

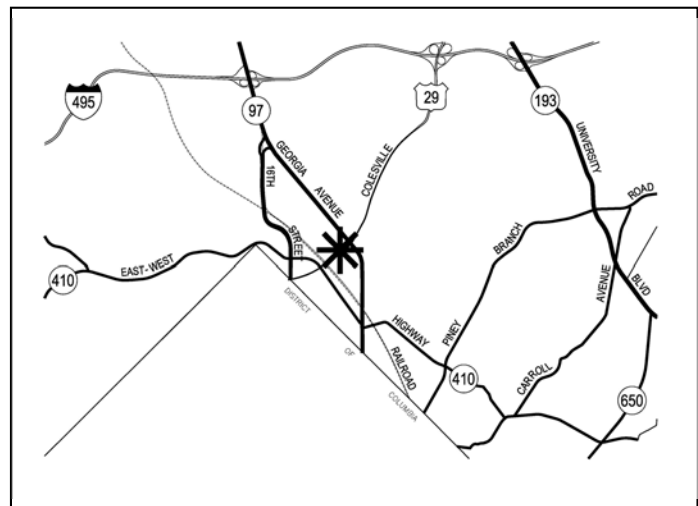
Project Name: Site Plan Amendment No. 81982069A, Silver Spring Center

-  Marco Fuster, Senior Planner, Area 1, Marco.Fuster@montgomeryplanning.org 301.495.4521
-  Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115
-  Robert Kronenberg, Chief, Area 1, Robert.Kronenberg@montgomeryplanning.org, 301.495.2187
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Description

Completed: 2.5.16

- Request for a 4,200 square foot addition to an existing office building, and associated changes to public use space, public art and pedestrian circulation.
- Current use: Office building
- Located at 8455 Colesville Road, 475 feet SW of Georgia Ave.
- 0.74 net acres zoned CR-8.0, C-6.0, R-7.5, H-200 T in the 2000 *Silver Spring CBD Sector Plan* area;
- Applicant: Avison Young
- Accepted: August 27, 2014
- Review Basis: Chapter 59, Montgomery County Code



Summary

- Staff recommends **approval** of Site Plan Amendment 81982069A with conditions.
- This application is being reviewed under the CBD-3 Zone development standards in effect on October 29, 2014, as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance. The additional 4,200 square feet of development is an expansion of less than 2 percent, well below the 10 percent for 30,000 square foot limit imposed by the Ordinance.
- The application proposes to remove an existing fountain and portions of the associated public use space and replace with additional commercial space. The pedestrian connection between Colesville Road and Fiddler Lane will be enhanced by providing a more visible and direct route that is highlighted with artwork.
- The overall public use space will decrease but still exceed the minimum requirements. The Applicant is enhancing the space with new Public Art.
- The amendment also corrects an error in the Gross Tract Area listed in the original approved Site Plan 819820690. Accordingly, the FAR listed in the data table for this amendment will be lower.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment 81982069A for a 4,200 square foot retail addition to an existing office building, and associated changes to public use space, public art and pedestrian circulation. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹ Except as noted below, all conditions of the original site plan and subsequent amendments approval remain valid and binding.

Conformance with Previous Approvals & Agreements

1. Project Plan Conformance

The development must comply with the conditions of approval for Project Plan No. 919820010 listed in MCPB Resolution dated July 1, 1982, as amended.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 119820660 listed in MCPB Resolution dated June 22, 1982, as amended.

Public Use Space and Amenities

3. Public Use Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 7,000 square feet of public use space (22% of net lot area) on-site.
- b. The Applicant must construct the streetscape improvements along the Property's street frontage, consistent with the Silver Spring CBD Streetscape Standards.

4. Public Art

The Applicant must provide for and install the public art concept designed and fabricated by artist Alan Binstock as presented to the Planning Board's Art Review Panel on July 8, 2015, and illustrated in the Certified Site Plan. Any significant changes to the concept must be presented to the Art Review Panel and approved by M-NCPPC Staff before Certified Site Plan Approval. Significant changes to the concept may require a Site Plan Amendment.

5. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, paving, landscape, lighting, seating and artwork.

