



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

December 23, 2002

## MEMORANDUM

**TO:** Montgomery County Planning Board

**FROM:** John A. Carter, Chief *JAC*  
Community-Based Planning Division

**REVIEW TYPE:** Mandatory Referral: Emergency Generator for Public Parking  
Garage No. 9 and the Discovery Creative and Technical Center

**ZONE:** CBD-1

**LOCATION:** South Side of Kennett Street Near the Intersection of Newell Street

**SECTOR PLAN:** Silver Spring Central Business District

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**RECOMMENDATION:** The staff recommends approval of the proposed Mandatory Referral for the proposed emergency generator.

## PROJECT DESCRIPTION

In accordance with Section 7-112 of Article 28 of the Annotated Code of Maryland, the Montgomery County Department of Public Works and Transportation submitted a Mandatory Referral for a large emergency generator. This project is located on the site of the existing Montgomery County Parking Garage No. 9. The generator will provide emergency service for both Parking Garage No. 9 and the Discovery Creative and Technical Center. The application was submitted on November 22, 2002.

## Site Location

The generator will be located along Kennett Street near the intersection with Newell Street in the Silver Spring Central Business District (CBD). The site has 91,749 square feet. The site includes a five story, public garage structure with 597 spaces, and a surface parking area with 67 spaces. The emergency generator will be located in an existing utility space and green area including 9,400 square feet. The site of the generator is bordered on the south by the garage structure, on the north and west by the existing Silver Spring Post Office building, and on the east with the Discovery Creative and Technical Center located across Kennett Street. The site of the existing Post Office Building is the subject of a pending application for approval of a Project Plan.

## **Project Description**

The generator will provide emergency power for Public Parking Garage No. 9 in the event of a power failure. It will also provide emergency power for the Discovery Creative and Technical Center located across Kennett Street. The existing generator that serves the Discovery Creative and Technical Center is not adequate to serve the requirements for full operations. The Montgomery County Department of Public Works and Transportation has agreed to allow use of a portion of the existing surface area of Public Parking Garage No. 9 for the generator. A reliable source of emergency power is needed for the public garage.

The generator will be tested approximately once per month for 20-30 minutes to assure reliability. In the event of power failure, the generator will operate until power is restored. The generator will operate at a lower noise level than the existing generator, and it will comply with all applicable noise regulations.

The emergency generator will be located approximately 55 feet from Kennett Street. The generator will be located inside a pre-cast concrete structure. This structure is approximately 15 feet wide, 50 feet long, and 12 feet high. Landscaping will be provided to screen the proposed structure.

## **ISSUES**

Several alternatives were explored to provide an appropriate location to minimize the impact of the emergency generator on the existing green area and the adjacent property. The adjacent property owners have been noticed, and no response has been received.

The alternatives included locating the generator within the public parking garage, on the roof, underground, and within the existing loading area. These alternatives were not selected because of the need for access to the top and sides, and the weight and size of the generator.

## **FINDINGS**

### **Conformance with the Silver Spring CBD Sector Plan**

The Approved and Adopted Silver Spring CBD Sector Plan identifies the property as a public parking facility. The proposed site for the generator is presently used as a green space and utility area for the parking structure. The proposed use is consistent with the existing parking facility designated in the Sector Plan.

### **Development Standards**

The proposed emergency generator meets all of the required development standards as specified in the Zoning Ordinance. The remaining green space for the parking garage exceeds the amount required. The structure is located a minimum of fifteen feet from the northern property line. The structure is located 12 feet from the western property line,

but it does not include any windows. The adjacent post office is located over 30 feet from the property line and the pending Project Plan does not include any windows along the western property line. All other development standards established by the existing parking garage remain unchanged.

### **Compatibility**

The proposed emergency generator will be compatible with the existing five story parking garage and the proposed adjacent development. The setback from Kennett Street, the proposed pre-cast concrete building materials, and landscaping provide compatibility.

### **Transportation**

The proposed generator replaces a smaller generator located across Kennett Street in the loading area of the Discovery Creative and Technical Center. The proposed generator will not increase traffic. Maintenance will be provided from a new paved area.

### **CONCLUSION**

The staff recommends approval of the Mandatory Referral for the emergency generator. Comments will be sent to the Department of Public Works and Transportation.

