



MCPB
Item No.
Date: 9/22/16

Ripley II: Sketch Plan Amendment No. 32015003A, Preliminary Plan No. 120160190, Site Plan No. 820160070

SD Stephanie Dickel, Planner Coordinator, Area 1, Stephanie.Dickel@montgomeryplanning.org, 301.495.4527

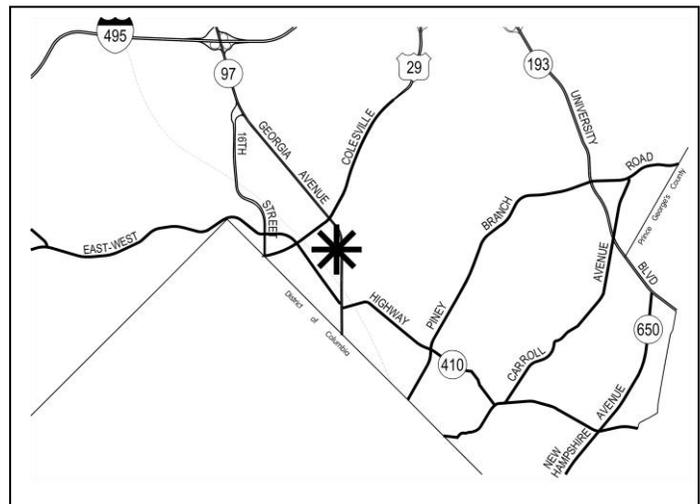
 Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

PAK Robert Kronenberg, Chief, Area 1, Robert.Kronenberg@montgomeryplanning.org, 301.495.2187

Completed: 9/9/16

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;
- Applications acceptance date: May 18, 2016.



Summary

- The Planning Board previously approved Sketch Plan 320150030, by resolution dated March 2, 2015.
- The Project will transform the existing site into a mixed-use development with a 440-unit multi-family residential building with 15% moderately priced dwelling units, public open space, structured parking, and energy conservation and generation.
- The Applications were filed on March 16, 2016, and are being reviewed under the Zoning Ordinance in effect as of October 30, 2014.
- Under the terms of a Joint Development Agreement, the County transferred public parking Lot No. 20 to the Applicant, who is constructing 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), and the Application is receiving public benefit points.
- Staff recommends approval of the Ripley II Sketch Plan Amendment, Preliminary Plan and Site Plan with conditions.
- Executive Summary begins on Page 3.

TABLE OF CONTENTS

SECTION 1: EXECUTIVE SUMMARY **3**

SECTION 2: RECOMMENDATION **5**
Sketch Plan Amendment
Preliminary Plan
Site Plan

SECTION 3: SITE DESCRIPTION **12**
Site Vicinity
Site Analysis
Zoning History

SECTION 4: PROJECT DESCRIPTION **13**
Previous Approvals
Proposal

SECTION 5: SKETCH PLAN AMENDMENT **20**
Analysis and Findings

SECTION 6: PRELIMINARY PLAN **22**
Analysis and Findings
 Master Plan
 Adequate Public Facilities Review
 Environment
 Compliance with the Zoning Ordinance and Subdivision Regulations

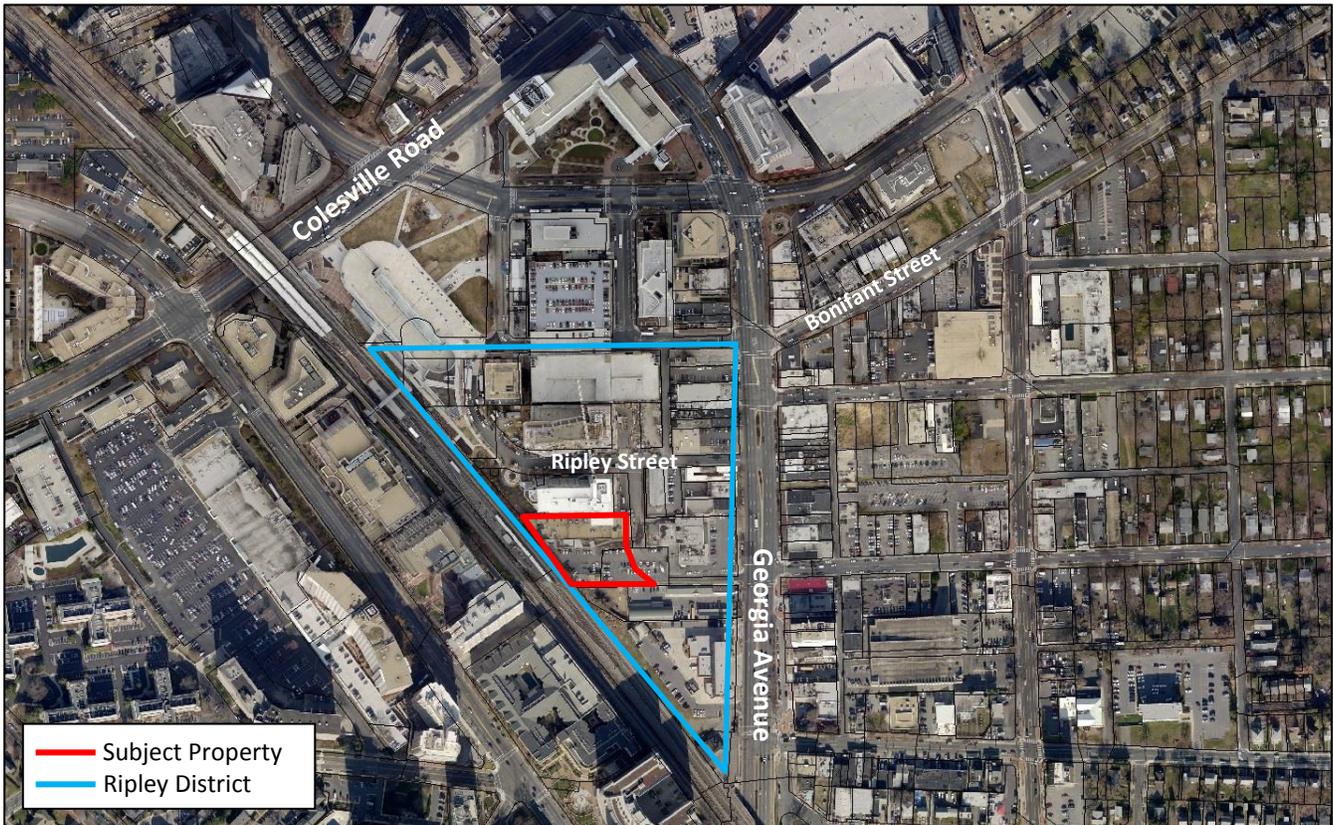
SECTION 7: SITE PLAN **31**
Analysis and Findings
Community Outreach

SECTION 1: EXECUTIVE SUMMARY

Site and Proposal

The Subject 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. The Property is located in the Ripley District of the *Silver Spring Central Business District (CBD) Sector Plan* area and Ripley/South Silver Spring Overlay Zone.

The proposed development is for construction of a multi-family residential building with up to 440 units, including 15% Moderately Priced Dwelling Units (MPDUs), and up to 18,083 square feet of non-residential uses.



Site Vicinity

Sketch Plan Amendment No. 32015003A

The Planning Board approved Sketch Plan No. 320150030 on March 2, 2015, for a maximum of 437,265 square feet of development. The Applicant seeks to amend the binding elements and conditions of the Sketch Plan under Section 59-7.3.3.I of the 2014 Zoning Ordinance to amend the public benefit schedule to eliminate wayfinding, cool roof and the recycling facility plan.

The Sketch Plan Amendment satisfies the findings under Section 59-4.5.4 of the 2014 Zoning Ordinance and substantially conforms to the recommendations of the *Silver Spring CBD Sector Plan*. Staff recommends approval with conditions.

