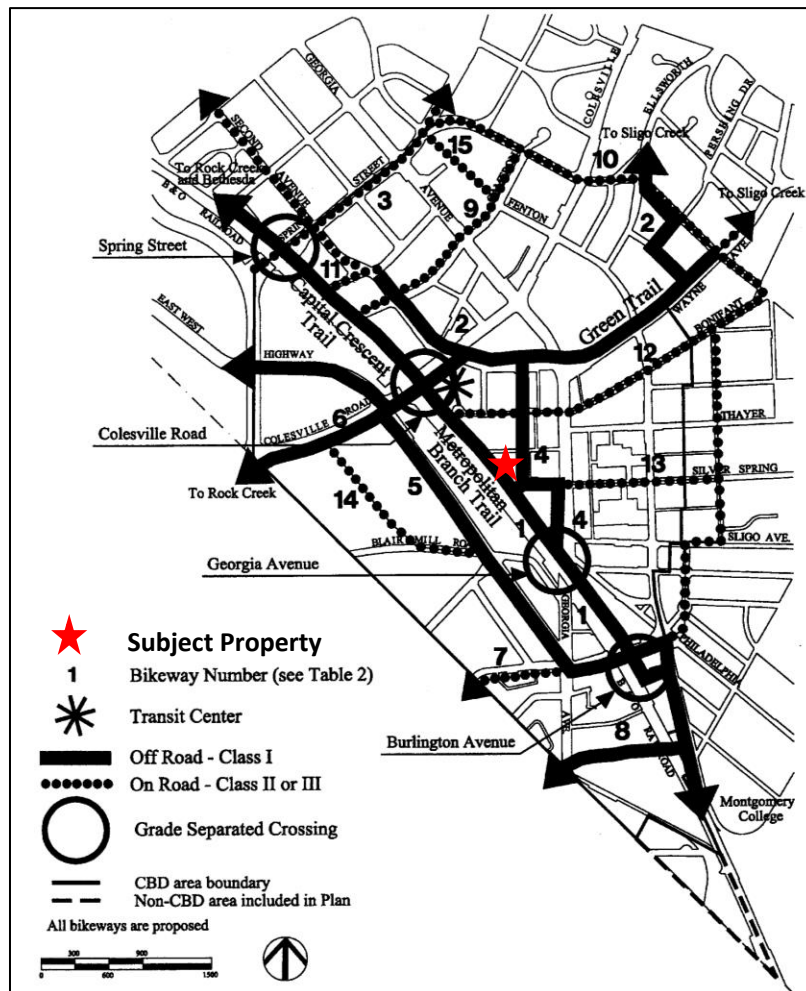


Figure 14-CBD Bikeway Network Plan

The Project will provide the Sector-Planned connection of Dixon Avenue to Silver Spring Avenue and improve the existing street frontages along Dixon Avenue adjacent to the Property. The Applicant also proposes to voluntarily improve the eastern side of Dixon Avenue just south of Ripley Street and a portion of Silver Spring Avenue, providing an enhanced pedestrian environment through wide sidewalks and attractive streetscaping

features. In addition, the Applicant will construct the portion of the Metropolitan Branch Trail adjacent to the Property; the final trail design and section to be determined at Site Plan. The Project will improve the interconnectedness of the Ripley District with South Silver Spring to the south, Fenton Village to the east, and the core of the CBD to the north, primarily through construction of the Sector-Planned Dixon Avenue-Silver Spring Avenue connection, as well as through the extension of the Metropolitan Branch Trail southward adjacent to the Property.

The Project will upgrade the physical environment in the Ripley District by replacing a surface parking lot and aging building with a mixed-use project, providing vital street and pedestrian linkages between the core of the CBD and other areas of the CBD south and east of the Property and will continue the redevelopment of the Ripley District toward South Silver Spring. The Application conforms to the Sector Plan recommendations for Circulation Systems.

