



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 21, 2003

**MEMORANDUM**

**TO:** Montgomery County Planning Board  
**VIA:** John A. Carter, Chief, Community-Based Planning Division  
**FROM:** Glenn Kreger, Silver Spring/Takoma Park Team Leader  
Don Downing, Planner Coordinator, Silver Spring Team

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**REVIEW TYPE:** Mandatory Referral  
**PROJECT NAME:** Silver Spring Innovation Center  
**APPLICANT:** Montgomery County Department of Economic Development

**CASE NUMBER:** MR-03101-DED-1  
**REVIEW BASIS:** Article 28, Chapter 7-112 of the Regional District Act

**ZONE:** CBD-2  
**LOCATION:** Blair Mill Road and Georgia Avenue  
**MASTER PLAN:** Silver Spring Central Business District Sector Plan

**FILING DATE:** January 31, 2003

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**STAFF RECOMMENDATION:** APPROVAL to transmit the following comments to the Department of Economic Development:

1. Include the Silver Spring Innovation Center (SSIC) in the local and area traffic analysis when the complete Silver Spring Gateway (SSG) project is submitted for preliminary plan of subdivision. At that time, the applicant will submit combined project data for traffic analysis that meets County LATR guidelines.
2. Enter into a traffic mitigation agreement or memorandum of understanding with the Planning Board and the Department of Public Works and Transportation (DPWT) for a best faith effort to assist the Transportation Management District in achieving and maintaining Silver Spring's traffic mitigation goal of auto drivers being no more than 50% of all employees that arrive or depart during the a.m. and p.m. peak periods.
3. Coordinate with appropriate agencies to stripe a crosswalk on the west side of Georgia Avenue at the intersection with Blair Mill Road, including provision of a handicap ramp at the south end of the crosswalk to satisfy requirements of the Americans with Disabilities Act (ADA). Coordinate with the Maryland State Highway Administration (SHA), Montgomery County DPWT, and the Department of Housing and Community Affairs (DHCA).

the gross tract area. The proposed building is 49' in height. **(See Attachment 4 – Zoning Conformance.)** The new business incubator building will contain office and service space that could house 14 or more start-up or early stage information technology businesses.

A project of this size and use requires 48 parking spaces. The proposed development is within the Silver Spring Parking District and is therefore, not required to provide any parking on-site. Additional temporary parking will be available on existing asphalted lots within the Silver Spring Gateway Project. Permanent parking will be incorporated into the parking facility plans for the overall Silver Spring Gateway Project. A loading service area is provided.

The proposed four-story building is designed in a unique configuration. The building is approximately 32 feet wide by 172 feet long and encompasses nearly the entire lot. The architectural style is contemporary. **(See Attachments 5 and 6 – Building Elevations.)**

The building's primary entrance will be along the Georgia Avenue frontage. **(See Attachment 7 – Building Floor Plans.)** A secondary exit will be located along Blair Mill Road. The proposed hours of operation for the facilities in the business incubator are 8:00 a.m. to 6:00 p.m., but will be accessible to staff 24 hours a day. There is a six-foot tall retaining wall and associated drainage structures proposed off-site on the WMATA property north of the subject site. The walls need to allow light into the ground floor offices facing the tracks. Staff recommends that the Applicant obtain written permission from the WMATA for the placement of the retaining walls and associated drainage structures including easements on the WMATA property.

The SSIC has been designed as an independent phase I, to be incorporated into the proposed Silver Spring Gateway project. The complete project will have integrated design, access, and parking. A bubble diagram showing the proposed buildings of the Gateway Project is attached **(See Attachment 8 – Gateway Project Preliminary Site Concept Plan)**.

The DED has entered into an agreement with the DHCA regarding the implementation of the streetscape improvements **(See Attachment 9 – Letter from DED and DHCA to Chairman Berlage, dated March 6, 2003)**. Under the agreement, DHCA has made a commitment to provide the design, project management and implementation of all streetscape improvements to Blair Mill Road and Georgia Avenue along the Innovation Center project frontage. DHCA has already started the design for the Blair Mill Road streetscape on the south side of the street opposite the Innovation Center site and therefore, was a logical candidate to coordinate the entire streetscape design. Staff recognizes the efficiency of such an agreement given the experience in streetscape implementation by the DHCA staff particularly in South Silver Spring. Staff supports DHCA's commitment to the commercial revitalization of South Silver Spring and looks forward to the future mandatory referral review of the streetscape.

## REVIEW PROCESS

On January 31, 2003, the DED submitted the design for the proposed business incubator for Mandatory Referral. The application was completed on February 21, 2003. The DED has requested an expedited review to help them implement the project within the time frame associated with their funding.

## COMMUNITY OUTREACH

The planning staff notified all relevant community groups of the filing by a letter dated February 4, 2003, in accordance with the Mandatory Referral guidelines. Information about the application was also placed on the M-NCPPC Silver Spring web site.