Preliminary Plan No. 120160190

The Preliminary Plan will create one lot to allow for a maximum density of 437,265 square feet of development, including up to 440 multi-family units and up to 18,083 square feet of non-residential uses. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision taking into account the recommendations in the *Silver Spring CBD Sector Plan* and for the type of development or use contemplated. The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the Sector Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan. Staff recommends approval with conditions.

Site Plan No. 820160070

The Site Plan proposes a 440-unit multi-family building with up to 18,083 square feet of non-residential uses on approximately 1.66 gross acres in the CR 5.0 C4.0 R4.75 H200T Zone and Ripley/South Silver Spring Overlay Zone. The Site Plan is consistent with the approved Sketch Plan, meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance. Staff recommends approval with conditions.



Ripley II- View from Dixon Avenue and Silver Spring Avenue

SECTION 2: RECOMMENDATION AND CONDITIONS

SKETCH PLAN AMENDMENT 32015003A

Staff recommends approval of Sketch Plan Amendment No. 32015003A, Ripley II, a mixed-use project for up to 437,374 square feet of development including up to 419,286 square feet of residential development and up to 18,088 square feet of non-residential uses on approximately 1.66 gross acres, zoned CR 5.0: C 4.0, R 4.75, H 200T, Ripley/South Silver Spring Overlay Zone. The following condition supersedes Sketch Plan No. 320150030 Condition 3 and all other conditions remain in full force and effect:

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I at the time of Site Plan. The requirements of Division 59-4.7.1 and the 2012 *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 Metro Station;
- c. Connectivity and Mobility, achieved through minimum parking and trip mitigation;
- d. Diversity of Uses and Activities, achieved through affordable housing over the minimum required;
- 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 and energy conservation and generation.

PRELIMINARY PLAN 120160190

Staff recommends approval of Preliminary Plan No. 120160190 subject to the following conditions:

1. Approval is limited to one lot with a maximum density of 437,265 square feet of total development, consisting of up to 440 residential dwelling units and up to 18,083 square feet of non-residential uses. The development must include a minimum of 15% Moderately Priced Dwelling Units (MPDUs).
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150030 and any subsequent amendments.
3. The Planning Board accepts the recommendations of Montgomery County Department of Permitting Service (MCDPS) – Water Resources Section in its stormwater management concept letter dated August 9, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated August 12, 2016 and as amended by the email dated August 29, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

5. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements which are associated with each plat, as required by MCDOT.
6. The Applicant must dedicate and show on the record plat(s) the following dedications:
 - a. Dixon Avenue: Dedication necessary to provide the full width of the master-planned future right-of-way of 80 feet.
 - b. Silver Spring Avenue: Dedication necessary to provide the full width of the master-planned future right-of-way of 70 feet.
 - c. A public use and access easement, for the full width and extent of the Metropolitan Branch Trail, on the Subject Property, as shown on the Certified Site Plan, granted to Montgomery County, in trust for the public, in a recordable form containing provisions to address the following:
 - i. Entitlement for open and unobstructed public use of the easement for all customary pedestrian, bicycle, general public, and emergency access;
 - ii. Obligation for the Applicant to design and construct the Metropolitan Branch Trail as shown on the Certified Site Plan pursuant to comparable MCDOT structural construction standards, at the Applicant's expense, unless such obligation has been assumed by another entity as part of the overall trail maintenance;
 - iii. Obligation for the Applicant to maintain and repair the shared use path, as shown on the Preliminary Plan, in a condition acceptable to MCDOT for all access, at the Applicant's expense, unless such obligation has been assumed by another entity as part of the overall trail maintenance;
 - iv. Obligation for the Applicant to keep the shared use path free of snow, litter and other obstructions and hazards at all reasonable times, at its expense, unless such obligation has been assumed by another entity as part of the overall trail maintenance;
 - v. Entitlement for the Applicant or its designee to close the shared use path for normal maintenance and repair at reasonable times and upon reasonable prior notice to the public.
7. Prior to recordation of the plat(s) the Applicant must satisfy MCDPS requirements to ensure the construction of frontage improvements, on both the Dixon Avenue and Silver Spring Avenue frontages, as shown on the Certified Site Plan. These improvements may be modified by MCDOT to reflect the incorporation of separated bike lanes along the frontage, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
9. The record plat must show necessary easements.
10. Prior to the release of any building permit for development on the Site exclusive of any sheeting and shoring permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT. The TMAg must include trip mitigation measures recommended by MCDOT in its letter dated August 12, 2016.

11. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of this Planning Board Resolution.
12. No demolition, clearing or grading of the site, or recording of plats prior to certified site plan approval.
13. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
14. The Applicant must include the stormwater management concept approval letter, agency letters and Preliminary Plan resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
15. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration, location of right-of-way width or alignment, or limits of disturbance, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.

SITE PLAN 820160070

Staff recommends approval of Site Plan 820160070 for up to 437,265 square feet of total development including up to 419,181 square feet of residential development, for up to 440 multi-family residential units, and up to 18,083 square feet of non-residential uses on approximately 1.66 gross acres in the CR 5.0, C 4.0, R 4.75, H 200T, Ripley/South Silver Spring Overlay Zone. 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

1. Sketch Plan Conformance
The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320150030 and 32015003A.
2. Preliminary Plan Conformance
The development must comply with the conditions of approval for Preliminary Plan No. 120160190 and any amendments.
3. Forest conservation
The builder must coordinate with the Planning Department Forest Conservation Inspector to review the limits of disturbance (LOD) and any tree save measures that may be required prior to the start of any clearing, grading, or demolition.
4. Noise Attenuation
 - a. Prior to issuance of a building permit, the Applicant must provide Staff with certification from an engineer specializing in acoustics that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
 - b. The Applicant must provide a signed commitment to construct the units in accord with these design specifications, with any changes that may affect acoustical performance approved by the engineer and Staff in advance of installation.

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.

- c. After construction is complete, and prior to issuance of final residential occupancy permits, the Applicant must provide staff with a certification from an engineer specializing in acoustics confirming that the dwelling units were constructed in accord with the approved specifications for noise attenuation.
- d. If the plan changes in any manner that affects the validity of the noise analysis for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
- e. Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.

Public Use Space, Facilities and Amenities

5. Public Use Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 8,383 square feet of public open space (20% of the net lot area).
- b. The Applicant must construct the streetscape improvements along the Subject Property’s frontage on Dixon Avenue and Silver Spring Avenue as shown on the Certified Site Plan.
- c. Prior to the issuance of final residential Use and Occupancy certificate, all public open space areas on the Subject Property’s frontages must be completed.

6. Recreation Facilities

- a. Prior to Certified Site Plan approval, the Applicant must demonstrate conformance with the M-NCPPC Recreation Guidelines.
- b. The Applicant must provide at a minimum the following recreation facilities on-site: bike system, a swimming pool, an indoor community space, and an indoor exercise room.

7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property including, but not limited to pedestrian pathways, landscaping, hardscape, recreation facilities, and public open space.

8. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the 2012 *CR Zone Incentive Density Implementation Guidelines* for each one:

- a. Major Public facility
 - Under the terms of a Joint Development Agreement, the County transferred public parking Lot No. 20 to the Applicant, who is constructing a new building for Progress Place on the site of the Silver Spring Fire Station, located south of the Property, at 8110 Georgia Avenue, in accordance with Mandatory Referral No. 2015009.
- b. Transit Proximity
 - The Subject Property is located within one-quarter mile of the Silver Spring Transit Center and Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Final area calculations must be included on the Certified Site Plan.
- c. Connectivity and Mobility
 - i. Minimum Parking
 - The Applicant must not construct more than 223 parking spaces.