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

Site Plan

6. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b. All onsite light fixtures must be full cut-off fixtures.
- c. Deflectors will be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.

7. Site Plan Surety and Maintenance Agreement

Prior to issuance of any above-grade residential building permit for this Site Plan, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board, in a form approved by the MNCPPC Office of General Counsel that outlines the responsibilities of the applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon M-NCPPC Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, retaining walls, fences, railings, public art and associated improvements.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
- d. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

8. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Streetscape improvements must be installed before final inspection of the addition. Any street tree planting may wait until the next growing season.
- b. On-site amenities including, but not limited to, public art, sidewalks, benches and trash receptacles, must be installed prior to release of any building occupancy permit.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior M-NCPPC inspection and approval of any tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.

9. Certified Site Plan

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

- a. Include the final forest conservation approval letter, stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b. Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- c. Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- d. Modify data table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Update lighting plan to reflect final design.
- g. Coordinate with Staff regarding the remaining minor revisions needed on the landscape plans.

SITE DESCRIPTION



Figure 1: Aerial Photo of the site and vicinity

NORTH ↑

The subject site is located at 8455 Colesville Road, 475 feet southwest of Georgia Avenue, within the Silver Spring Central Business District (“Subject Property” or “Property”). The Property is in the vicinity of the newly opened Silver Spring Transit Center which is located due south of the Subject Property. To the northeast (along Colesville Road and Ramsey Avenue) is a two-story commercial building which contains restaurants and retail uses. Along the opposite side of Ramsey Avenue towards the north/northeast is the Twin Towers multi-family residential building. The Portico Apartments are located to the west, which was approved under Site Plan 82005020A. A McDonald’s fast food restaurant is located adjacent to the site along the southwest boundary.

The Site is currently occupied by 15-story office. The Site has streetscape enhancements per the Silver Spring standards along the three street frontages. The project has provided pedestrian connections to the Silver Spring Metro/Transit Center by the streetscape standards that have been implemented, along with a pedestrian arcade is located parallel to Colesville Road (within the site). Furthermore, the site features a stairway that connects Fidler Lane with Colesville Road.

The Site is located within the Lower Rock Creek Watershed which is designated as a Use I Watershed². The Property is not within a Special Protection Area. The underlying soils of the vicinity are classified as Urban Land which are not highly erodible and are adequate for the proposed use. There are no known rare, threatened, or endangered species on site; there are no forests, 100-year floodplains, stream buffers, wetlands, or steep slopes on site. Additionally, there are no known historic properties or features on or near the site.

PREVIOUS APPROVALS

The Planning Board approved Project Plan 919820010 by a resolution dated July 1, 1982 and as revised on May 8, 1986, for 216,846 square feet of commercial uses. The Board approved Preliminary Plan 119820660, by a resolution dated June 22, 1982, and Site Plan 819820690, by a resolution dated November 8, 1982, as revised in Planning Board Resolution dated May 8, 1986, for the same development.

PROPOSAL

The development includes a 4,200 square foot addition for a new retail tenant fronting onto Colesville Road. The existing fountain will be removed to accommodate the addition, and the existing stairway will be relocated to the south side of the expanded building footprint. The new stairway will provide a more efficient and safer pedestrian connection between Colesville Road and Fiddler Lane. The more direct route is also highlighted with artwork (colorful artistic glass paneled railings) and associated landscaping that will further encourage the flow through traffic by pedestrians in the space.

² Use I: WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply and industrial water supply.