Dan Meijer, representing The Gateway Coalition, submitted a letter (**See Attachment 10, dated January 23, 2002**) to address the abandonment of Blair Mill Road. The letter expresses a concern that area residents would be required to make extended detours to visit businesses in the area if Blair Mill Road is not kept open between Georgia Avenue and East West Highway.

Public notification was provided in association with the Blair Mill Road abandonment proceedings, as reflected in the Public Hearing Officer's Report of February 28, 2002. The County Department of Economic Development has also made a presentation to the Silver Spring Citizens' Advisory Board on March 10, 2003. Information about the project has been provided to the Silver Spring Chamber of Commerce. A presentation will be made to the Silver Spring Urban District on March 20, 2003.

## TRANSPORTATION ANALYSIS

The Silver Spring Innovation Center is located in the Silver Spring CBD Policy Area. As of January 31, 2003, this policy area had a remaining capacity of 2,003.

The first phase of the Silver Spring Innovation Center will include a four-story office building containing 19,930 square feet of general office space. This space can be expected to generate 28 new trips in the peak hour of the weekday evening peak period (4:00 p.m. to 7:00 p.m.). A traffic study was not required at this time because the expected number of trips is well below the 50-trip threshold established in the Local Area Transportation Review Guidelines. A traffic study may be required in the future if more than 50 peak hour trips are generated by the development of all land at one location within the County, including existing development or land available for development under common ownership or control by an applicant, including that land owned or controlled by separate corporations in which any stockholder (or family of the stockholder) owns ten percent or more of the stock.

The Master Plan of Highways classifies Georgia Avenue (MD 97) as a major highway in the vicinity of the project site. Blair Mill Road is classified as Business Street. The Silver Spring CBD Sector Plan recommends a 126-foot right-of-way for Georgia Avenue and a

60-foot right-of-way for Blair Mill Road. Blair Mill Road is planned as a mixed street designed to emphasize pedestrian circulation while permitting limited slow-moving automobile traffic. Georgia Avenue is planned as an urban boulevard with landscaped walkways and medians, wide sidewalks with special paving to create a warm pedestrian environment. An off road Class I bikeway is planned along East West Highway crossing both Blair Mill Road and Georgia Avenue in the vicinity of the site.

On November 1, 2001, the JBG Companies (JBG) filed a petition with the County Executive for abandonment of the portion of Blair Mill Road between Georgia Avenue and East West Highway to facilitate the development of a public/private partnership between JBG and the Montgomery County Department of Economic Development (DED) for the development of an information technology incubator in Silver Spring.

The Montgomery County Planning Board reviewed the abandonment petition. By letter of January 16, 2002, the Planning Board advised concurrence with the abandonment subject to the condition that the abandonment not be implemented until the Planning Board approves preliminary plans of subdivision and site plans for all the affected parcels, and a final plat reflecting the approved plans be recorded in the land records of Montgomery County. These plans must ensure sufficient public street access for parcels affected by the abandonment; establish access easements; maintain pedestrian access to the historic B&O rail station and pedestrian tunnel; and be consistent with the Silver Spring Central Business District Sector Plan.

The pending mandatory referral submission includes a handicap ramp on the northwest corner of the intersection of Georgia Avenue and Blair Mill Road. The plan should be revised to include a crosswalk leading to a handicap ramp on the southwest corner of the same intersection. Due to the skew-angle, intersection geometry, DPWT should consider a pedestrian refuge, or "splitter" island for this crosswalk that could both reduce the crossing distance and allow the handicap ramp on the southwest corner to be shifted slightly to the west.

## **PROJECT ANALYSIS AND FINDINGS**

**Finding:** *The proposed project is consistent with the CBD Sector Plan recommendations for the location and design of the facility.*

The February 2000 Approved and Adopted *Silver Spring Central Business District and Vicinity Sector Plan*, approved by the County Council on February 1, 2000, outlines six themes which articulate the shared goals and vision for a revitalized Silver Spring. Two of these themes (i.e. a commercial downtown and a pedestrian-friendly downtown) apply to this proposed project.

This project provides new office space specifically targeted to technology sector employers and strengthens the role of Silver Spring as an employment center. The Innovation Center will contribute to the economic redevelopment of the South Silver Spring Revitalization Area. The project, through the streetscape implementation commitment by DHCA, improves the quality of the pedestrian environment by providing

the Silver Spring streetscape treatments on all of the proposed public street frontages. The improvements to the public realm will encourage active urban streets and improve the pedestrian orientation of the CBD.

The Sector Plan recommends that Blair Mill Road be designed as a mixed street. Mixed streets serve the needs of both vehicles and pedestrians but have a greater emphasis on pedestrian orientation. The future abandonment of Blair Mill Road will provide additional design flexibility for creating a truly mixed street concept for the Innovation Center project and surrounding projects.