JAC:ha: a:\carter3\MR SS Generator.doc

#### **Attachments:**

1. Letter from DPWT (December 13, 2002)
2. Letter from DPWT (November 22, 2002)
3. Vicinity Map
4. Location Map
5. Site Plan



ATTACHMENT 1

DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Douglas M. Duncan County Executive

Albert J. Genetti, Jr., P.E. Director

December 13, 2002

Mr. Derick Berlage, Chairman Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

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OFFICE OF THE CHAIRMAN THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Dear Mr. Berlage:

This letter provides supplemental information concerning our November 22, 2002, mandatory referral submission for Montgomery County Parking Facility No. 9 in Silver Spring. Please include this letter as a part of our submission.

After our November 22, 2002 submission, the Department has determined that it is in the public interest to use the proposed generator to provide an emergency power source to the Garage 9 Facility in the event of a power failure. There are multiple anticipated uses that will need public parking at the Garage 9 Facility at varying peak times, including nights. In addition to the residential project being developed on the adjoining parcel, the Discovery Creative and Technical Center ("DCTC") operates 24 hours a day, 365 days each year, and most of its employees use the Garage 9 Facility. In recognition of the fact that the Garage 9 Facility needs to have power 24 hours a day, 7 days a week, the County and Discovery have agreed that the County can utilize the emergency generator ("Generator") to be installed on the County's property to provide emergency power to the remainder of the Garage 9 Facility, in addition to providing emergency power to DCTC.

The Generator will be sized to provide full power to the Garage 9 Facility in the event of a power outage. This will be achieved in part by adding a breaker in the Generator enclosure, running a new power feeder from the Generator enclosure to the garage electrical room, and installing a new automatic transfer switch in the garage electrical room. In the event of a power outage, power to the garage would come from the Generator.

I hope this information is helpful to the Planning Board in its consideration of the pending mandatory referral submittal for the Generator. Thank you for your expeditious handling of this matter. If additional information is needed, please contact me.

Sincerely,

[Handwritten signature of Albert J. Genetti, Jr.]

Albert J. Genetti, Jr. Director

AJG/je

Office of the Director



## ATTACHMENT 2

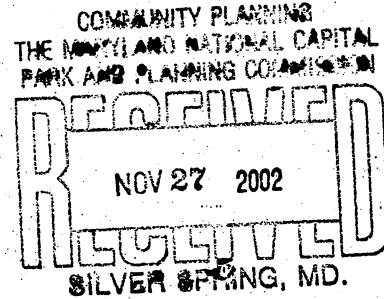
### DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Douglas M. Duncan  
County Executive

Albert J. Genetti, Jr., P.E.  
Director

November 22, 2002

Mr. Derick Berlage, Chairman  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910



Dear Mr. Berlage:

In accordance with Section 7-112 of Article 28 of the Annotated Code of Maryland, the purpose of this letter is to submit Montgomery County Parking Facility No. 9 to the M-NCCPC under mandatory referral. The specific review sought concerns regarding the installation of an emergency generator within the area located on the north side of the completed garage structure. The Generator will serve the Discovery Creative and Technology Center located across Kennett Street from the facility and operated by Discovery Communications, Inc.

#### Subject Property and Surrounding Uses

The Garage 9 property is comprised of 91,749 square feet. The property is improved with a 597 space parking garage, surface parking for 67 additional vehicles, and an undeveloped area to the north comprised of approximately 9,400 square feet. The future use of the undeveloped area is the subject of this review ("Subject Property"). The Subject Property is bordered on the south by the Garage 9 structure; on the north and west by the Silver Spring Post Office building; and on the east by Kennett Street and Discovery Communications Creative and Technology Center ("DCTC"), a 152,000 square foot commercial building. Other uses along Kennett Street include automobile related uses and vacant commercial space. The refurbished Acorn Park and Silver Spring Memory Wall, significant public amenities provided in connection with the development of the confronting property occupied by DCTC, are located about 200 feet to the north. All properties in the immediate area are zoned CBD-1. The Post Office building is the subject of a pending Project Plan Application which proposes 120 loft units built on one level of above-grade structured parking.