Community Facilities

The Sector Plan’s vision for community facilities is a well-rounded downtown where people come to live, work, shop and participate in the community. Incorporating civic facilities into downtown Silver Spring will make it a more complete community. (Page 115)

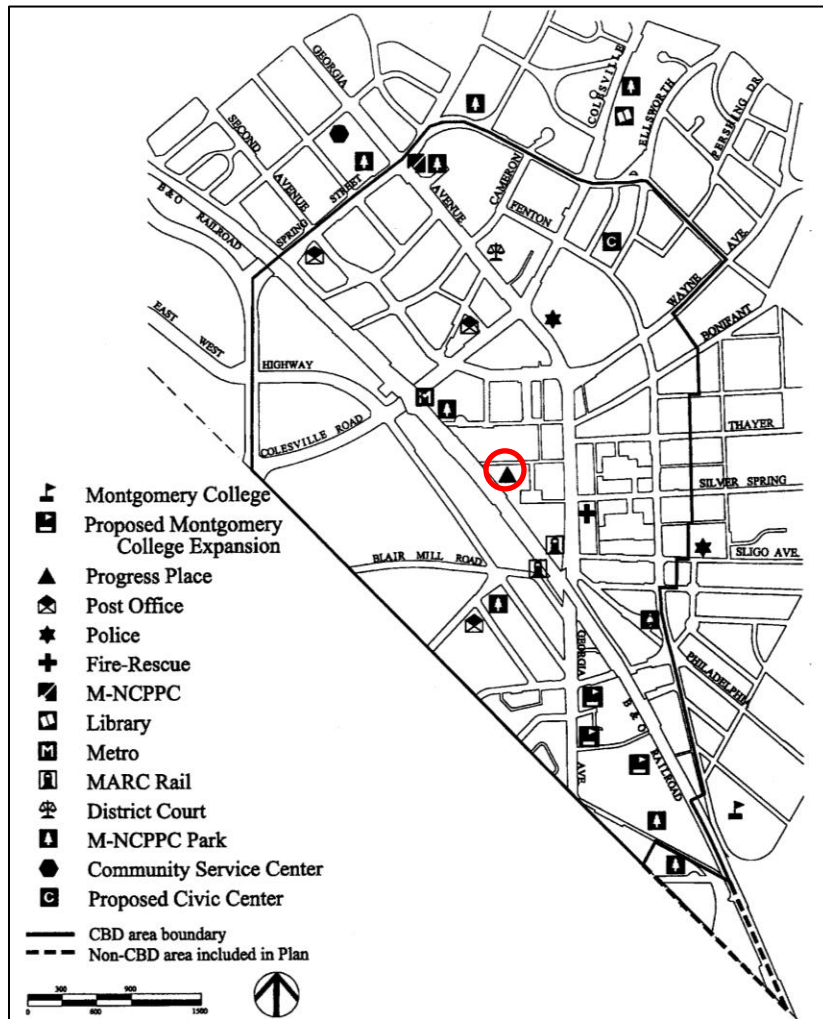


Figure 15-Existing and Proposed Community Facilities

The Sector Plan notes that Progress Place and the County have co-located services to serve medical, job training and placement, and emergency needs of a varied and growing low-income and homeless population. The Sector Plan also emphasizes the importance of maintaining Progress Place’s presence and purpose in the Ripley District. Thus, while the Sector Plan does not specifically envision Progress Place relocating to the Fire Station site, it recommends the site as a location for public/quasi-public uses and also encourages support for Progress Place and other needed services. Relocation of Progress Place to the Fire Station site provides the opportunity to better serve the needs of the community in a modern facility located in a transit-proximate, pedestrian-oriented location.

The existing Progress Place building is significantly aging and in disrepair, and the services provided and needs of the clients have vastly outgrown the existing facilities. The new Progress Place facility will be comprised of approximately 39,119 gross square feet, located in a four-story building. The first three floors will house Progress Place. The fourth floor will be comprised of 21 Personal Living Quarters (PLQ). The Applicant will also construct on the site for use by the Montgomery County Police Department substation located at the Fire Station, an approximately 775 square-foot storage barn (for storage of bicycles) and an approximately 80 square-foot flare building.