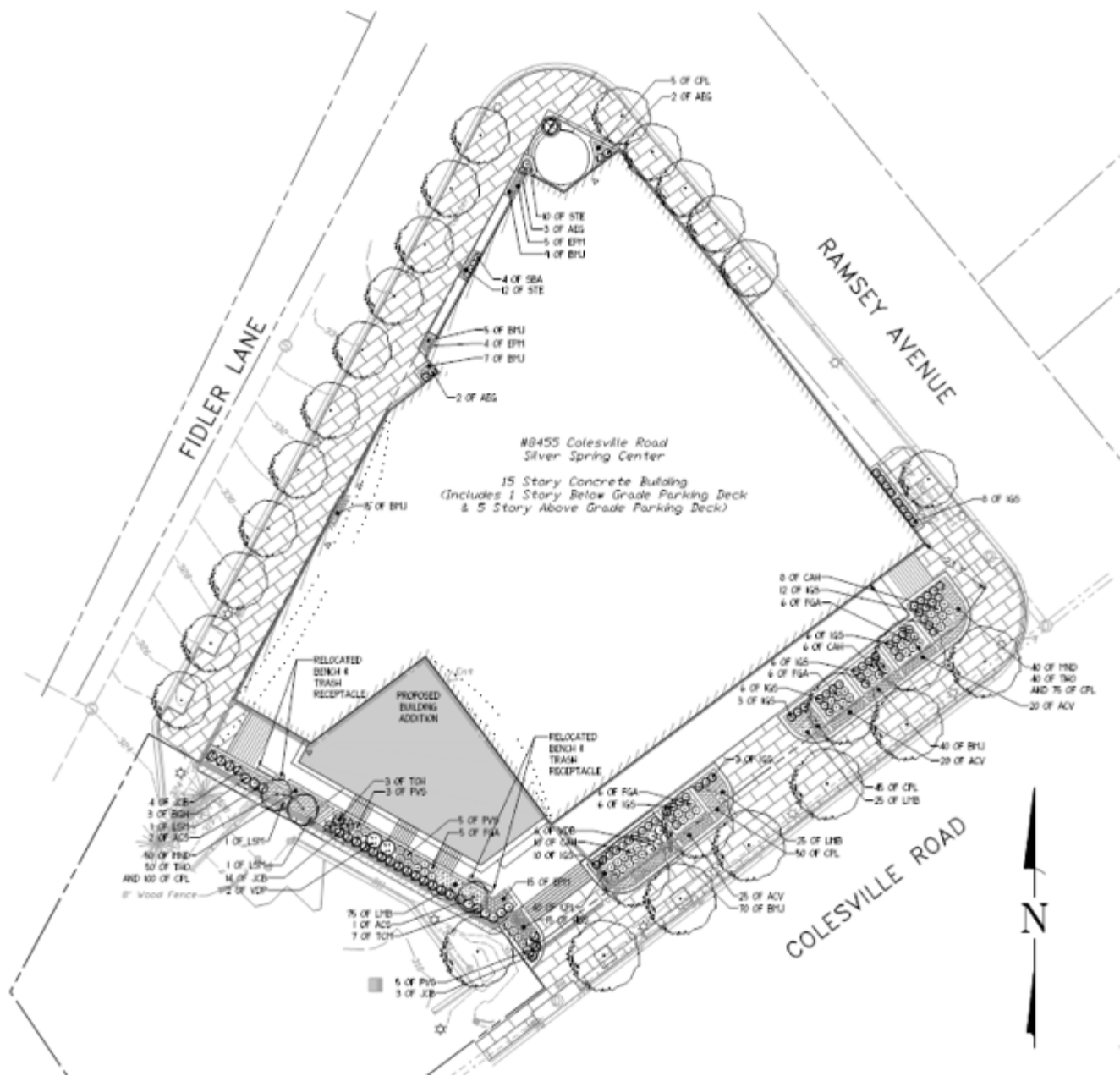


Figure 2: Proposed Site Plan



Figure 3: **Illustrative Drawing-** Proposed addition with artistic railings along relocated stairway.

The building addition displaces about a third of the 10,894 square feet of public use space approved with the original development, a reduction of 3,894 square feet. The original approval required 30 percent of the net lot area as public use space, while the amendment proposes 22 percent. The public use space is being reduced in part to improve safety and security along the southern through-block pedestrian connection.

Additionally, a public art component, which was approved in 1982 for the northern corner of the site at the intersection of Ramsey Avenue and Fidler Lane but does not seem to have been installed, will be installed along the southern edge of the site as described above (shown in Figure 3).

Finally, at the time of the original approval, the 216,846 square feet of commercial development was factored as a 6.0 FAR from a Gross Tract Area of 36,135 square feet. With this amendment, the Applicant has submitted an exhibit (Attachment B) that includes additional areas of previous dedication that together increase the Gross Tract Area for the site to 59,943 square feet. With the proposed addition, the resulting FAR for the site is 3.69.