#### Background

On January 12, 1989, the Planning Board approved the County's plans to reconstruct Garage 9. The new garage was constructed by The Caldor Corporation under a design/build agreement in connection with its development of a retail facility on the property now occupied by DCTC ("Confronting Property"). The garage was constructed primarily to accommodate the

Office of the Director

101 Monroe Street, 10th Floor • Rockville, Maryland 20850-2540 • 240/777-7170, FAX 240/777-7178

Mr. Derick Berlage, Chairman

November 22, 2002

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operational needs of the Confronting Property owner (now Discovery) and to facilitate the redevelopment of a part of South Silver Spring. At the time, the construction of the garage and the redevelopment of the Confronting Property were major events in the County's redevelopment efforts. However, shortly after the Caldor store opened, the company filed for bankruptcy protection. The store subsequently closed and the garage sat empty for several years.

In 1999, Discovery began discussions with the County about the potential relocation, consolidation and expansion of its Montgomery County facilities to downtown Silver Spring. These discussions included the potential leasing and substantial renovation of the Confronting Property for DCTC and other Discovery operations. Discovery also requested commitments from the County to provide access to the Garage for Discovery employees and visitors and to provide access to the Subject Property for the placement of an emergency generator. The County made these commitments to Discovery for which Discovery pays an annual fee for a predetermined number of parking spaces and for which Discovery will compensate the County for easement rights.

DCTC houses Discovery's Mission Critical Data Center. The Data Center runs 24 hours/day, seven days/week in support of Discovery's worldwide operations. The Data Center contains the Company's primary computing systems for all of the company's business systems, financial data and program scheduling. The Data Center is also the location of Discovery's primary communications center, which includes all voice systems and data systems for the company. In addition, the first floor of DCTC is being reconfigured as a video production center. The production center will include video editing suites and audio and video recording studios to prepare Discovery programming for "air." The video center will also run 24/7 in support of the company's worldwide operations.

#### Proposed Use

The emergency generator is required to prevent utility power outages from interfering with Discovery's 24/7 mission critical operations. At present, a 750 KW trailer-mounted emergency generator is parked in front of the DCTC building. The existing trailer-mounted generator is not practical from either an operational or aesthetic standpoint. The existing generator has always been viewed as temporary by both the County and Discovery. It is not powerful enough to handle the electrical loads associated with the full operations at DCTC. A larger 2000 KW generator is needed to support the critical 24/7 building operations. The permanent 2000 KW generator will be located on the Subject Property.

At the County's request Discovery significantly upgraded the emergency generator design to be architecturally compatible with the garage structure. The upgraded design will assure a predictable, compatible relationship with any proposed use of adjacent property. Typically, the generator will be operated only once each month for about 20-30 minutes to assure its reliability in a power outage situation. In such a situation, the generator will operate only until power is restored to

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the DCTC building. The generator will comply with all applicable noise regulations and will operate in this regard more efficiently and at a lower noise level than the currently operated temporary generator.

As shown on the enclosed site plan, the emergency generator will be situated towards the rear center of the Subject Property north of the garage structure. This will preserve an area approximately 50 feet by 77 feet (3,850 square feet) for public access adjacent to Kennett Street. As noted, the generator will be architecturally compatible with the garage structure and therefore will not introduce a new design concept to the area. Discovery will also reinstall a brick pathway constructed of Silver Spring pavers in the area shown on the site plan. This pathway will provide access to the generator for maintenance purposes and will also provide a connection to the garage structure itself. We note certain landscape elements have been proposed around the generator by the developer of the adjacent Post Office site. However, the County feels the amount of proposed landscaping may be excessive. Therefore, the enclosed materials include an alternative landscaping plan which the County finds acceptable and which preserves sight lines into the County property from the adjacent right-of-way. Discovery will be responsible for the initial planting of the materials. The County will thereafter maintain the landscaping.

#### Sector Plan Conformance

The Approved and Adopted Silver Spring CBD Sector Plan (February 2000) identifies the Subject Property as a public parking garage. As shown on the site plan, the area in which the generator will be located serves as an extensive utility area for the garage and surrounding area. Improvements in the area include a large stormwater management structure, multiple storm drainage connections and electrical conduit, electrical transformer, sanitary sewer line and an air conditioner condenser unit. As noted above, the garage was constructed in significant part to facilitate the viable use of the Confronting Property, including provision of a pedestrian bridge connecting the garage to the Confronting Property. Use of the Subject Property for additional utility service benefiting the Confronting Property and the Silver Spring redevelopment effort continues to be appropriate. Such use is in conformance with the Sector Plan's recommendation to encourage economic activity (p. 50). Placement of the emergency generator will also facilitate Discovery's new 24/7 video production operations consistent with the Master Plan's vision for media-oriented businesses, including production studios and high-tech communication arts (p. 52-53). Provision of the brick pathway is also consistent with the Master Plan's recommendation to provide pedestrian connections (p. 53).