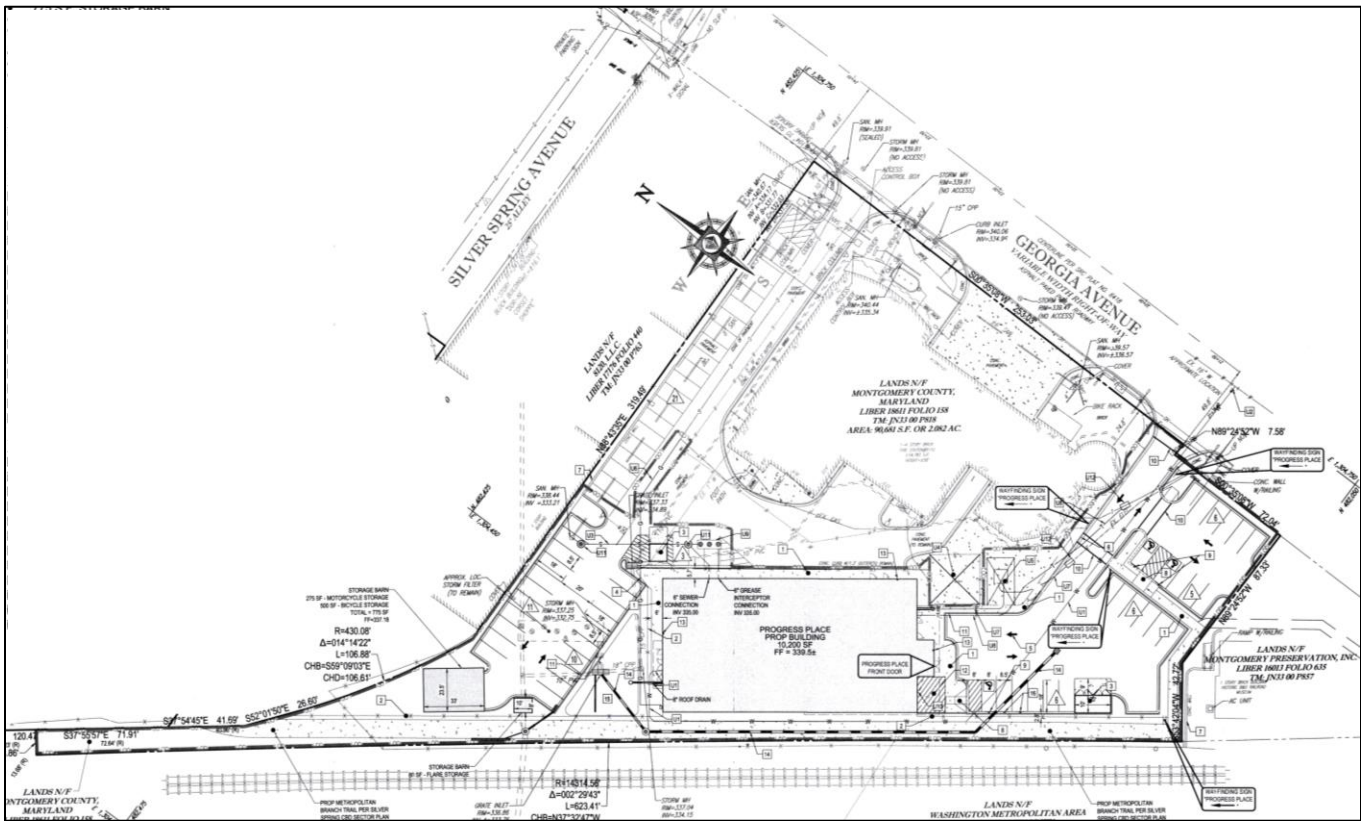


Figure 16-Progress Place Mandatory Referral (MR2015009)