ANALYSIS AND FINDINGS

This application is being reviewed under the CBD-3 Zone development standards in effect on October 29, 2014, as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance. The additional 4,200 square feet of development is an expansion of less than 2 percent, well below the 10 percent for 30,000 square foot limit imposed by the Ordinance.

In its resolution of September 13, 1984, approving Site Plan 819840020, the Planning Board found that the application is consistent with Project Plan 919830030; the application conforms to the requirements of the CBD-3 zone; the location of buildings and structures, open spaces, landscaping, and pedestrian and vehicular circulation are adequate, safe, and efficient; and each structure and use is compatible with other uses and other site plans, and with existing and proposed development. The proposed amendment does not affect the application's conformance with these findings and the Planning Board's prior findings remain valid.

Project Data Table for the CBD-3 Zone (Optional Method)

Development Standard	Permitted/ Required	Approved per Site Plan 819820690	Proposed for Site Plan Amendment 81982069A
Site Area (sf.)			
Gross Tract Area	18,000	36,135	59,943
Previous Dedications		0	27,656
Proposed Dedications		3,848	0
Net Lot Area		32,287	32,287
Density			
Floor Area Ratio, max. total	6	6	3.69
Floor Area, max. total (sf.)		216,846 sf	221,046 sf
Building height, max.			
	143/200	166.33	167
Building setbacks, min. (ft.)			
South Western property line	n/a	0	0
Fidler Lane		0	0
Ramsey Ave		0	0
Colesville Road		0	0
Public Use & Amenity Space, min.			
On-site Public Use Space, min. (% of net lot area)	20	33.7	21.6
On-site Public Use Space, min. (sf.)	6,458	10,894	7,000

ENVIRONMENTAL GUIDELINES AND FOREST CONSERVATION

As mentioned in the Site Analysis, there are few environmental features on the subject site. Three onsite landscape trees along the southern boundary will be removed and replaced with new landscape plantings. The adjacent street trees fronting the site will remain undisturbed, however it is possible that a street tree fronting the site on Colesville Road and possibly a second tree along Fidler Lane site would be removed for construction access to the site. Coordination of the removal and replacement would occur with SHA for any street trees along Colesville Road and with DOT coordination with DOT for Fidler Lane.

A forest conservation exemption FCP Exemption [42014130E](#) was confirmed on April 28, 2014, as a modification to an existing non-residential developed property under section 22A-5(t) of the Montgomery County Forest Conservation Law.

The project meets the particular requirements of the exemption per the following:

- (1) no more than 5,000 square feet of forest is ever cleared at one time or cumulatively after an exemption is issued;
- (2) the modification does not result in the cutting, clearing, or grading of any forest in a stream buffer or located on property in a special protection area which must submit a water quality plan;
- (3) the modification does not require approval of a preliminary plan of subdivision; and
- (4) the modification does not increase the developed area by more than 50% and the existing development is maintained;

SEDIMENT CONTROL AND STORM WATER MANAGEMENT

Montgomery County Code, Chapter 19, Article I, Section 2, requires a permit for any land disturbing activity in Montgomery County that disturbs 5,000 sq. ft. or more of land, results in 100 cubic yards or more of earth movement, or is for the construction of a new residential or commercial building. The building addition proposes 4,800 SF of land disturbance and anticipates less than 100 cubic yard of earthmoving, particularly since there is existing parking underneath portions of construction work area. However, if the applicability thresholds are exceeded during construction, DPS has the ability to enforce the code requirements (which are not currently applicable based on the figures declared). If the sediment control becomes applicable only because of the volume trigger (100 cubic yards of earth movement) then the project would qualify for a Small Land Disturbance Activity (SLDA) and would not be subject to SWM requirements. Conversely, if the 5,000 SF threshold is exceeded, then the project would also become subject to SWM requirements. A plan amendment may be necessary to address the regulatory requirements if the threshold(s) are exceeded.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendments was sent to all parties of record. Staff has not received correspondence on this matter.