- ii. Trip Mitigation
 - a) 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.
 - b) Prior to issuance of the first building permit on the Site, exclusive of any sheeting and shoring permit, the Applicant must execute a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District (TMD). The TMAg must include trip mitigation measures recommended by MCDOT.
- d. Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs
 - a. The Applicant must provide a minimum of 15% MPDUs on-site on the Subject Property.
 - b. The Applicant must provide affordable housing units in accordance with the MPDU recommendations in Montgomery County's Department of Housing and Community Affairs' (MCDHCA) letter dated July 29, 2016, which the Planning Board accepts and hereby incorporates as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.
 - c. Prior to issuance of any residential building permit, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.
- e. Quality Building and Site Design
 - i. Public Open Space

The Applicant must provide a minimum of 8,383 square feet of public open space. No public open space would otherwise be required.
 - ii. Structured Parking

The Applicant must provide structured parking in a below-grade structure as necessary to achieve 20 public benefit points using the following formula from the *Implementation Guidelines*: $[(A/P)/(A/R)]*10$, where A=the maximum allowed spaces, R=the minimum required spaces, and P=the proposed spaces.
- f. Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations

Before issuance of the any above-grade building permit, the Applicant must provide proof of purchase and/or payment equivalent to 0.96 of BLTs to the MCDPS.
 - ii. Energy Conservation and Generation

The Applicant must construct the building to exceed the energy-efficiency standards for the building type by 10%. Prior to issuance of final residential Use and Occupancy certificates, the Applicant must submit to Staff a Final Energy Performance Report.

Transportation & Circulation

9. Pedestrian & Bicycle Circulation

- a. The Applicant must provide 100 bicycle parking spaces for long-term private use and 2 bicycle parking spaces for short-term public use. Short term public bicycle parking must be installed near the main residential entrance to the multifamily building and open space, as shown on the Site Plan.
- b. Secure long term bicycle parking must be installed, internal to the proposed high rise residential building, for resident and employee use, and the public spaces must be inverted-U racks installed in

a location convenient to the main entrance (weather protected preferred). The specific location(s) of the public and private bicycle parking must be identified on the Certified Site Plan.

10. Metropolitan Branch Trail

- a. The final trail design and section to be shown on the Certified Site Plan.
- b. The Applicant must construct the segment of Metropolitan Branch Trail within the project limits, along the west side of the proposed building.
- c. The Metropolitan Branch Trail improvements, as shown on the Certified Site Plan, must be completed prior to issuance of the final residential Use and Occupancy Certificate.

11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated January 28, 2016 and updated August 10, 2016.

Site Plan

12. Building Height

The development is limited to the maximum height of 200 feet.

13. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

14. Landscaping

- a. Prior to issuance of the final residential Use and Occupancy Certificate, all on-site amenities, but not limited to, streetlights, sidewalks/pedestrian pathways, hardscape, benches, trash receptacles, bicycle facilities, recreation amenities, and public open space must be installed.
- b. Prior to issuance of the final residential Use and Occupancy Certificate, all rooftop amenities must be installed.
- c. The Applicant must install landscaping no later than the next growing season after completion of site work.

15. Lighting

- a. Prior to issuance of any above-grade building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. Deflectors must be installed on all proposed up-lighting fixtures to prevent excess illumination and glare.
- c. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- d. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit and Sediment Control Permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC 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 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, bicycle trails, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, paths 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 must 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.

17. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan.

18. Certified Site Plan

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

- a. Include the forest conservation exemption letter, stormwater management concept approval letter, development program, and Sketch Plan resolutions, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b. 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."
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Ensure consistency of all details and layout between Site and Landscape Plans.

SECTION 3: 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.

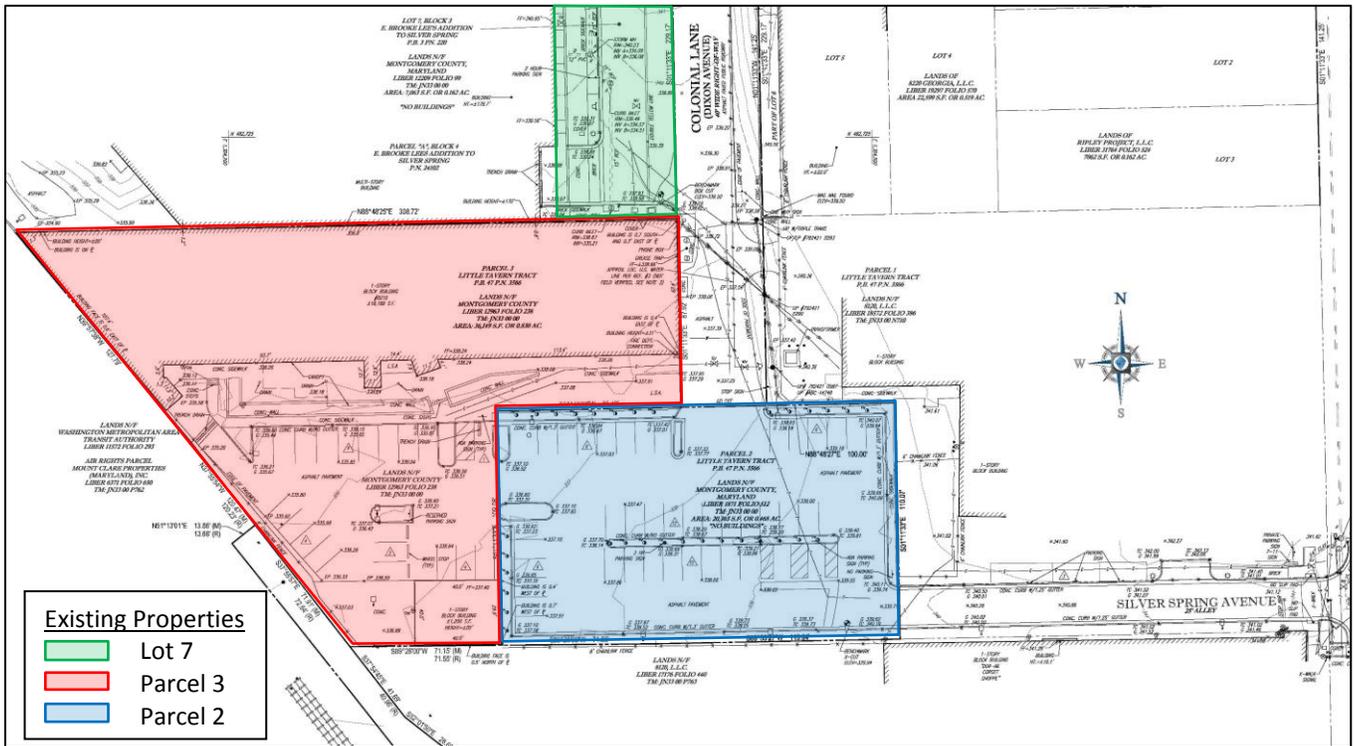


Figure 1-Existing Conditions

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 the Applicant is relocating Progress Place.