Maintaining Progress Place in the Silver Spring CBD is compatible with the goals of the Sector Plan and the Ripley District, which indicates that a pedestrian friendly downtown with access to mass transit options allow the efficient provisions of services to a growing low income and homeless population. In addition, relocating Progress Place to an under-utilized parking lot behind the existing Fire Station will help realize the Sector Plan’s goals for the Ripley District as “a revitalized, mixed-use district...” with “an interconnected street system” by providing the necessary space to allow these goals to be fulfilled. The Application conforms to the Sector Plan recommendations for Community Facilities.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On September 11, 2014, the Applicant held a pre-submittal public meeting at the Silver Spring Civic Building. Staff has not received any correspondence on this matter.

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 59-7.3.3.E 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:

Project Data Table for the CR5.0 C4.0 R4.75 H200T Zone		
Development Standard Section 59 – 4.5.4	Permitted/Required	Proposed
Gross Tract Area (sf)	n/a	72,353
Maximum Density (CR) Non-residential (C) Residential (R) ¹	5.0 FAR (361,765 sf) 4.0 FAR (289,412 sf) 4.75 FAR (343,677 sf)	Up to 6.05 FAR (437,374 sf) ² Up to 0.25 FAR (18,088 sf) Up to 5.80 FAR (419,286 sf)
Building Height (feet)	200'	200'
Minimum Public Open Space (%) of Net Lot	0%	32.1% (13,511 sf)
Parking (spaces) Multi-family	Minimum 1 space/unit; Maximum 1 space/studio, 1.25 space/one bedroom, 1.5/two bedroom	TBD at Site Plan

¹ 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.

² The Application utilizes the optional method of development to develop the Property with up to the maximum density (6.045 FAR, with up to 5.795 FAR in residential uses and up to 0.25 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 proposed density and final building heights will be determined at the time of Site Plan.

Restaurant	Minimum 4 space/1,000 sf of patron use; Maximum 12 space/1,000 sf of patron use	TBD at Site Plan
Retail/service establishment	Minimum 3.5 space/1,000 sf GLA; Maximum 6 space/1,000 sf of GLA	TBD at Site Plan

The Application will provide the minimum required number of bicycle parking spaces for residents, 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 proposes a mixed-use development with both high-rise residential uses as well as ground-floor retail, live-work units or other non-residential uses. The Project will provide up to 440 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 18,088 square feet of non-residential uses.

The Sector Plan called for a new inter-connected street system, extending Dixon Avenue along the Property to Silver Spring Avenue, which the Project will provide. The Project will also provide an enhanced pedestrian environment through wide sidewalks and attractive streetscaping features along Dixon Avenue adjacent to the Property and a portion of Silver Spring Avenue and improve the eastern side of Dixon Avenue south of Ripley Street.

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 Property is an assemblage of three separate small parcels, providing for an efficient consolidation while also including construction of the Dixon Avenue-Silver Spring Avenue connection and that portion of the Metropolitan Branch Trail adjacent to the Property. The Applicant anticipates a significant number of residents who will take advantage of the nearby bicycle facilities and trails, and therefore proposes a bicycle-only access into 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 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 market, but also provide the flexibility for both commercial or residential high-rises, or mixed use projects. The Project proposes 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 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 south of the Silver Spring Transit Center and directly adjacent to the Metropolitan Branch Trail. The Application facilitates pedestrian access to and from these and other CBD facilities with its proposed streetscape along Dixon Avenue and a portion of Silver Spring Avenue, to be improved to the Silver Spring streetscape standard. In addition, the Application includes construction of the Metropolitan Branch Trail adjacent to the Property and access dedicated for bicyclists with a designated bicycle access point. Furthermore, construction of the Sector-Planned Dixon Avenue extended and Silver Spring Avenue connection will facilitate vehicular connectivity between the CBD core to the north, Fenton Village to the east, and to South Silver Spring.