Mr. Derick Berlage, Chairman  
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Phasing

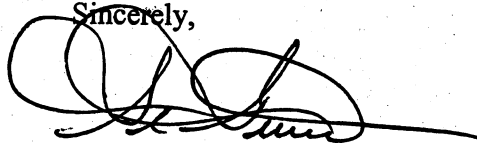
The emergency generator will be installed as soon as the public review process and permitting has been completed. The generator and other site improvements will be installed in a single phase. The improvements will be funded by Discovery and will be located within an easement granted to Discovery by the County for fair market value.

Administrative Review Requested

Pursuant to Section IV of the Mandatory Referral Review standards, the installation of the generator falls within the scope of a minor project. As noted above, the Garage 9 property is comprised of 91,749 square feet. The garage structure itself accommodates 597 cars within a 188,213 square foot structure that contains 5 levels of parking. On the other hand, the generator building will occupy a space of only 14 feet by 54 feet (756 square feet) and is only approximately 16 feet high. The generator is in the nature of an equipment enclosure which is specifically identified in the Mandatory Referral standards as appropriate for administrative review. We also note the majority of the open space located at the front of the Subject Property will be maintained in its existing configuration and will be enhanced with the additional landscaping proposed as a part of this project. Furthermore, the area has been devoted primarily to utility uses. Installation of the generator will not change this fact. We therefore request that staff conduct the administrative review for this project.

As discussed above, the County made a commitment to Discovery to permit the use of the County's property for the emergency generator. The generator is an absolutely necessary component of Discovery's Silver Spring and worldwide operations. We would therefore appreciate the Planning Commission's expeditious processing of this review request.