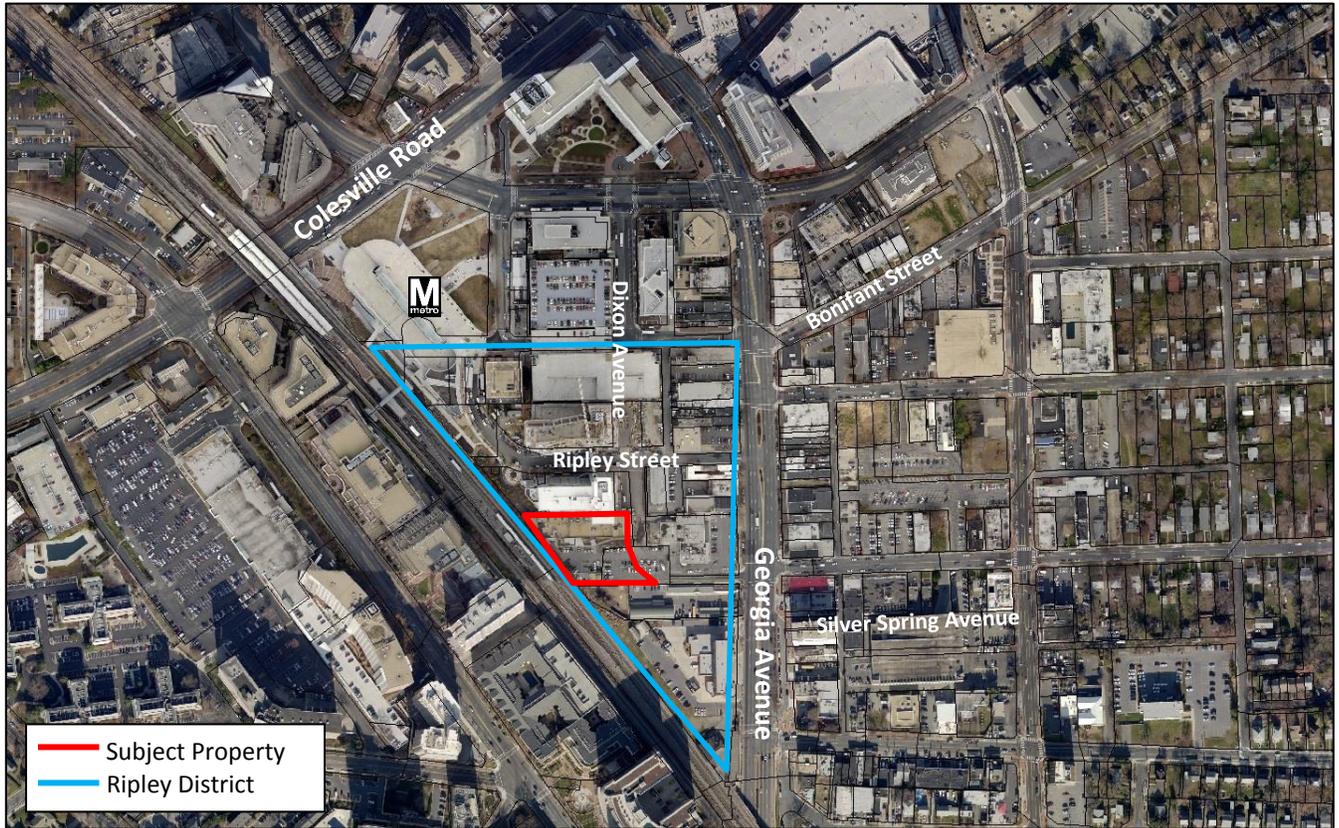


Figure 2-Aerial View

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.

SECTION 4: PROJECT DESCRIPTION

Previous Approvals

The Planning Board approved Sketch Plan No. 320150030 by Resolution dated March 2, 2015 (Attachment A). The Sketch Plan established several binding elements on the site:

1. Maximum total density of 437,374 square feet. The maximum height is 200 feet;
2. Approximate location of lots and public dedications;
3. General location and extent of public use space;
4. General location of vehicular access points; and
5. Public benefits.

Proposal

Sketch Plan Amendment

The Applicant seeks an amendment to the binding elements and conditions of the Sketch Plan to amend the public benefit schedule to eliminate wayfinding, cool roof and recycling facility plan. With regard to wayfinding, the Applicant is no longer proposing this public benefit because the small site and constraints and any wayfinding on-site would have limited effectiveness. With regard to the cool roof, the Applicant is no longer providing this public benefit because there is very limited space on the roof due to the extensive project amenities, as well as the required mechanical equipment and green roof. The Applicant proposes to provide a recycling facility plan that is in compliance with Executive Regulations, but does not go above what is required under the Regulations and thus does not generate public benefit points. As proposed, the Amendment continues to meet the required number of public benefit categories for the CR Zone.

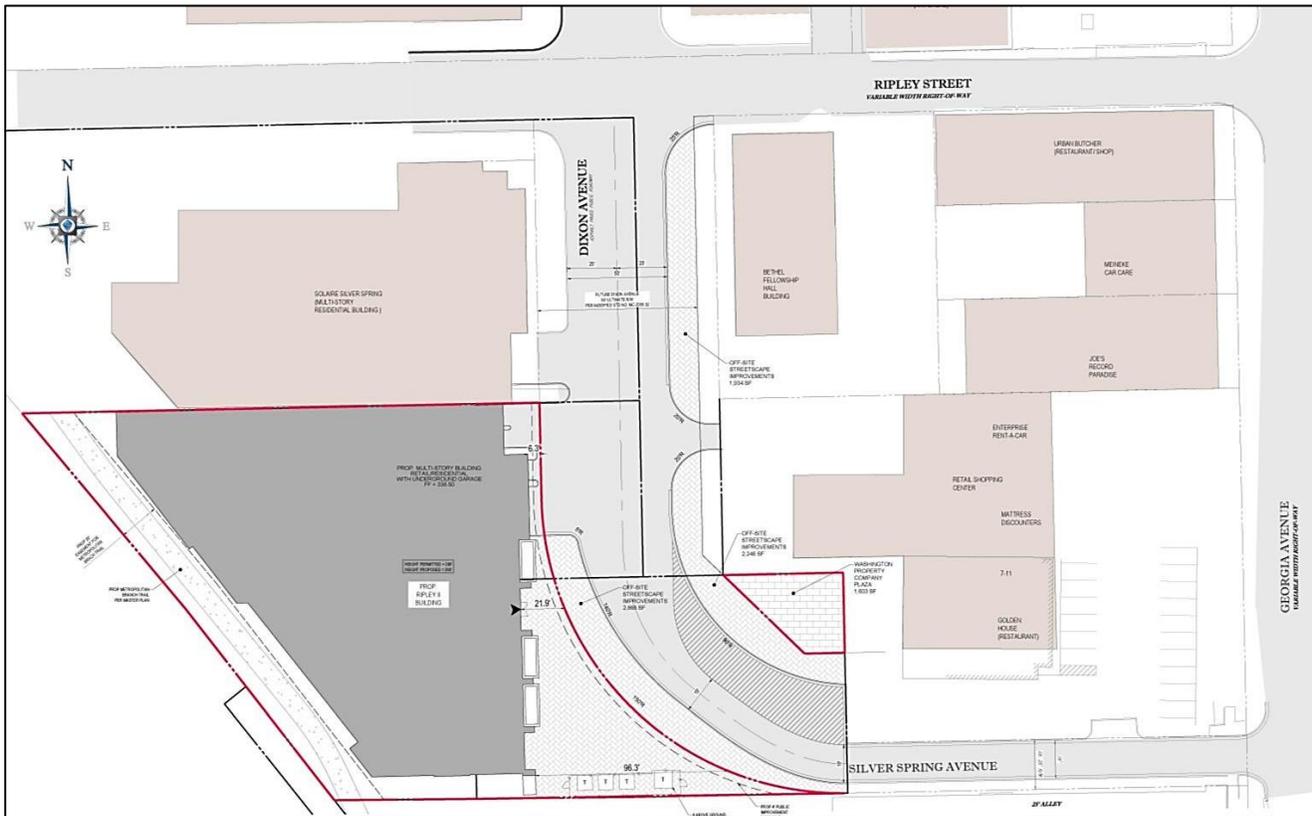


Figure 3-Sketch Plan

Subdivision

The Preliminary Plan (Attachment B) will create one new lot, consisting of 72,335 square feet of gross tract area. allow for a maximum density of 437,265 square feet of total development, including up to 440 multi-family units and up to 18,083 square feet of non-residential uses. The Applicant is proposing to construct one multi-family residential building with a below-grade parking structure. The proposed development is expected to be built in one phase.