- *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 curve where Dixon Avenue and Silver Spring Avenue meet provides the opportunity for a sitting and gathering space. In addition, the Applicant will be constructing the next segment of the Metropolitan Branch Trail along the eastern edge of the Property. The proposed building also includes 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 public plaza at the curve where Dixon Avenue meets Silver Spring Avenue provides the opportunity for a sitting and gathering space and will be the central open space for Dixon Avenue. Continuing the streetwall established by recent development on the west side of Dixon Avenue, the plaza will transform the street from a service road to a Ripley District main street. Currently, the Applicant has located the necessary transformers above grade at the southern edge of the public plaza. It is Staff's preference that the transformers are not be located in the public plaza, whether they are placed underground or in an alternative location. The final location of the transformers will be determined at the time of Preliminary and Site Plan. The Applicant will also continue the extension of the Metropolitan Branch Trail southward, constructing that portion adjacent to the Property. The standard Silver Spring streetscape treatment (including pavers, street trees, and lighting) along the Property frontage on Dixon Avenue as well as extending on both sides of the curve where Dixon and Silver Spring Avenues meet will be provided. Further, the Applicant is voluntarily providing the Silver Spring streetscape treatment on the south side of Dixon Avenue extending up to its intersection with Ripley Street, in order to complete the streetscaping on Dixon Avenue south of Ripley Street and improve the pedestrian experience along the entirety of this portion of Dixon Avenue.

- *Building heights along Dixon Avenue and Ripley Street should contribute to an attractive street with adequate light and air.*
 - *To be in proportion with the 70- to 80-foot street widths, building height should be limited to 80 feet at the property line.*
 - *Beyond 80 feet, the building may step back and its height may be increased up to 143 feet, provided they are contained within a 2: 1 slope.*

The Application fulfills the intent of this Sector Plan recommendation and is compatible with building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue. 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 the case of Eleven55 Ripley, the Planning Board found that there were mitigating factors that made it impractical to explicitly conform to the step-back guideline in the Sector Plan. The parcel was constrained in depth as well as by required street dedication and infrastructure for the Ripley Street and Dixon Avenue right-of-ways and the proposed urban park. The building design featured a three-story townhouse façade on the street, with an angled tower bar above, set back from the street. The Planning Board also found that the project met the Zoning Ordinance criteria for an increase in height because it was within 800 feet of the Silver Spring Metro Station and within the Silver Spring CBD Revitalization Area; the height was consistent with the guidelines for the Property to initiate redevelopment of the Ripley District with a mixed-use development near transit that will provide interconnectivity and public open spaces; the project was compatible with the existing and potential surrounding development; and the project would provide significant public facilities and amenities.

In the case of Solaire Silver Spring, the Planning Board also determined that there were mitigating factors that did not require the building to conform strictly to the step-back guideline. The building design featured a tower element at the intersection of Ripley Street and Dixon Avenue and then set the building back from Ripley Street to provide a significantly deeper sidewalk that expanded into a public plaza where the Metropolitan Branch Trail and Ripley Street met. Along with the shallowness of the site and voluntary setback to accommodate a potential Purple Line tail track, the design produced a building face-to-building face distance of roughly 100 feet (30 feet greater than the ROW) across Ripley Street to the Eleven55 Ripley project. The Planning Board found that the project would further the revitalization of the Ripley District and contribute to the supply of residential choices in the Silver Spring CBD and the height of 200 feet was compatible with the scale of residential and commercial development across the railroad tracks, with the proposed Eleven55 Ripley development across Ripley Street, and the commercial buildings on the northern end of the Ripley District and adjacent CBD Core. The Planning Board found that while these two buildings astride Ripley Street were proposed for the maximum height of 200 feet, given their distance from lower density development west of East-West Highway, east of Fenton Street, and north of Spring Street, there was no concern about the compatibility of this design to the Fenton Village and South Silver Spring communities.