ATTACHMENTS

- A. Resolutions
- B. Exhibit of Previous Dedications
- C. Agency Letters

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-82066
NAME OF PLAN: SILVER SPRING CENTRE

On 04-27-82, STANLEY ZUPNICK, submitted an application for the approval of a preliminary plan of subdivision of property in the CBD zone. The application proposed to create 1 lots on 36141.00 SQ FEET of land. The application was designated Preliminary Plan 1-82066.

On 06-17-82, Preliminary Plan 1-82066 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-82066 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-82066, subject to the following conditions:

1. Dedication of streets in accordance with adopted master plan
2. Site plan approval by Montgomery County Planning Board
3. Provision for necessary slope and drainage easements

Date of Mailing: June 22, 1982

Agenda Item: #16(b)

Agenda Date: July 1, 1982

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
6787 Georgia Avenue • Silver Spring, Maryland 20907

July 1, 1982

Montgomery County Planning Board
Opinion

Project Plan #9-82001
Silver Spring Centre

On February 24, 1982, Bernard Sanker submitted an application for the approval of a Project Plan for property in the CBD-3 Zone. The application was designated Project Plan #9-82001.

The site is located within the boundaries of the Silver Spring Sector Plan. Colesville Road forms the southeastern boundary of the site. The Twin Towers Apartment building is located across Ramsey Avenue and northeast of the site. Widler Lane forms the northwestern boundary of the site. The Safford Lincoln/Mercury Dealership forms the southwestern boundary of the site.

The Applicant proposes to construct a mixed use project on the site including retail, office, and parking uses in one phase. The retail and office uses include 216,846 square feet of building area.

The Applicant proposes to increase the FAR from three which is permitted in the CBD-3 Zone under the Standard Method to six which is permitted under the Optional Method of Development.

The Staff of the Maryland-National Capital Park and Planning Commission submitted findings and recommendations of approval with modifications to the Montgomery County Planning Board on June 2, 1982. The Montgomery County Planning Board held a public hearing on June 17, 1982, for review of the Project Plan #9-82001 in accordance with Division 59-D-2 of the Montgomery County Zoning Ordinance. During the public hearing, the Montgomery County Planning Board heard oral testimony and received written and graphic evidence submitted in the record for Project Plan #9-82001.

Findings

After reviewing the testimony and receiving evidence, the Montgomery County Planning Board makes the following findings:

1. The Board finds that the application complies with all of the requirements of the CBD-1 Zone.
2. The Board finds that the application conforms to the Silver Spring Sector Plan.
3. Because of its location, size, intensity, design, operational characteristics, and staging, the Board finds that the proposal would be compatible with and not detrimental to existing or potential development in the general neighborhood.
4. The Board finds that the application will not overburden existing public services nor those programmed for availability concurrently with each stage of construction.
5. The Board finds that the proposed development is more efficient and desirable than could be accomplished by the use of the Standard Method of Development.

In making the above findings, the Planning Board adopts the Staff Report of June 2, 1982 and incorporates the findings. During the Site Plan Review stage, the Montgomery County Planning Board will be examining several detailed design elements of the public amenity spaces, and sidewalk improvements. The Montgomery County Planning Board will be considering at least the following issues in addition to the items on page 14 of the Staff Report of June 2, 1982:


- A. provision of underground utilities;
- B. provision of a pedestrian crossing for Ramsey Avenue;
- C. conflicts between service and parking entrances along Ramsey Avenue with existing and proposed development;
- D. provision of landscaping of the roof above the retail spaces located at the intersection of Fidler Lane and Ramsey Avenue; and
- E. provision of wall treatment along Ramsey Avenue.

Action

Based on these findings and the provision of Division 59-D-2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board approves Project Plan #9-82001 with the following modifications:

1. coordination of streetscape elements along Colesville Road with Phase IV of the Silver Spring Urban Boulevard Program; and
2. provision of a construction and maintenance agreement for all work in the public right of way.

JAC:sar


THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907

November 8, 1982

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan Review # B-82069

Project Silver Spring Centre

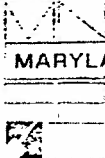
On September 13, 1982, Jesse Weinstein submitted an application for the approval of a site plan for property in the CBP - 1 zone. The application was designated Site Plan Review # B-82069.