Uses and Density

The Applicant proposes up to 419,181 square feet of residential uses with up to 440 multi-family residential units, including 15 percent MPDUs, and up to 18,083 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 6.04, C 0.24, R 5.79 with a height of 200 feet.

Building

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- View from Dixon Avenue and Silver Spring Avenue

Staff finds that the Project 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. The Project consists of three basic forms along this eastern Property frontage: an 18-story dark masonry tower and a 21-story light masonry massing; the towers are then connected by a transparent central glass massing. In order to accentuate the alignment of the building base with Solaire Silver Spring and Eleven55 Ripley to the north, a datum line has been added below the 18-story dark masonry massing at approximately the 30 to 40-foot level. This datum line emphasizes the commercial zone and pedestrian scale. To preserve the integrity of the strong massing in the scheme, while differentiating the various uses, the datum line is set lower at approximately the 20-foot level along the 21-story light masonry massing.

The glass massing repeats itself at the north end, acting as an 18-story connector between the tall light masonry massing and the existing Solaire Silver Spring tower. At the 18th floor, the tower element of the building is revealed through a step-back, allowing for further design articulation and dynamic views. By carving the building back to reveal this glassy tower, the light from the inside of the building will spill out and serve as a beacon. In addition, the Project has an undulating roofline, as the heights of each of the three masses are at different levels. These massing considerations will add to visual interest and compliment the skyline of the Silver Spring CBD.

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 5-Angled Wall at West Elevation and West Elevation (facing Metro/CSX tracks)

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, as well as live/work space on the ground floor. The centrally located main entrance opens into a two-story residential lobby and lounge area, with the leasing and marketing area and live/work space completing the southeast corner of this level. 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.

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. The second smaller plaza, located on the east side of Dixon Avenue extended will include seating areas and additional plantings.

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 20% of the net lot area of the Property, or 8,383 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 6-Conceptual Public Plaza 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.

Circulation

Vehicular access to the Property is proposed directly from the new street, Dixon Avenue extended. This new street will extend the existing Dixon Avenue 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 shown

on the Certified Site Plan. Additional master planned share use paths are recommended on both Dixon Avenue and Silver Spring Avenue. The Applicant will be providing improvements to the frontage of the Subject Property with separated bike lanes and will coordinate with the Department of Transportation (MCDOT) to implement the bicycle facility as part of the Project. The Applicant provided an illustrative sketch detailing how the separated bike lanes could be accommodated within the master planned right-of-way and proposed pavement width of Dixon Avenue. Specific details regarding the facility design will be determined by MCDOT at the time right-of-way permits are issued for this Project.

Environment

Forest Conservation and Environmental Guidelines

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law. The site is not associated with any forest areas or other environmentally sensitive resources such as highly erodible soils, steep slopes, streams, floodplains or associated buffers. A forest conservation exemption (number 42015032E) was confirmed for the project on August 20, 2014 as a small property exemption under section 22A-5(s)(1) of the Montgomery County Forest Conservation Law (Attachment C).

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

- (1) An activity occurring on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

Staff notes that the net tract area of the Project for forest conservation purposes (which is based on the property size plus the offsite LOD) is currently 1.49 acres. Therefore, the Projects' net tract area is at the upper limit of the exemption and Staff cautions that a minor increase in offsite work may invalidate the exemption and trigger forest conversation plans requirements. However, as proposed the Project does continue to meet all applicable requirements of Chapter 22A.

Noise

The Project proposes residential units near an arterial roadway and adjacent to existing /future railway corridors; therefore, the application is subject to the noise regulations associated with residential development.

A noise analysis dated December 11, 2015 was prepared by Phoenix Noise & Vibration, LLC. The report indicates that Ripley II will be subject to a high level of noise impact, however the noise impact to the residential units can be mitigated by appropriate treatment of the building shell construction (such as the use of specialized windows and modifications to the exterior walls).

The entire rooftop pool area is situated high enough from the transportation noise sources that the noise levels for the rooftop are below the required thresholds (65 dBA Ldn) and do not required any mitigation. Additionally, the noise analysis also shows that the entire second floor courtyard will be exposed to transportation noise levels between 69 and 75 dBA Ldn.

However, providing noise mitigation for the courtyard area would adversely affect the design intent of the space which is activated by both the visual connection with the dynamic railway corridor and the physical connection with the open environment. Therefore, Staff does not recommend noise mitigation for the courtyard area. Standard conditions of approval are recommended to address the interior noise mitigation and Staff requests the Planning Board waive the recommended noise mitigation for the courtyard area.

Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on August 9, 2016 (Attachment D). The plan proposes to meet stormwater management requirements through the use of a green roof and micro-bioretenion planter boxes.

SECTION 5: SKETCH PLAN AMENDMENT

Project Analysis

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.

The Planning Board approved Sketch Plan No. 320150010 under the 2014 Zoning Ordinance. The Sketch Plan Amendment includes the following changes:

- a. Amending the public benefit schedule to eliminate wayfinding, cool roof and the recycling facility plan. The Applicant proposes to provide a recycling facility plan that is in compliance with Executive Regulations, but does not go above what is required under the Regulations and thus does not generate public benefit points; and
- b. Amending the public benefits schedule to eliminate wayfinding and cool roof public benefit points.

The Application includes public benefits that address the general incentive and density considerations required by Section 59-4.7.1.B. The public benefit schedule, shown in Table 1 has been updated, removing public benefit points for wayfinding, cool roof and the recycling facility plan. With regard to wayfinding, the Applicant is no longer proposing this public benefit because the small site and constraints and any wayfinding on-site would have limited effectiveness. With regard to the cool roof, the Applicant is no longer providing this public benefit because there is very limited space on the roof due to the extensive project amenities, as well as the required mechanical equipment and green roof. The Applicant proposes to provide a recycling facility plan that is in compliance with Executive Regulations, but does not go above what is required under the Regulations and thus does not generate public benefit points. The Application continues to exceed the required number of benefit categories (4 categories) and the minimum number of public benefit points (100 points).

Table 1: 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	9	9
Trip Mitigation	20	10	10
59-4.7.3D: Diversity of Uses and Activities			
Moderately Priced Dwelling Units	No limit	30	30
59-4.7.3E: Quality of Building and Site Design			

Public Open Space	20	19	19
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
Energy Conservation and Generation	15	10	10
TOTAL		216.6	216.6

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 9 points. Staff supports the Applicant’s request.

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

Diversity of Uses and Activities

Moderately Priced Dwelling Units: 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 19 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 8,411 square feet of additional open space above the required square feet of public use space for a total of 19 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 19 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.

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.

This Amendment does not alter the intent, objectives, or requirements in the originally approved Sketch Plan and all previous findings remain in effect.

SECTION 6: PRELIMINARY PLAN 120160190

ANALYSIS AND FINDINGS

Sector Plan Conformance

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.

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 Project 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 15% on-site MPDUs and up to 18,083 square feet of non-residential uses.

