



Downtown Silver Spring, Site Plan Amendment No. 81999002L

 Stephanie Dickel, Planner Coordinator, Area 1, Stephanie.Dickel@montgomeryplanning.org, 301-495-4527

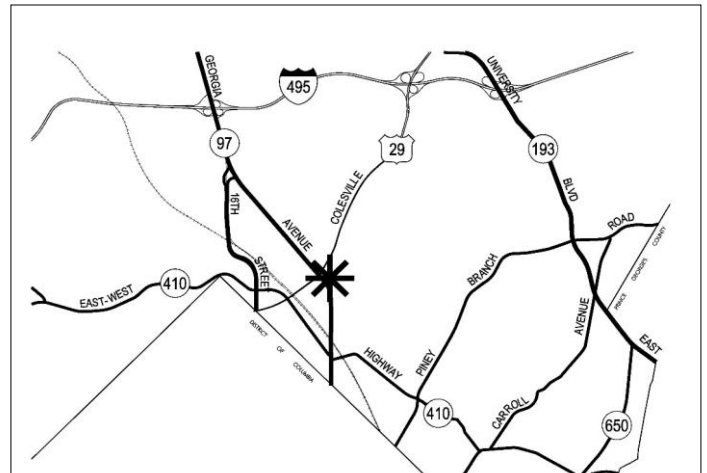
 Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

 Robert Kronenberg, Chief, Area 1, Robert.Kronenberg@montgomeryplanning.org, 301-495-2187

Staff Report Date: 1/11/16

Description

- Site Plan Amendment to modify the existing exterior stairs including the public art component;
- Located in Downtown Silver Spring, on Ellsworth Avenue, 200 feet east of Georgia Avenue;
- 0.2127 acres zoned CR 5.0, C 4.0, R 4.75, H 200T in the Silver Spring CBD Sector Plan;
- Applicant: Peterson Retail Management LLC;
- Application Acceptance Date: September 30, 2015;
- Review Basis: Section 59.7.7.1.B.3 of the Zoning Ordinance.



Summary

- The Planning Board approved Site Plan 819990020 by opinion dated March 2, 1999 with subsequent amendments following.
- The Amendment proposes to modify the stairs including the public artwork for the stairs. This plan does not alter the public open space on the site.
- This Application is being reviewed under the CBD-2 Zone development standards in effect on October 29, 2014 as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance.
- Staff received no correspondence regarding this Amendment.
- Staff recommends approval of the Site Plan Amendment.

RECOMMENDATION

Staff recommends approval of Site Plan Amendment No. 81999002L, Downtown Silver Spring, to modify the existing stairs including an updated public art component by David Carlson. 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. All conditions of the original site plan and subsequent amendments approval remain valid and binding.

SITE DESCRIPTION

Site

The site is located in Downtown Silver Spring on Ellsworth Avenue, approximately 200 feet east of Georgia Avenue (Subject Property or Property). While the Site Plan reflects the improvements approved on Blocks A, B, C, D, and E, the site subject to this Amendment is on Parcel D, Block C, zoned CBD-2 and is approximately 0.02 acres.

The proposed stair modification and public open space fronts onto Ellsworth Avenue. The public open space is surrounded by 2 story retail buildings. The site is entirely developed and contains no forest, streams, wetlands, or environmental buffers.