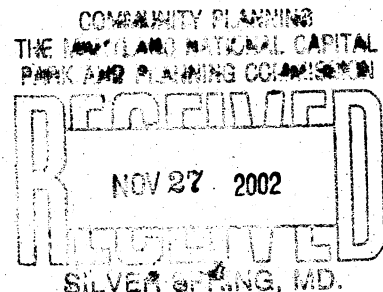
Sincerely,



Albert J. Genetti, Jr.  
Director

AJG/cj

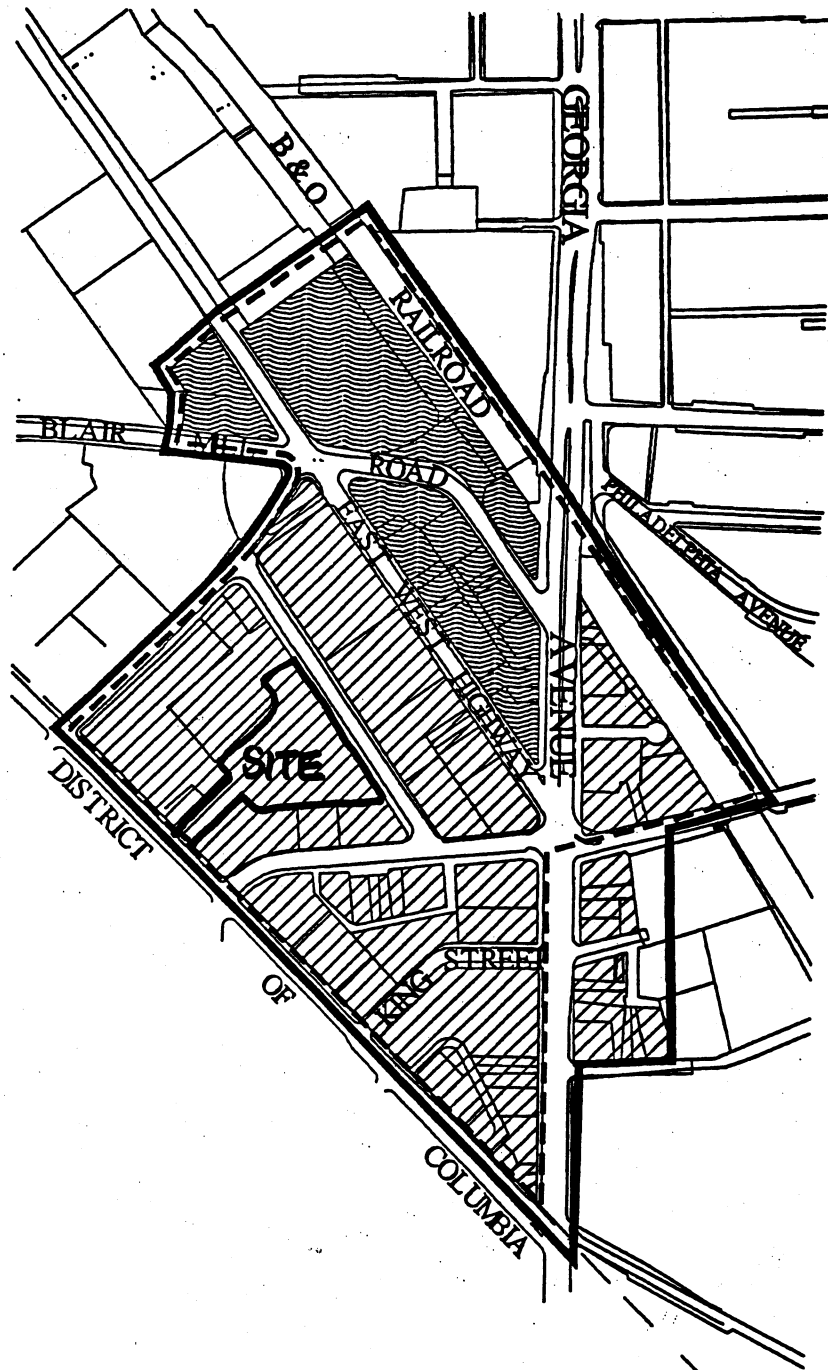
Enclosures







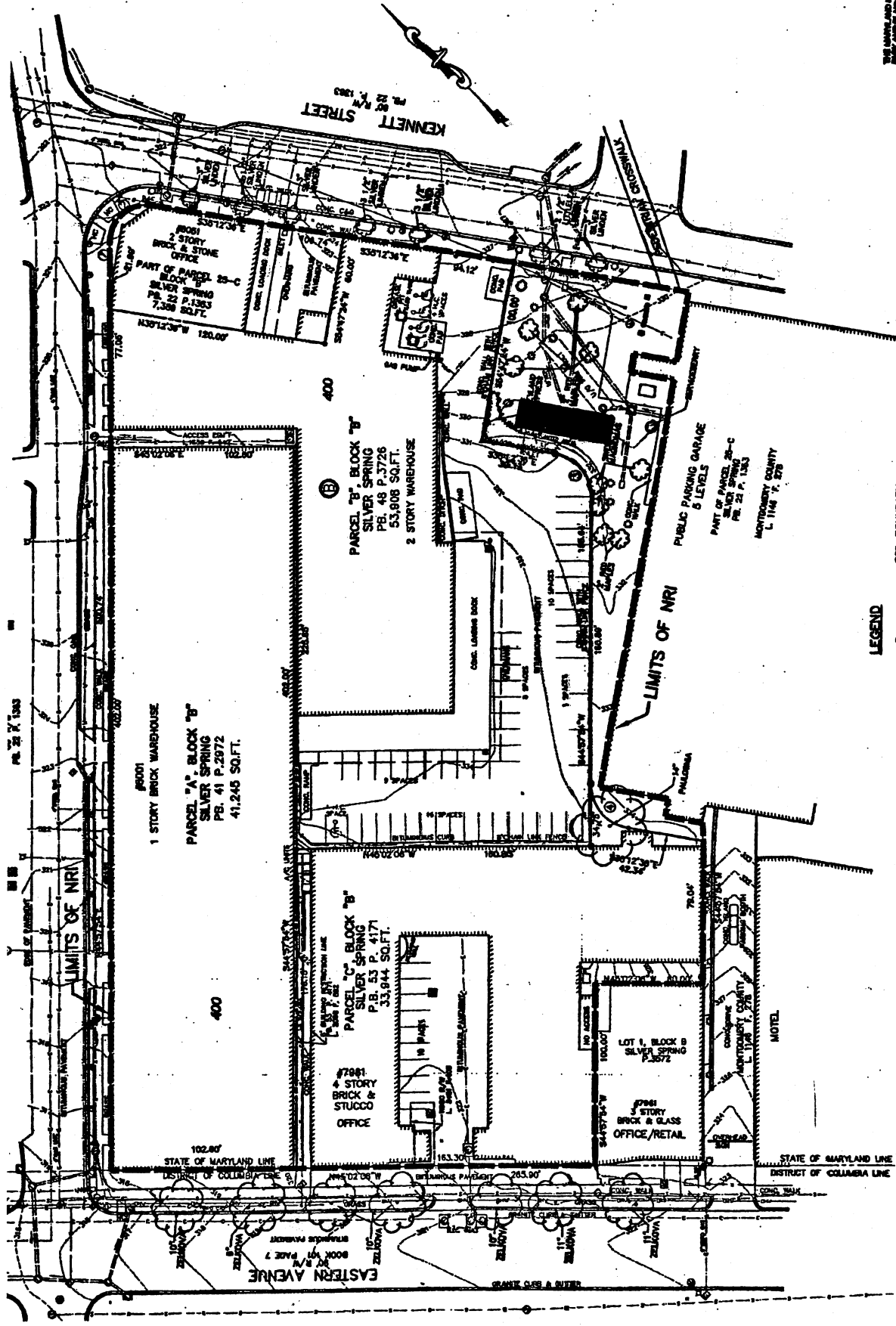
# ATTACHMENT 3

## Map 20 South Silver Spring—Proposed Zoning Plan



-  CBD - 1 (With Overlay Zone)
-  CBD - 2 (With Overlay Zone)





THE MAP AND MATERIALS  
HEREON ARE HEREBY  
APPROVED  
RECORDED IN  
MONTGOMERY COUNTY  
LIBRARY

**NRI/ESD NOTES**

1. THERE ARE NO FORESTED AREAS LOCATED ON THE PROPERTY AS DEFINED BY MONTGOMERY COUNTY FOREST LEGISLATION.
2. NO SEPARATE FIELD DATA SURVEY SHEETS WERE PREPARED WITH THIS SURVEY. ALL DATA IS AS SHOWN ON THIS PLAN ASSOCIATED WITH THIS PROPERTY AS IS SHOWN ON THIS PLAN.
3. NO STREAMS, WETLANDS OR 100' W. FLOODPLAINS EXIST ON-SITE.
4. THE SUBJECT AND HERITAGE DISTRICT OF THE SUBJECT ARE NOT RECORDED OF