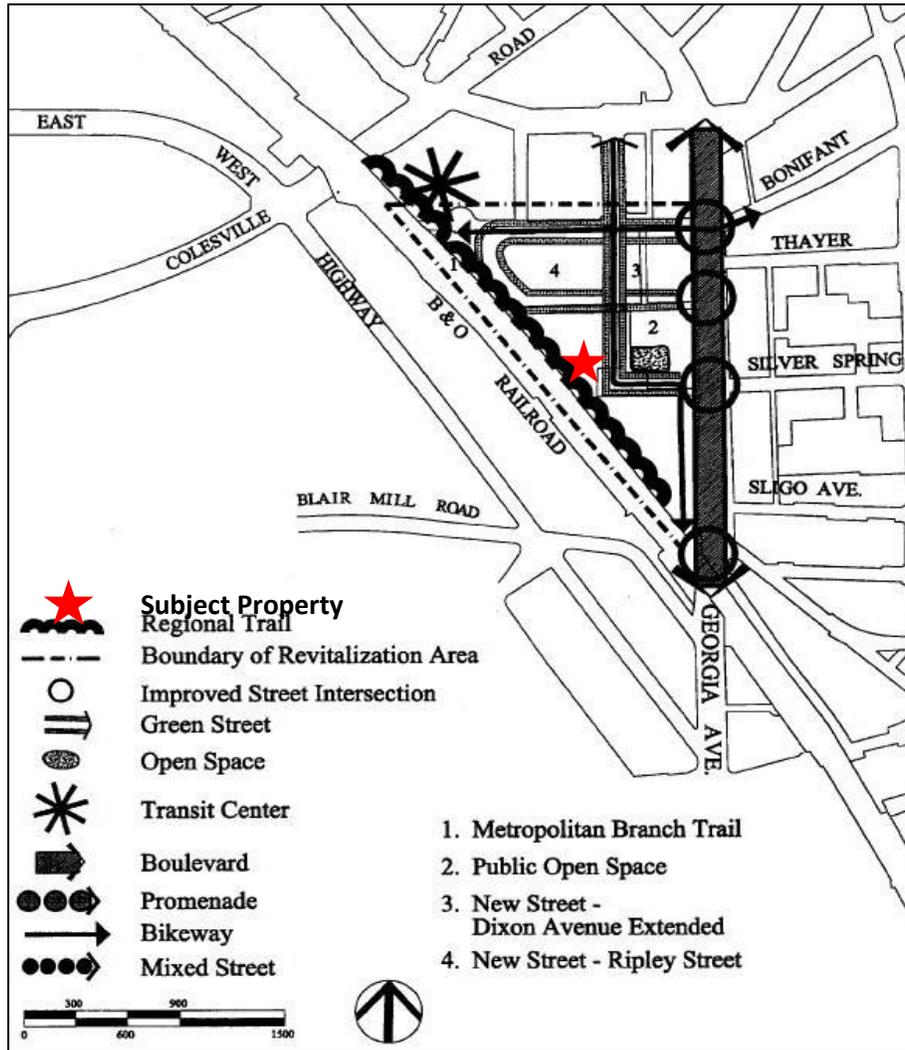


Figure 7-Ripley District Concept

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. The Application includes construction of the Metropolitan Branch Trail adjacent to the Property and access dedicated for bicyclists with a designated bicycle access point. In addition, the Applicant will be providing improvements to the frontage of the Subject Property with separated bike lanes and will coordinate with the Department of Transportation (MCDOT) to implement the bicycle facility as part of the Project. The Applicant provided an illustrative sketch detailing how the separated bike lanes could be accommodated within the master planned right-of-way and proposed pavement width of Dixon Avenue. Specific details regarding the facility design will be determined by MCDOT at the time right-of-way permits are issued for this Project. 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 Eleven55 Ripley Project was compatible with the existing and potential surrounding development; and the Eleven55 Ripley 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 rights-of-way 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)

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. 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. In addition, the Applicant will be providing improvements to the frontage of the Subject Property with separated bike lanes and will coordinate with the Department of Transportation (MCDOT) to implement the bicycle facility as part of the Project. The Applicant provided an illustrative sketch detailing how the separated bike lanes could be accommodated within the master planned right-of-way and proposed pavement width of Dixon Avenue. Specific details regarding the facility design will be determined by MCDOT at the time right-of-way permits are issued for this Project.

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)

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 did not specifically envision Progress Place relocating to the Fire Station site, it recommended 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 an approximately 775 square-foot storage barn (for storage of bicycles) and an approximately 80 square-foot flare building on the site for use by the Montgomery County Police Department substation located at the Fire Station.

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.

The Preliminary Plan Application complies with the specific density recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan and the Guidelines.

Transportation

Access and Circulation

Vehicular access to the Property is proposed directly from a new street, Dixon Avenue extended. This new street will extend the existing Dixon Avenue (formerly Colonial Lane) approximately 160' south 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 adjacent to the loading and garage entrance for the building to the north. Resident vehicular parking is proposed to be contained within a structured subgrade garage beneath the proposed building.

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 separated bicycle lanes. 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 project, 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*.

Pedestrian and bicycle access to the Property will be provided along the property's Dixon Avenue frontage. As part of the proposed development, the Application will dedicate and construct the segment of Metropolitan Branch Trail within the project limits, along the west side of the proposed building. Additional master planned share use paths are recommended on both Dixon Avenue and Silver Spring Avenue.

Silver Spring Separated Bicycle Network

Since the Planning Board's approval of the Sketch Plan associated with Ripley II, the County Council has endorsed and funded a network of new separated bicycle infrastructure within the Silver Spring Central Business District. That network identifies Dixon Avenue and Silver Spring Avenue as roads that should be improved in the future with separated bicycle lanes (Figure 8). In response to the Council's endorsement of this plan, Staff

directed the Applicant to improve the frontage of the subject property with separated bike lanes and coordinate with the Department of Transportation (MCDOT) to implement the bicycle facility as part of the subject project. The Applicant complied with this direction and provided an illustrative sketch detailing how the separated bike lanes could be accommodated within the master planned right-of-way and proposed pavement width of Dixon Avenue. Specific details regarding the facility design will be determined by MCDOT at the time right-of-way permits are issued for this project.