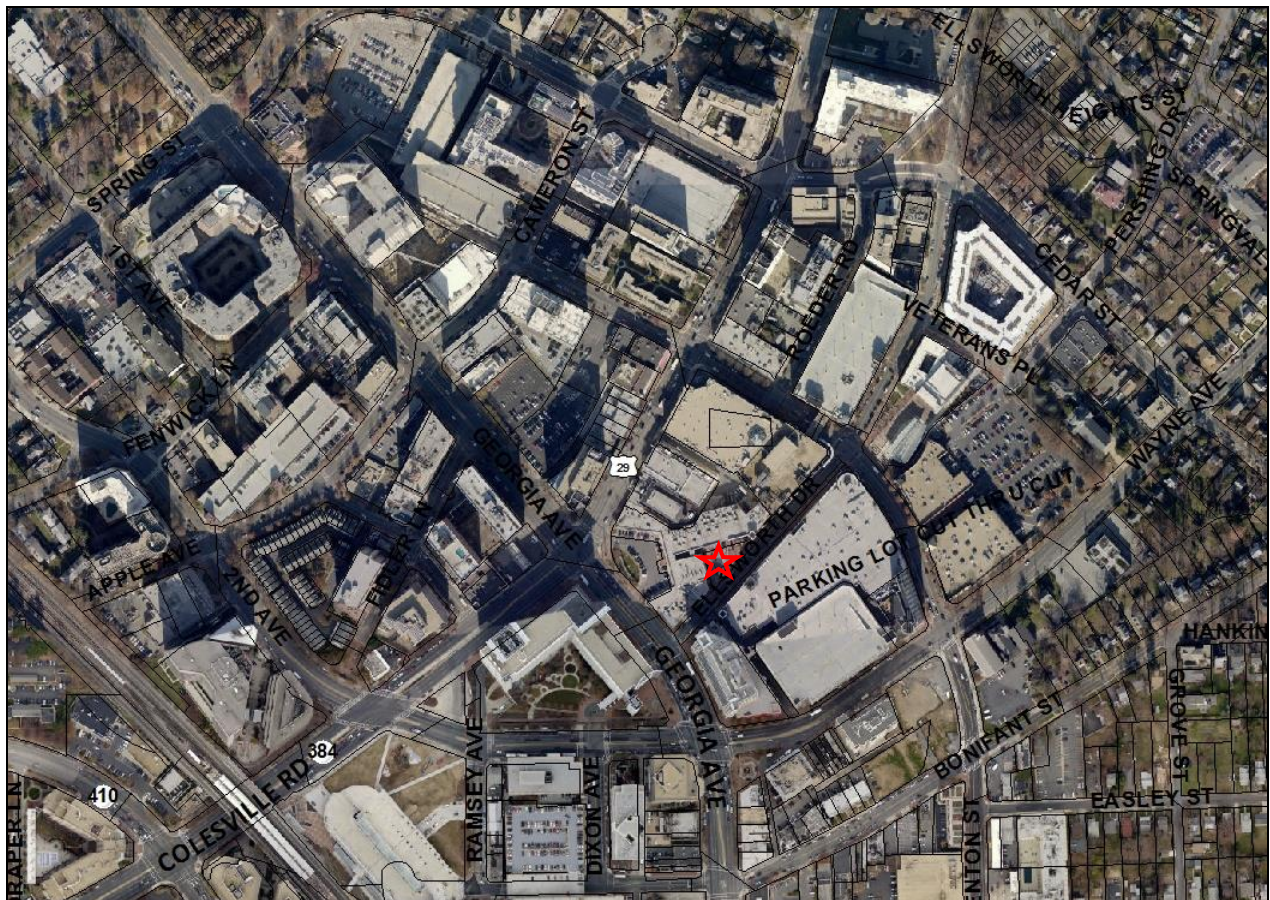


Figure 1-Vicinity Map



Figure 2-Existing Conditions, stairs and ATM

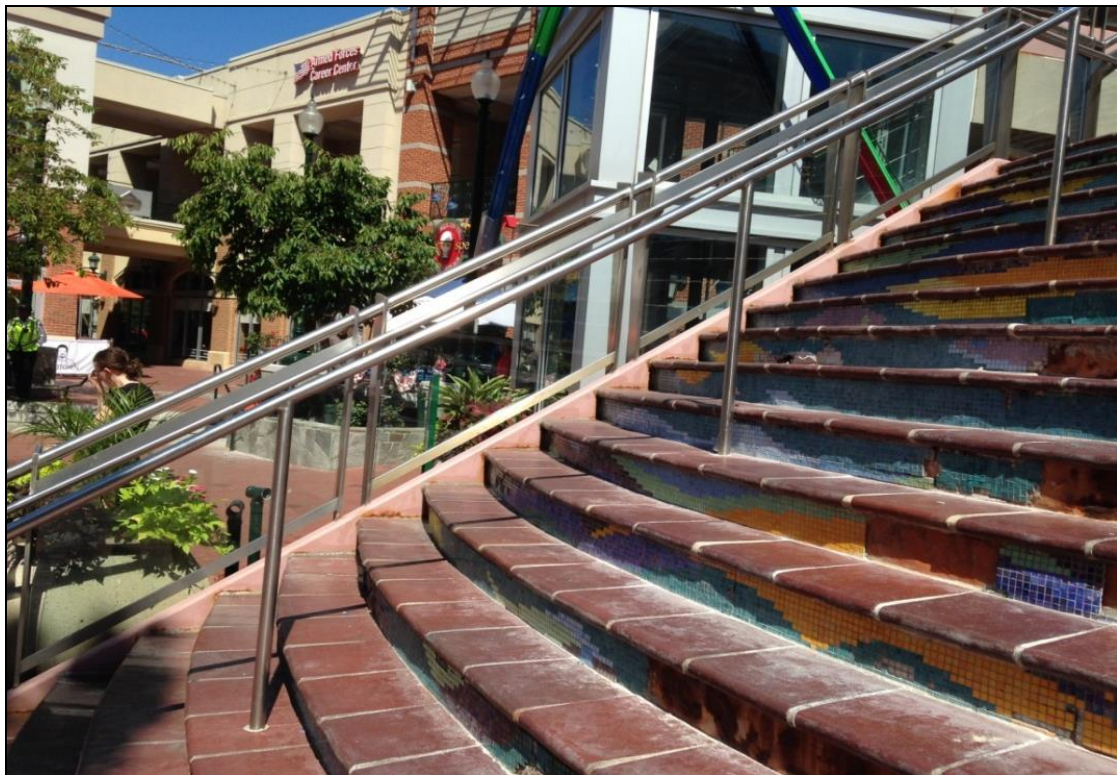


Figure 3-Existing Conditions, stairs



Figure 4-Existing Conditions, stairs

PROJECT DESCRIPTION

Previous Approvals

On March 2, 1999, by opinion, the Montgomery County Planning Board approved Project Plan No. 919980050. (Attachment A)

On March 2, 1999, by opinion, the Montgomery County Planning Board approved Preliminary Plan No. 119981070 with subsequent amendments. (Attachment B)

On March 2, 1999, by opinion, the Montgomery County Planning Board approved Site Plan No. 819990020, with subsequent amendments. This Site Plan was originally approved for 1,175,935 gross square feet of retail, office, entertainment, restaurant, hotel and housing uses and 354,023 square feet of public amenities. (Attachment C)

Proposal

The Amendment proposes to modify the stairs including the public art component. The ATM will remain at its current location, but may be relocated in the future, as long as it does not interfere with the proposed art work. As part of the stair remodeling, the previous art component and the existing mosaic tiling will be removed and will not be re-incorporated. The existing tiling was developed with Site Plan No. 819990020 and has started to deteriorate, which has become an unsafe condition that is also aesthetically unattractive. New tiling will be installed on the stair risers and the exterior stair walls.

A new public art will be commissioned as a component of the new stair rail. The artist, David Carlson, will be printing his work on a special outdoor rated translucent acrylic panel with a minimum 35-year life that will be located between two tempered glass panels and lit internally with LED's from within the handrail.

Members of The Peterson Companies and their partners selected David Carlson's work from a broad selection of local artists as most suited to be able to best dovetail with the two other existing artworks on the site.