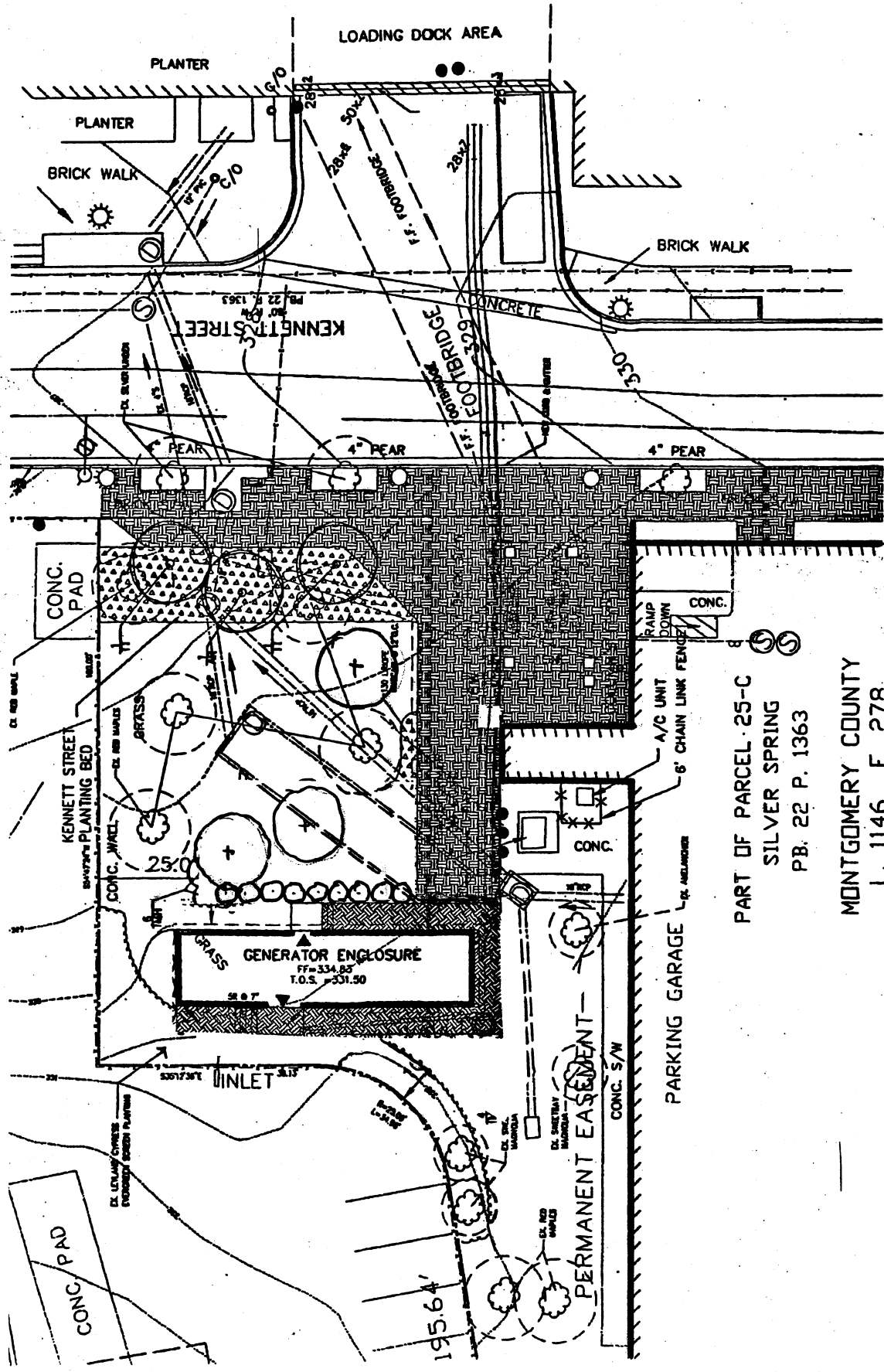
- LEGEND**
- SOIL BOUNDARY
  - SOIL TYPE
  - SHADE TREE WITH ACTUAL CANOPY - (NO TREES 2" OR GREATER DBH PRESENT)
  - EVERGREEN TREE
  - LIMITS OF NRI/ESD

**GENERAL NOTES:**

THE PROPERTY SHOWN HEREON IS LOCATED ON TAX ASSESSMENT MAP MADE WITH THE FOLLOWING INFORMATION:  
 PARCEL A - 10001 SILVER SPRING - TAX PARCEL NO. 01045501 - ZONED C801  
 PARCEL B - 10002 SILVER SPRING - TAX PARCEL NO. 01045502 - ZONED C801  
 PARCEL C - 10003 SILVER SPRING - TAX PARCEL NO. 01045503 - ZONED C801  
 PARCEL D - 10004 SILVER SPRING - TAX PARCEL NO. 01045504 - ZONED C801  
 BOUNDARY INFORMATION TAKEN FROM SURVEY PROVIDED BY W.A. INC. AND DATED JUNE 2000.  
 AREA WITHIN THE LIMITS IS 100,000 SQ. FT. OR 2.3096 ACRES.

THE SUBJECT PROPERTY IS LOCATED IN ZONE "C" (AREA OF ANIMAL FLOODING) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 240004 0500 C, FOR MONTGOMERY COUNTY, MARYLAND, AND DATED AUGUST 6, 1991.

TOPOGRAPHY IS TAKEN FROM FIELD SURVEY PROVIDED BY W.A. INC. AND DATED JUNE 2000.



PART OF PARCEL 25-C  
 SILVER SPRING  
 PB. 22 P. 1363  
 MONTGOMERY COUNTY  
 I. 1146 F 27R

PL

NO.	REVISION	REVISION DATE	BY
1	Initial		
2	Revised		
3	Revised		
4	Revised		
5	Revised		
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