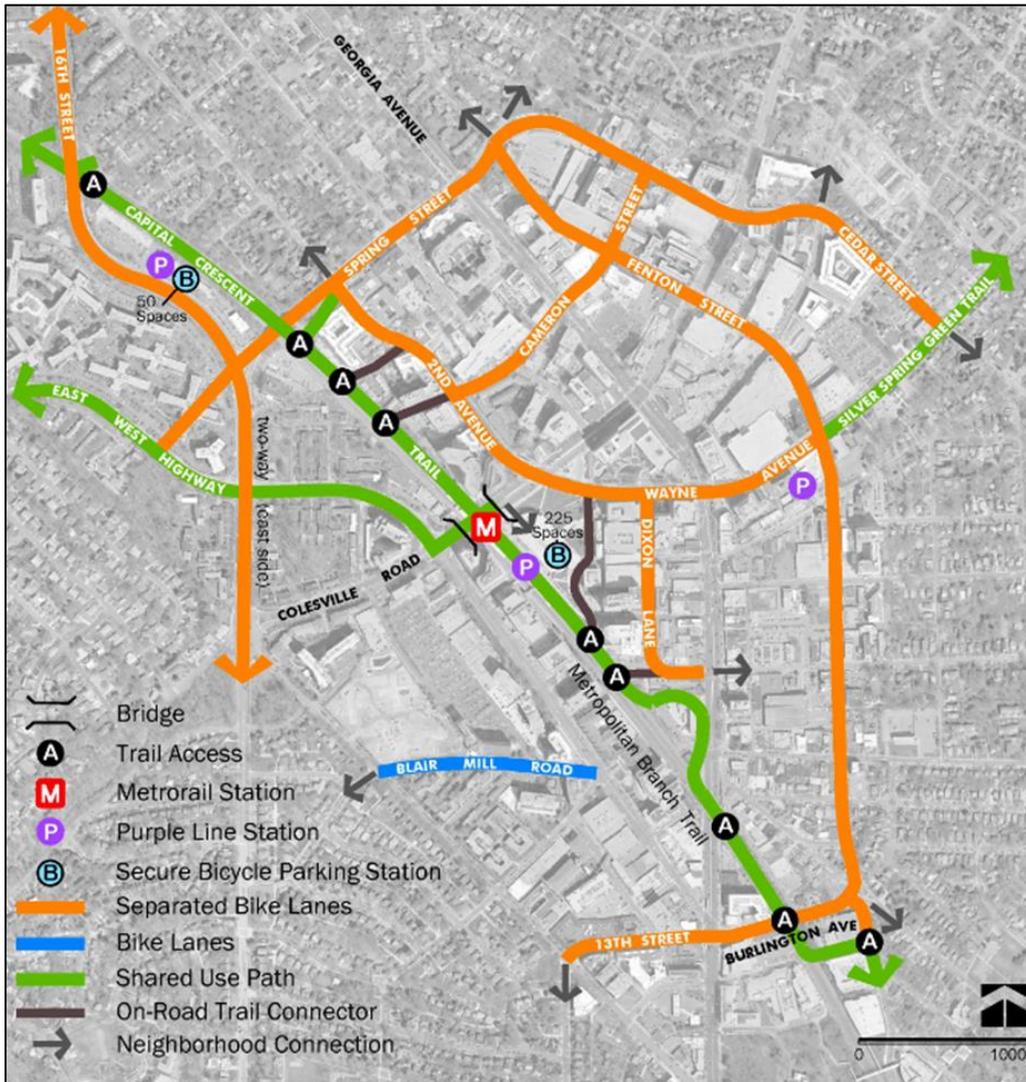


Figure 8: Silver Spring Separated Bicycle Network

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

Master Plan Roadways and Pedestrian/Bikeway Facilities

The following summarizes recommendations included in the 2000 Silver Spring Central Business District Sector Plan and the 2005 Countywide Bikeways Functional Master Plan:

1. Dixon Avenue, along the Site’s eastern frontage, as a minor arterial roadway within a minimum right-of-way width of 80 feet.
2. Silver Spring Avenue, also along the Site’s eastern frontage, as a business district roadway roadway within a minimum right-of-way width of 70 feet.
3. Metropolitan Branch Trail (SP-12), along the Site’s western frontage, as a regionally-important shared use path between Silver Spring and Union Station in the District of Columbia.

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.

Adequate Public Facilities

A traffic study, dated January 2016 was submitted for the subject application per the *LATR/TPAR Guidelines* since the proposed development was estimated to generate more than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods.

A Site trip generation summary for the proposed development, provided in Table 2, shows that the project will generate 141 new peak-hour trips during the weekday morning peak period and 168 new peak-hour trips during the weekday evening peak period. This trip generation estimate is based on the addition of up to 440 high rise dwelling units and up to 18,088 square feet of retail.

TABLE 2: SUMMARY OF SITE TRIP GENERATION-PROPOSED RIPLEY II PROJECT

Trip Generation	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Proposed						
440 High Rise Apartments	26	106	132	92	40	132
18,088 SF Retail	5	4	9	18	18	36
Total	31	110	141	110	58	168

Source: Kimley Horn traffic study, dated January 21, 2016.

TABLE 3: SUMMARY OF CAPACITY CALCULATIONS-PROPOSED RIPLEY II PROJECT

Intersection	Traffic Conditions							
	Existing		Background		Total		Total (Purple Line Redistribution)	
	AM	PM	AM	PM	AM	PM	AM	PM
Colesville Rd/ Wayne Ave/ 2 nd Ave	656	636	805	760	820	764	820	776
Georgia Ave/ Wayne Ave	918	1050	1020	1284	1026	1298	1060	1276
Georgia Ave/ Bonifant St	729	566	841	711	848	725	680	618
Georgia Ave/ Thayer Ave	725	801	813	978	819	992	1040	1140
Georgia Ave/ Ripley St	607	598	747	716	753	740	769	785
Georgia Ave/ Silver Spring Ave	624	706	732	849	798	894	798	894

Source: Kimley Horn traffic study, dated January 21, 2016.

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

Other Public Facilities

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, schools, and health services are operating according to the *Subdivision Staging Policy* resolution currently in effect and will be adequate to serve the Property. The Subject Property is located in the Blair School Cluster. The Application is exempt from the School Facilities Payment because it is located in the former Silver Spring Enterprise Zone, even though the Blair School Cluster is over the 105% utilization rate at the high school level. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

Compliance with Zoning Ordinance and Subdivision Regulations

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated. Under Section 59-4.5.4 of the Zoning Ordinance, the dimensional standards for the lots will be determined with approval of the subsequent site plan.

SECTION 7: SITE PLAN 820160070

ANALYSIS AND FINDINGS

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a site plan, the Planning Board must find that the proposed development:*
 - a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all bindings elements of Sketch Plan No. 320150030 and Sketch Plan Amendment No. 32015003A.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property’s zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. satisfies applicable use standards, development standards, and general requirements under this Chapter;
- i. Division 4.5. Commercial/Residential Zones

Development Standards

The Subject Project is approximately 1.66 acres, zoned CR-5.0, C-4.0, R-4.75, H-200T and Ripley/South Silver Spring Overlay Zone. The following table, Table 5, shows the Application’s conformance to the development standards of the zone.

Table 4-Site Plan 820150130 Project Data Table			
Section 59-4	Development Standard	Permitted/Required	Proposed
	Net Tract Area (sf)	n/a	41,915
	Gross Tract Area (sf)	n/a	72,335
4.5.4.B.2.b	Maximum Density (CR)	5.0 FAR (361,765 sf)	Up to 6.04 FAR (437,265 sf)²
	Non-residential (C)	4.0 FAR (289,412 sf)	Up to 0.25 FAR (18,083 sf)
	Residential (R) ¹	4.75 FAR (343,677 sf)	Up to 5.79 FAR (419,181 sf)
	Dwelling Units	n/a	Up to 440
	MPDUs (% / units)	12.5% / 55 units	15% / 66 units ³
4.5.4.B.2.b	Building Height (feet)	200	200
4.5.4.B.1	Minimum Public Open Space (%)	0%	20% (8,383 sf)
4.5.4.B.3	Min. Building Setbacks (feet)		
	East Side	0	0
	West Side	0	0
	North Side	0	0
	South Side	0	0
6.2	Parking Spaces, minimum-maximum⁴		
	Residential	203-483	214
	Live/Work	1	1
	ADA Parking	7	7
	Van Accessible Parking	1	1
	TOTAL	212-483	223

¹ 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 Subject Property with up to the maximum density (6.04 FAR, with up to 5.79 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 Subject Property under the CR Zone and Ripley District Overlay Zone (including the provision of 15% MPDUs and the accompanying 22% residential density bonus). Final density and final building heights will be determined at the time of Certified Site Plan.

³ Final unit count and unit mix, square footage of non-residential uses, and resulting parking required and to be provided will be determined at the time of Certified Site Plan.

⁴ The parking minimums and maximums are based on 440 multi-family residential units, consisting of 374 market-rate units and 66 MPDUs. The final number of parking spaces may be adjusted between the minimum and maximum allowed under Section 6.2 of the Zoning Ordinance at the time of building permit based on final unit count and/or bedroom mix and square footage of non-residential uses.