Figure 5-Staircase design



Figure 6-Staircase design with existing ATM location

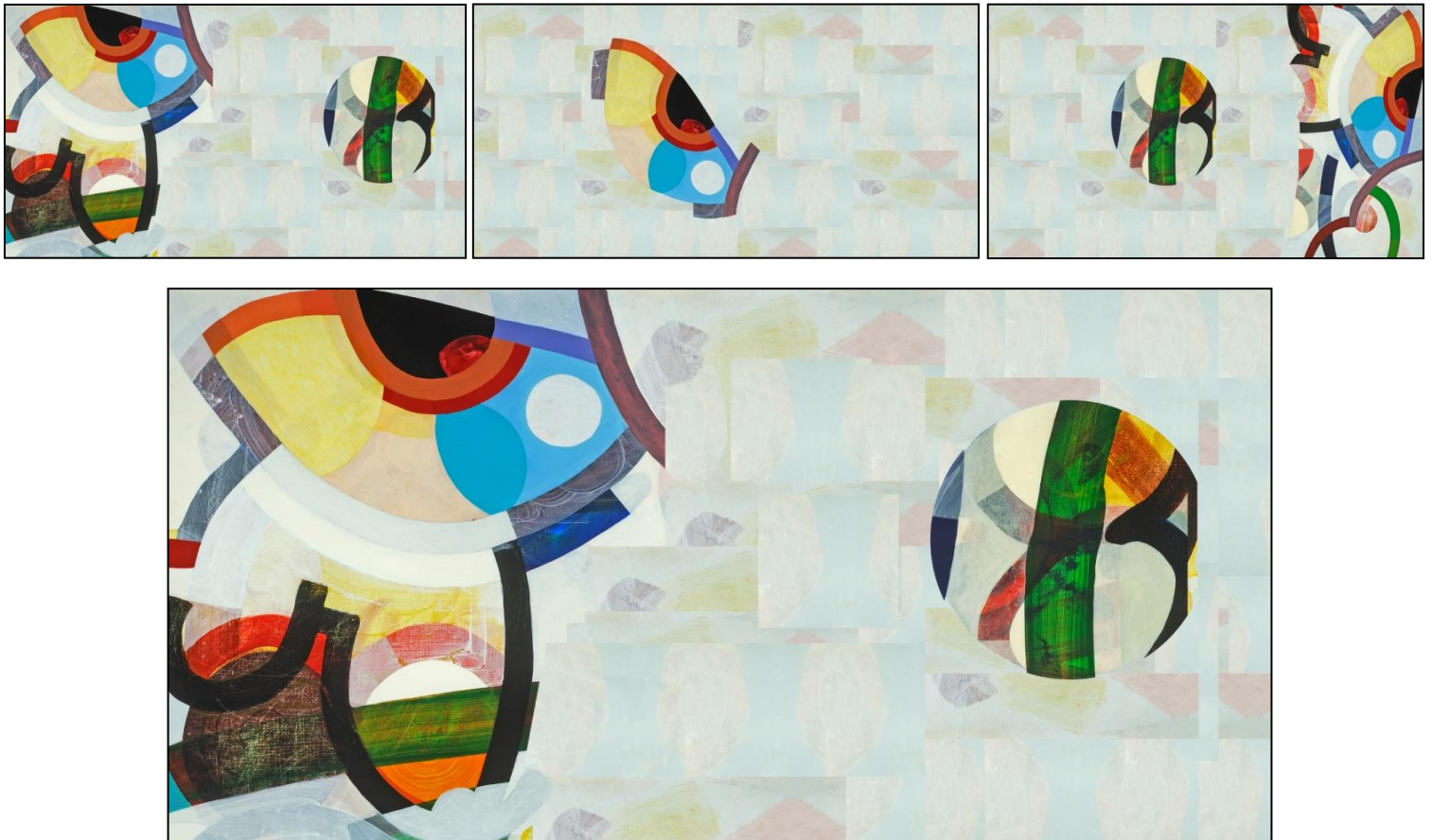


Figure 7-Design Concept Panels

ANALYSIS AND FINDINGS

Section 7.7.1.B.3.a. of the Zoning Ordinance allows for an Applicant to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment: (i) does not increase the approved density or building height unless allowed under Section 7.7.1.C; and (ii) either: (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or (b) satisfies the setback required by its zoning on the date the Amendment or the permit is submitted. The Application complies with this section and accordingly, the Applicant seeks to amend the Site Plan approval under the standards of Section 59-D-3.7 of the Zoning Ordinance in effect on October 29, 2014. The Amendment proposes to modify the stairs including the public art component. The existing ATM will remain at its current location, but may be relocated in the future, as long as it does not interfere with the proposed public art, and relocation of the ATM would not require a Site Plan Amendment. As part of the stair remodeling, the previous art component and the existing mosaic tiling will be removed and will not be re-incorporated. New tiling will be installed on the stair risers and the exterior stair walls. The new public art, by David Carlson, will be a component of the new stair rail.

The Art Review Panel reviewed the proposed changes to the stairs and the proposed public art and recommended approval of the removal of the mosaic tile from the stairs, as the existing tiling has started to deteriorate. The Panel stated in their letter that the proposed art work is a more permanent/creative solution for the stairs. (Attachment A)

COMMUNITY OUTREACH

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant posted a sign regarding the subject Site Plan Amendment on Ellsworth Avenue near the stairs on November 15, 2015. A notice about the Amendment was also sent on December 8, 2015. Staff has not received any correspondence on this Amendment.

CONCLUSION

The proposed Amendment is consistent with Section 59-D-3.7 for Plan Amendments. The Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in its review of the originally approved Site Plan. The terms and conditions of all applicable prior regulatory approvals and agreements, including the approved 819990020, remain in full force and effect, as modified by this Amendment. Staff recommends approval of Site Plan Amendment 81999002L.

APPENDIX

- A. Project Plan 919980050 Opinion
- B. Preliminary Plan 119981070 Opinion
- C. Site Plan 819990020 Opinion
- D. Art Review Panel letter
- E. Public Art Images