On October 28, 1982, Site Plan Review # B-82069 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds

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

and approves Site Plan Review # B-82069 subject to the following conditions:

1. submitting a Site Plan Agreement and Development Program to Staff for approval;
2. providing a final lighting plan for review by Staff and MCDOT;
3. coordinating the planting and tree box details with the Streetscape Program;
4. coordinating the final brick paving selection and tree location along Coleville Road with Silver Spring METRO Centre;
5. providing a final landscaping plan increasing the caliper of all trees to 4" minimum; and
6. no display windows for the shops will be wrapped around at both ends on Ramsey Avenue.


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Date June 13, 1984

Site Plan Review # 8-82069 (Extension)

Project Silver Spring Centre

On February 23, 1984, Robert H. Metz

submitted an application for the approval of a site plan for property in the CDB-1 zone. The application was designated Site Plan Review # 8-82069 (Extension) hereinafter referred to as the Site Plan.

On April 26, 1984, the Site Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff in the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

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

and approves the extension of the Site Plan.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907
(301) 279-1000

MONTGOMERY COUNTY PLANNING BOARD
OPINION

Project Plan Review #9-82001 (Revision)
Project Silver Spring Centre

On March 3, 1986, Bernard Sanker submitted an application for the approval of a project plan for property in the CBD-3 zone. The application was designated Project Plan Review #9-82001 (Revision) hereinafter referred to as the Project Plan.

On April 23, 1986, the Project Plan Review #9-82001 (Revision) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff in the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the project plan meets all of the requirements of the zone in which it is located;
2. conforms to the approved and adopted Sector Plan;
3. location, size, intensity, design, operational characteristics, and staging are compatible with existing and proposed development;
4. public services are adequate; and
5. the development is more efficient and desirable than the standard method.

and approves Project Plan Review #9-82001.

Mailing date: May 8, 1986



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD
OPINION

Site Plan Review #8-82069 (Revision)
Project Silver Spring Centre

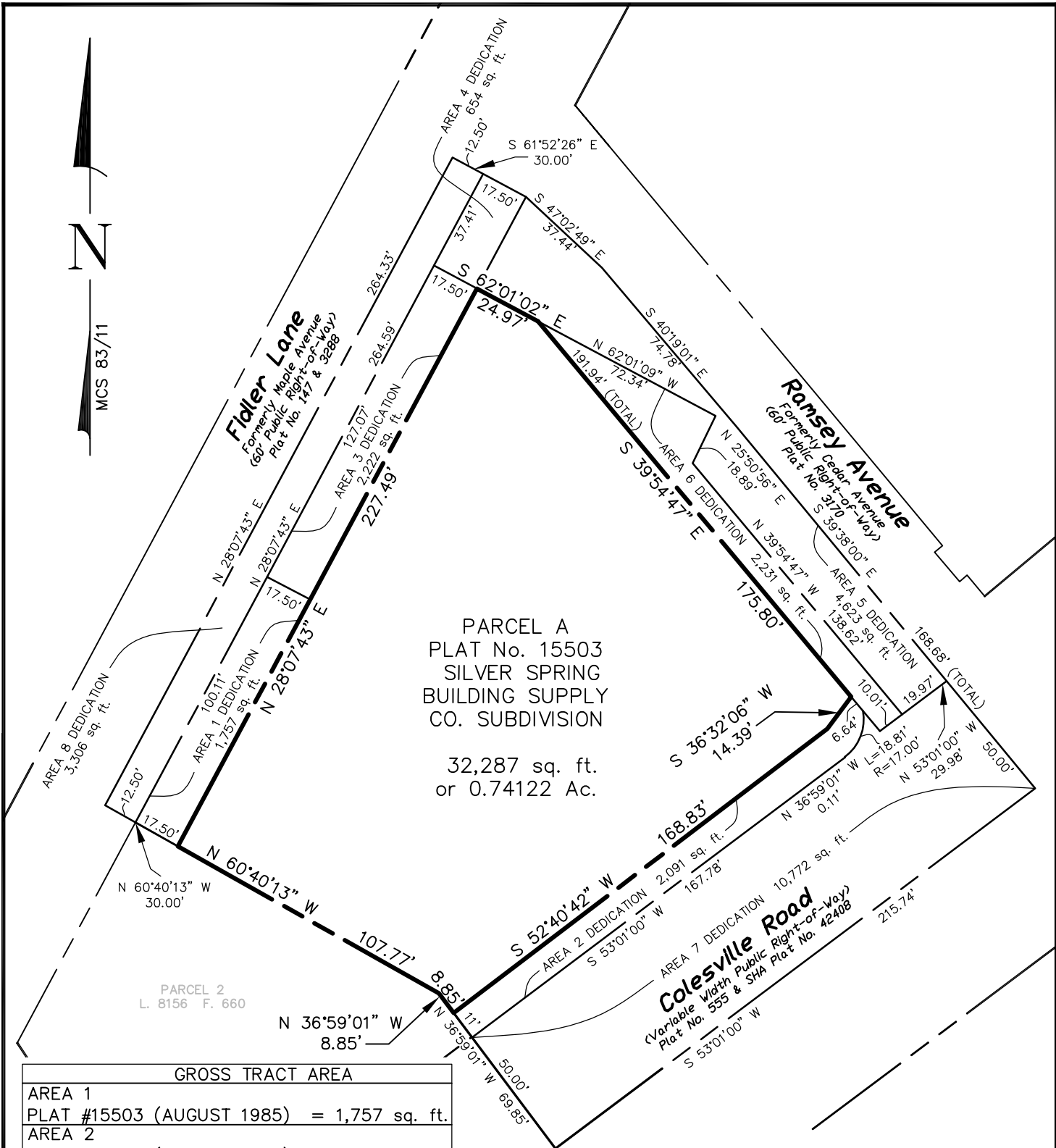
On March 3, 1986, Bernard Sanker submitted an application for the approval of a site plan for property in the CBD-3 zone. The application was designated Site Plan Review #8-82069 (Revision).