The Subject Property is similarly constrained, with the adjacent CSX railroad tracks to the west and significant portions of the Property (nearly the entirety of Parking Lot 20) being

dedicated to right-of-way for the connection of Dixon Avenue to Silver Spring Avenue. The building is designed to extend the existing street wall on Dixon Avenue and provides a generous public plaza between the buildings and the curved right-of-ways of Dixon Avenue and Silver Spring Avenue. The public plaza to be constructed on the east side of the curve will ensure adequate light and air and will contribute to an attractive street. The Subject Property has frontage on both Dixon Avenue and Silver Spring Avenue and the proposed building is set back from the property line a considerable distance. While the narrowest point along Dixon Avenue, the proposed building is set back from the property line approximately six feet, as one travels south on Dixon Avenue, which curves and becomes Silver Spring Avenue, the building is set back approximately 96 feet from the property line, allowing for a generous public plaza and pulling the building away from the property line.

Additionally, the Applicant has strived to meet the intent of Sector Plan design guidelines through articulation of the massing on Dixon Avenue and Silver Spring Avenue in a variety of ways, using material changes and vertical and horizontal step-backs. Specifically:

- Along Dixon Avenue, the building is comprised of a 21-story recessed glazed bar punctuated by a narrow 21-story masonry tower and an 18-story masonry screen to break down the mass of the building. Where the building meets the Solaire Silver Spring building, a shorter all-glass “gasket” element further modulates the perceived roofline and sets off the 21-story tower element.
- The base of the building also features a 2- to 4-story datum line to accentuate the alignment of the building base with Solaire Silver Spring and Eleven55 Ripley directly to the north. This datum line emphasizes the commercial zone and pedestrian scale.
- The 18-story masonry volume steps back five (5) feet to a larger glass volume approximately 165 feet above grade level along Dixon Avenue.
- The 21-story tower element is positioned four (4) feet in front of the larger glass volume.
- Each visual massing element is articulated with a different color or material.

The Project’s Dixon Avenue scale and massing strongly relates to the Solaire Silver Spring and Eleven55 Ripley buildings to the north, and continues the consistent building streetscape that has been established by recent construction along Dixon Avenue specifically and in the Ripley District as a whole.

The Applicant has provided significant right-of-way through the eastern half of the Property, public plazas on both sides of that right-of-way, and articulation in building massing, thereby achieving many of the same objectives envisioned in the design guidelines. Given the Applicant’s efforts to achieve compatibility with the redeveloped properties to the north, the Property constraints, the Sector Plan objective to maximize housing opportunities in the Ripley District, and the Sector Plan’s recommendation for Progress Place to maintain its presence and purpose in the Ripley District, Staff finds that the Application achieves the intent of the Sector Plan.

Circulation Systems

The Sector Plan recommends creating a system of trails and bike routes, implementing streetscape to create a safe and pleasant pedestrian environment to assess, and where appropriate, reuse public parking facilities, and to make circulation improvements to local roads.

The Project will provide the Sector-Planned connection of Dixon Avenue to Silver Spring Avenue and improve the existing street frontages along Dixon Avenue adjacent to the Property. The Applicant also proposes to voluntarily improve the eastern side of Dixon Avenue just south of Ripley Street and a portion of Silver Spring Avenue, providing an enhanced pedestrian environment through wide sidewalks and attractive streetscaping features. In addition, the Applicant will construct the portion of the Metropolitan Branch Trail adjacent to the Property.

The Project will upgrade the physical environment in the Ripley District by replacing a surface parking lot and aging building with a mixed-use project, providing vital street and pedestrian linkages between the core of the CBD and other areas of the CBD south and east of the Property. The Application conforms to the Sector Plan recommendations for Circulation Systems.

Community Facilities

The Sector Plan notes that Progress Place and the County have co-located services to serve medical, job training and placement, and emergency needs of a varied and growing low-income and homeless population. The Sector Plan also emphasizes the importance of maintaining Progress Place's presence and purpose in the Ripley District. Thus, while the Sector Plan does not specifically envision Progress Place relocating to the Fire Station site, it recommends the site as a location for public/quasi-public uses and also encourages support for Progress Place and other needed services. Relocation of Progress Place to the Fire Station site provides the opportunity to better serve the needs of the community in a modern facility located in a transit-proximate, pedestrian-oriented location. The Application conforms to the Sector Plan recommendations for Community Facilities.