	Loading, Car-share, Electric Charging Spaces, Motorcycle & Bicycle		
		Loading	2
		Car-share	3
		Electric Vehicle Charging Spaces	3
		Motorcycle/Scooter	6
		Bicycle-Public	2
	Bicycle-Private	110	

Section 4.5.4.B.4 - Form Standards

The Site Plan conforms to the intent of the form standards, including transparency, blank walls and active entrances. The Project proposes significant glass features at the ground-level for transparency as well as activating features on the ground-floor level, including the public plaza and the residential entrance along Dixon Avenue. The Project proposes significant glass and activating features including the residential entrance on the eastern side of the ground-floor level, adjacent to the public plaza where Dixon Avenue curves to meet Silver Spring Avenue. The fitness area is on the western side of the ground-level floor, with full window exposure to the Metropolitan Branch Trail. The northern end of the Project contains the parking, loading, and bicycle access for the Project. The southern side of the Project abuts a property currently improved with one-story uses and surface parking, which will likely redevelop independently in the future. As conditioned, the exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

ii. Division 4.7. Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan proposes the following public benefits to satisfy the requirements: Major Public Facility; Transit Proximity; Connectivity and Mobility; Diversity of Uses and Activities; Quality Building and Site Design; and Protection and Enhancement of the Natural Environment.

Major Public Facilities

The Applicant is constructing 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 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 is also constructing 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 did not specifically envision Progress Place relocating to the Fire Station site, it recommended 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 Metro Station. Staff supports the Applicant's request for 40 points as suggested in the *2015 Commercial/Residential Zones Incentive Density Implementation Guidelines*.

Connectivity and Mobility

Minimum Parking: The Project proposes to provide 223 parking spaces, fewer than the maximum number of parking spaces permitted under the Zoning Ordinance. The Applicant requests 9 points. The layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. 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.

Diversity of Uses and Activities

Moderately Priced Dwelling Units: Section 59-4.7.3.D.6.a.i of the Zoning Ordinance permits 12 public benefit points for every 1% of MPDUs greater than 12.5%, with any fraction of 1% increase in MPDUs entitling an applicant to an equal fraction of 12 points. 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 (440 multi-family units). The Applicant will provide 66 MPDUs, which yields 30 points. Staff supports the Applicant's request.

Quality of Building and Site Design

Public Open Space: The Applicant requests 19 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 Site Plan layout yields 8,411 square feet of additional open space above the required square feet of public use space for a total of 19 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 19 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 and the layout of the parking garage is depicted in the architectural plans and will be included in the Certified 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 0.96 BLT easements for 8.6 public benefit points. Staff supports this request.

Energy Conservation and Generation: Up to 10 points can be granted for constructing buildings that exceed the energy-efficiency standards for the building type by 10% for new building. The Project is being designed to exceed the energy efficiency standards for its building type by 10%, through such features as a centralized mechanical system for water source heat pumps, central water heating with heat recovery, and energy efficient LED lighting. The Applicant has provided an energy/use generation model with comparisons to the average use/generation for the building type based on the Department of Energy Standards. The Applicant requests 10 points in this public benefit category and Staff supports the Applicant’s request.

Table 5: 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	9	9
Trip Mitigation	20	10	10
59-4.7.3D: Diversity of Uses and Activities			
Moderately Priced Dwelling Units	No limit	30	30
59-4.7.3E: Quality of Building and Site Design			
Public Open Space	20	19	19
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
Energy Conservation and Generation	10	10	10
TOTAL		216.6	216.6

iii. Division 6.1. Site Access

All access, vehicular, loading, pedestrian, and bicyclist, will be provided from the Property’s sole street frontage, along Dixon Avenue. These access points are oriented to keep vehicular and loading access along the northern edge of the Property, adjacent to the vehicular access for Solaire Silver Spring directly to the north, so that the southern portion of the Property can be devoted to pedestrian and bicyclist access and an inviting public plaza. The Project will provide the important Sector-Planned connection of Dixon Avenue to Silver Spring Avenue. The Project will improve upon the existing street frontages along Dixon Avenue adjacent to the Property, the Applicant will also 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. The Project also includes construction of that portion of the Metropolitan Branch Trail adjacent to the Property. The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

iv. *Division 6.2. Parking, Queuing, and Loading*

All access to the Project will be from the Property's sole street frontage along 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 with numbers of parking spaces, bike storage spaces, and loading spaces to be finalized at the time of Certified Site Plan.

v. *Division 6.3. Open Space and Recreation*

Because the Property's net lot area is less than one-half acre and the Property has only one right-of-way frontage, there is no requirement to provide any open space on-site. However, the Site Plan proposes that 20% open space will be provided, totaling 8,411 square feet.

In addition, the Project meets the active and passive recreation space required by the zone. The proposed development will provide the following on-site recreation facilities: a bike system, a swimming pool, an indoor community space, and an indoor exercise room.

The development meets the required supply of recreation facilities based on the calculation methods in the M-NCPPC Recreation Guidelines. The development will provide adequate, safe, and efficient recreation facilities to allow residents to lead an active and healthy life.

vi. *Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for residents and visitors to the Project. The Project will include streetscaping along the Dixon Avenue and Silver Spring Avenue frontages, with widened sidewalks, street trees, and lighting. The Project also includes landscaping and lighting in the courtyard of the Project and on the rooftop in order to provide an attractive outdoor environment for use by the residents of the Project.

As shown in the Development Standards table, the Site Plan meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance.

e. *satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on August 9, 2016. The plan proposes to meet stormwater management requirements through the use of a green roof and micro-bioretenion planter boxes.

ii. *Chapter 22A, Forest Conservation.*

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest, or

existing specimen or champion tree, and the afforestation requirements are not in excess of 10,000 square feet.

- f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The Project provides adequate, safe, and efficient parking and circulation patterns. All access, vehicular, loading, pedestrian, and bicyclist, will be provided from the Property's sole street frontage, along Dixon Avenue. These access points are oriented to keep vehicular and loading access along the northern edge of the Property, adjacent to the vehicular access for Solaire Silver Spring directly to the north, so that the southern portion of the Property can be devoted to pedestrian and bicyclist access and an inviting public plaza. The Project will provide the important Sector-Planned connection of Dixon Avenue to Silver Spring Avenue, improving overall circulation in the Ripley District.

The proposed design, scale, and façade of the Project will provide a consistent relationship with the adjacent buildings in the Ripley District, including Solaire Silver Spring and Eleven55 Ripley to the north, both mixed-use projects approved for up to 200 feet in height, the mid- and high-rise buildings to the west across the Metro/CSX railroad tracks, as well as projects that have just begun construction or are soon to begin along Georgia Avenue (Ripley East, a 20-story project located at the corner of Georgia Avenue and Bonifant Street, and Studio Plaza, located east of the Property across Georgia Avenue, an 11-story project). The relationships of building massing, public spaces, and streetscape improvements in the Ripley District strengthen the identity of the Ripley District as a pedestrian-friendly destination in Silver Spring while also allowing for a compatible use of land areas and an appropriate transition between the Urban Core, the Ripley District, and eastward to Fenton Village and southward to South Silver Spring. The Project provides a safe and well-integrated building, open spaces and site amenities.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

As discussed in the concurrently filed Preliminary Plan No. 120160190, the Site Plan substantially conforms with the recommendations of the Sector Plan.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

As discussed in the Preliminary Plan No. 120160190 findings, the proposed development in the Site Plan will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

- j. *on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

The Site Plan is compatible with other uses and other site plans, as well with existing and proposed adjacent development. The Project's design and scale is compatible the adjacent buildings in the Ripley District, the recently constructed Solaire Silver Spring and Eleven55 Ripley projects, both 17-story mixed-use projects directly to the north and the recently approved Ripley East Site Plan.

3. *To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

4. *For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On December 15, 2015, the Applicant held a pre-submittal public meeting at the Silver Spring Civic Building. Notices were sent on November 24, 2015. As of the date of this staff report, Staff has not received any correspondence on this matter.

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. Sketch Plan 320150010 Adopted Resolution (MCPB No. 15-31)
- B. Preliminary Plan
- C. FCP Exemption Letter
- D. DPS Stormwater Concept Letter
- E. Agency Letters