On April 23, 1986, Site Plan Review #8-82069 (Revision) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

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

and approves Site Plan Review #8-82069 (Revision).

Mailing date: May 8, 1986



PARCEL A
 PLAT No. 15503
 SILVER SPRING
 BUILDING SUPPLY
 CO. SUBDIVISION

32,287 sq. ft.
 or 0.74122 Ac.

GROSS TRACT AREA	
AREA 1	
PLAT #15503 (AUGUST 1985)	= 1,757 sq. ft.
AREA 2	
PLAT #15503 (AUGUST 1985)	= 2,091 sq. ft.
AREA 3	
PLAT #3288 (OCTOBER 1952)	= 2,222 sq. ft.
AREA 4	
PLAT #3288 (OCTOBER 1952)	= 654 sq. ft.
AREA 5	
PLAT #243 (DECEMBER 1922)	= 4,623 sq. ft.
AREA 6	
PLAT #3170 (JUNE 1952)	= 2,231 sq. ft.
AREA 7	
PLAT #555 (JANUARY 1935)	= 10,772 sq. ft.
AREA 8	
PLAT #147 (MAY 1912)	= 3,306 sq. ft.
TOTAL GTA	= 59,943 sq. ft.

EXHIBIT

GROSS TRACT AREA
 SILVER SPRING CENTER
 PARCEL A, BLOCK E

SCALE: 1" = 50' APRIL, 2014
 MONTGOMERY COUNTY, MARYLAND

MHG Macris, Hendricks & Glascock, P.A.
 Engineers ■ Planners
 Landscape Architects ■ Surveyors

9220 Wightman Road, Suite 120
 Montgomery Village, Maryland
 20886-1279

Phone 301.670.0840
 Fax 301.948.0693
 www.mhgpa.com



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

FROM: Molline Jackson,
Art Review Panel Coordinator

PROJECT: Silver Spring Center
SITE PLAN No. 81982069A

DATE: July 23, 2015

The Art Review Panel has generated the following meeting minutes based on our discussion of the design concept for the public use space on July 8, 2015 for Silver Spring Center. The recommendations provided within this memo should be incorporated into your review and considered by the Planning Board prior to the certification of the Site Plan and/or prior to the release of the first building permit. Should you have any additional questions and/or comments please feel to contact me.