- 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 the existing aging Progress Place building and Parking Lot No. 20. The Application will redevelop 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 Application includes ground-floor non-residential uses, upper level residential units, public open space and residential amenity space. The Application 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 Application encourages such development by providing 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 on the ground floor can provide commercial services for the residents and surrounding neighborhood. The Application facilitates all modes of transit – pedestrian, bicycle, and vehicular-proximate to the Purple Line Metro and the Silver Spring Transit Center. It proposes wide sidewalks along Dixon Avenue and Silver Spring Avenue for pedestrian passage and comfort as well as a large public plaza at the confluence of Dixon Avenue and Silver Spring Avenue. The Project proposes a separate access point for bicycles and

will provide vehicular parking and loading access to meet market demands. The Application 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 Application is for a mixed-use project with multifamily residential units and commercial/retail uses with a building height of 200 feet, 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 include the recently completed Eleven 55 Ripley and Solaire Silver Spring to north, with heights up to 200 feet. Directly on the east side of Dixon Avenue, are small-scale retail and service uses, zoned CR-5.0, C-4.0, R-4.75, H-200T. The Application's building height provides an appropriate relation to the existing and future development in the Ripley District as it transitions from higher building heights for properties along the Metro/CSX tracks to lower heights at the edge of the Ripley District along Georgia Avenue.

As discussed in Finding 1a above, the Sector Plan made urban design recommendations for new development along Dixon Avenue and Ripley Street in the Ripley District to ensure compatibility with adjoining neighborhoods and to provide a coherent street. This urban design goal assessed compatibility in building heights based on the surrounding neighborhood. The Application is compatible with building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue. 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.

The Application has a building height of up to 200 feet, consistent with Zoning Text Amendment No. 07-14, which allowed building heights up to 200 feet in the CBD-2 portion of the Ripley/South Silver Spring Overlay Zone and with the current zoning of the Property.

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

The Application 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 CBD zones. The Application includes a variety of housing options through provision of both market-rate units and MPDUs in an array of unit sizes. In addition, the Application includes non-residential uses on the ground floor.

- 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 Application 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 Application provides the diversity of housing, connectivity improvements (including the Sector-Planned connection of Dixon Avenue to Silver Spring Avenue and construction of the Metropolitan Branch Trail adjacent to the Property), and relocation and construction of the new Progress Place building. In addition, the Applicant will dedicate significant right-of-way through the eastern half of the Property, provide public plazas on both sides of that right-of-way, and design the Dixon Avenue façade with articulation in building massing which achieves many of the same objectives accomplished by building step-back. The Application 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 existing and pending nearby development in the Ripley District. As discussed above in Finding 1d, the Application achieves compatibility with the building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue.

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

The Application provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Application appropriately locates activating pedestrian uses along the Dixon Avenue frontage and Silver Spring Avenue, including the residential entrance, the public plaza, and wide streetscapes with the Silver Spring standard streetscaping. Dixon Avenue 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, general sustainability measures, connectivity improvements including the Sector-Planned connection of Dixon Avenue to Silver Spring Avenue and construction of the Metropolitan Branch Trail adjacent to the Property, and relocation and construction of the new Progress Place building;
- b. Meet the *2012 Commercial/Residential Zones Incentive Density Implementation Guidelines (CR 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 significant right-of-way through the eastern half of the Property, public plazas on both sides of that right-of-way, and articulation in building massing 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 lot and aging existing building with a mixed-use project with multifamily residential units and commercial/retail uses, structured parking, and public open spaces close to transit;

- e. Adequately address “the relationship of the site to adjacent properties” by designing the building at an appropriate scale for the surroundings with heights and creating areas of open space that complements 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, public open space, pedestrian connections, and the construction of the new building for Progress Place, 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.

Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Recommended
59-4.7.3A: Major Public Facilities	70	70	70
59-4.7.3B: Transit Proximity	40	40	40
59-4.7.3C: Connectivity and Mobility			
Minimum Parking	10	10	10
Trip Mitigation	20	10	10
Way-finding	10	5	5
59-4.7.3D: Diversity of Uses and Activities			
Affordable Housing (MPDUs)	No limit	30	30
59-4.7.3E: Quality of Building and Site Design			
Public Open Space	20	20	20
Structured Parking	20	20	20
59-59-4.7.3F: Protection and Enhancement of the Natural Environment			
Building Lot Terminations	30	8.6	8.6
Cool Roof	10	3	3
Energy Conservation and Generation	15	10	10
Recycling Facility Plan	10	5	5
TOTAL		231.6	231.6

Major Public Facilities

The Applicant will construct for the County a new facility for Progress Place, to be located on the site of the nearby Silver Spring Fire Station. The new Progress Place is under concurrent review through a Mandatory Referral. The new Progress Place facility will be comprised of approximately 39,119 gross square feet, located in a four-story building. The first three floors will house Progress Place. The fourth floor will be comprised of 21 PLQs. The Applicant will also construct on the site for use by the Montgomery County Police Department substation located at the Fire Station an approximately 775 square-foot storage barn (for storage of bicycles) and an approximately 80 square-foot flare building.

The Sector Plan notes that Progress Place and the County have co-located services to serve medical, job training and placement, and emergency needs of a varied and growing low-income and homeless population. The Sector Plan also states that locating such services in transit-proximate, pedestrian-oriented locations such as the CBD provides important opportunities for easy access to housing, jobs, and needed services. Thus, while the Sector Plan does not specifically envision Progress Place relocating to the Fire Station site, it recommends the site as a location for public/quasi-public uses and also encourages

support for Progress Place and other needed services. The existing Progress Place facility is located in an aging building that has been renovated numerous times, and the building will require additional reconfiguration/renovation as the result of surrounding redevelopment and coming transportation infrastructure in the Ripley District. Because of this, in conjunction with the fact that the services provided at Progress Place and the needs of the clients served have outgrown the existing facility, relocation of Progress Place to the Fire Station site is an excellent opportunity to better serve the needs of the community in a modern facility located in a transit-proximate, pedestrian-oriented location. For these reasons, the Applicant is requesting to receive public benefit points for construction of this major public facility (70 points). Staff supports the request.

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 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 10 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 open spaces. 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 440 multi-family units). The Applicant's initial estimate of providing 66 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

Public Open Space: The Applicant requests 20 points for providing public open space. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The conceptual layout yields 13,519 square feet of additional open space above the required square feet of public use space for a total of 20 points. The open space will be: directly accessible to a street; open to the public; designed so that the loading or parking facilities are screened or faced with active uses, contain seating, trash receptacles, landscaping, and other amenities; be at least 35 feet wide; designed so that walls of any residential floor area facing the open space have windows on at least 60 percent of the façade between three and eight feet; and designed so that any dwelling unit facing the open space will have access to the open space. Staff supports 20 points for this benefit.

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.

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 and final public benefit points will be determined at the time of Site Plan. Staff supports this request.

Cool Roof: The Project 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 3 points in this public benefit category. The final layout is determined at the time of Site Plan. Staff supports 3 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 that must comply with the Montgomery County Executive Regulation 15-04AM or Montgomery County Executive Regulation 18-04. However, 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 of how the proposed plan exceeds the requirements of Montgomery County Executive Regulation 15-04 AM or Montgomery County Executive Regulation 18-04 to achieve the 5 points proposed in this public benefit category. Staff supports the Applicant's request at this time.

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 Application satisfies the findings under Section 59-4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the Silver Spring CBD Sector Plan area 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. FCP Exemption Letter
- C. Sector Plan pages
- D. Applicant's Revised Justification letter
- E. Agency Letters