Attendance:

Marco Fuster (Lead Plan Reviewer)
Molline Jackson (Art Review Panel Coordinator)
Claudia Rousseau (Panelist)
Damon Orobona (Panelist)
Germano Gomez (Panelist)
Judy Moore (Panelist)
Luann Korona (Panelist)
Ralph Bennett (Panelist)

Mary McCarthy (Applicant)
Marty Bates (Architect)
Lauren Ireland (Engineer)
Joanne Spielman (Art Consultant)
Alan Binstock (Artist)

Meeting Notes:

- Located at 8455 Colesville Road, existing office/retail building (15-stories), 3.68 FAR.
- The minimum area lot is 32,287 sf.; total building height is 166.2 ft.
- There is an existing 1-story below grade parking garage, and 5-story above grade parking garage.
- Existing retail tenant (7-11) along Colesville Road will remain.
- There will be no change to the existing building and uses; therefore, the project should comply with the old Zoning Ordinance.
- The Applicant is meeting the public use space requirement of (22% or 7,000 sf.) with streetscape improvements and a mid-block stairwell connection from Fidler Lane to Colesville Road.

- The proposed construct for the first floor new retail uses maybe a 2-story addition (3,800 sf.).
- New tenant's frontage onto Colesville Road is VERY IMPORTANT!
- The Applicant purchased the property in 2013 (building was constructed in 1988). Through the regulatory review process the Applicant was recently made aware of the public art component. So far, they have met with the Silver Spring A&E District coordinator in order to develop their approach to provide the necessary public benefits package.
- The existing fountain will be removed and replaced with additional retail tenant space.
- The existing stairwell will be relocated to the far left side of the new addition.
- The pedestrian connection between Fidler Lane and Colesville Road are heavily traveled. The Downtown A&E District advised providing public art along the wall (facing the McDonalds restaurants, the stairwell or both).
- The public art piece is intended to encourage flow through traffic by pedestrians in the space, while visibility from Colesville Road and Fidler Road are intended to stimulate interest in the project.

Panel Recommendations:

1. The Art Review Panel highly recommends continuing the design of the public artwork onto the railings in close proximity to Colesville Road and Fidler Lane. Without this emphasis directly adjacent to the street edge, pedestrians may not get the full experience of continuous movement through the subject property.
2. The Panel agrees that the location is appropriate; however, the Applicant should explore the concept of creating "movement" or attracting the pedestrians to the space with stronger continuations.
3. The Panel recommends approval of the 2-story addition, as it fits the context of the existing building (15-stories) better than a 1-story building. The additional retail frontage and the attractive stairwell will improve the streetscape in general.
4. Appropriate lighting and landscape should also be further explored to best highlight the public artworks. The planting bed immediately adjacent the public use space is overgrown and will be redesigned to be more compatible with the proposed modifications. For the purposes of providing shade, white flowering and year-round ornamental appeal, the Panel would like to recommend using *Cornus floria* (Dogwood) or *Amelanchier Canadensis* (Serviceberry) trees near the stairwell.
5. The Lighting design should highlight the proposed landscaping and public artworks, in such a way that it promotes safe and adequate circulation through the site and emphasizes the aesthetic appeal during the evening hours. Lighting along the building side of the stairwell is especially important with regard to safety concerns.



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

April 28, 2014

Avison Young
Silver Spring Center, LLC
100 Lakeforest Boulevard, Suite 500
Gaithersburg, MD. 20877

Re: Silver Spring Center; Forest Conservation Exemption 42014130E

Dear Madam or Sir:

Based on the review by staff of the Montgomery County Planning Department, the Forest Conservation Exemption Request submitted on April 18, 2014 for the plan identified above, is confirmed. The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(t) because the site is a modification to an existing developed property: (1) the modification will not remove more than 5,000 square feet of forest, (2) does not affect any forest in a stream buffer or located on property in a special protection area which must submit a water quality plan and (3) the modification does not require approval of a new subdivision plan.

Any unauthorized changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If you have any questions regarding these actions, please feel free to contact by email at daivd.wigglesworth@montgomeryplanning.org or at (301) 495-4581.

Sincerely,

David Wigglesworth
Sr. Planner
Development Applications & Regulatory Coordination Division

Cc: 42014130E
Amanda Junge (MHG)