**Finding: *The proposed project will be consistent with the development standards for the CBD-2 zone and the intent of the zone, except as noted below:***

The Innovation Center site is zoned CBD-2 within the Ripley/South Silver Spring Overlay Zone. The CBD-2 zone permits a wide range of uses. The Zoning Conformance table demonstrates that the proposed design for the Innovation Center is consistent with the specific development standards for the zone, except that the building setbacks from Georgia Avenue, Blair Mill Road, and the Metro right-of-way are below the minimum standard. The proposed two-foot setback from Georgia Avenue is acceptable. The staff anticipates that Blair Mill Road will be abandoned and will become a private mixed-use street. The adjacent Metro parcel provides a sloped area next between the tracks and the new building. **See Attachment 4, showing Zoning Conformance.**

**Finding: *The proposed project is compatible with existing adjacent uses and structures.***

The proposed Innovation Center will complement the existing and emerging retail, office and institutional uses in South Silver Spring. The Innovation Center building is located adjacent to the CSX/Metrorail tracks and will not experience negative impacts from train noise. The future occupants of the building will benefit from the emerging retail uses along Georgia Avenue and in turn the businesses will benefit from new patrons.

**Finding: *The location of the building, open space and circulation systems will be adequate, safe and efficient.***

The location of the building creates a strong presence on Georgia Avenue and completes a portion of the defined building edge along Blair Mill Road. The Innovation Center utilizes a challenging site to place a unique building in an emerging revitalized urban setting.

#### *Public Use Space*

Given the site configuration and the manner in which the building design has adapted to it, the public use space requirement will be fulfilled in the form of a landscaped area adjacent to the service drive. The Applicant has indicated that the public use space area (approximately 1,098 square feet) may be conveyed to the Silver Spring Gateway project in the future. The Silver Spring Gateway project will be a joint development

between the County and the JBG Companies. Therefore, staff recommends that should the future conveyance occur, the public use space requirement for this project should be fulfilled as part of the future Silver Spring Gateway project. There should not be a net loss of required public use space within the CBD.

The Applicant has not indicated the use of lighting for the service area. The service area will require building-mounted lighting for security purposes, to be provided by the Applicant. The proposed trash dumpster should have a solid enclosure such as a fence or wall. Additionally, a proposed transformer should be relocated from its current location adjacent to the Blair Mill Road sidewalk to a less visible place next to the proposed trash dumpster. The transformer should be appropriately screened with a masonry wall or landscaping.

### *Streetscaping*

The SSIC streetscape along Georgia Avenue and Blair Mill Road is approved in concept. The final streetscape plan for both sides of Blair Mill Road will be prepared by DHCA in conformance with the Silver Spring Streetscape Guidelines and will be submitted for Mandatory Referral review. A mixed street will be provided to accommodate both vehicular and pedestrian access even if it becomes a private street after the public right-of-way is abandoned. An appropriate location for a mid-block crossing and handicapped ramp will be determined at that time.

### *Public Art*

As an important public facility, the business incubator should include appropriate public art as part of the building. The staff recommends that the Public Arts Trust be consulted before specific works of art are selected for the exterior spaces since these will be most visible to the community.

### *Historic Resources*

The Division of Historical and Cultural Programs of the Maryland Department of Housing and Community Development reviewed the project. They found that the proposed project would have no adverse effect on historic properties in the area.

### *Pedestrian and Bicycle Circulation*

DHCA has agreed to provide streetscaping along Blair Mill Road in accordance with the standards outlined in the *Silver Spring Streetscape* technical manual. This will enhance pedestrian access to the surrounding commercial area. Streetscape improvements have already been provided along Georgia Avenue.

Staff recommends improvements to the crosswalk at Blair Mill Road and Georgia Avenue to facilitate safe pedestrian crossings. The County should coordinate with the State Highway Administration to provide (or repaint) pedestrian crosswalk striping on the west side of Georgia Avenue at the intersection with Blair Mill Road.

### *Vehicular Circulation*

As indicated in their approved traffic statement, the proposed Innovation Center will have an acceptable impact on the area's vehicular circulation system. This project is part of the proposed Silver Spring Gateway (SSG) project to be built by JBG. The SSIC will be included in the local and area traffic analysis when the complete SSG project is submitted for preliminary plan of subdivision. At that time, the applicant will submit combined project data for traffic analysis that meets County LATR guidelines.

On-site vehicular circulation is acceptable and so will minimize vehicle/pedestrian conflicts along Blair Mill Road.

The community would like to maintain access to businesses in the area and eliminate the need for area customers to make extended detours, if Blair Mill Road is abandoned between Georgia Avenue and East West Highway.

As recommended in the Silver Spring CBD Sector Plan, Blair Mill Road should be designed as a mixed street, to accommodate both vehicular and pedestrian access even if it becomes a private street after the public right-of-way is abandoned. The final design of the mixed street will be determined as part of the SSG project.

### *Parking*

Interim parking will be provided on nearby surface parking areas. Permanent parking will be included in the proposed Silver Spring Gateway building.

**Finding: *The applicant has met all applicable environmental requirements.***

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) has been approved for this site. An exemption for forest conservation has been issued because this is an activity occurring on a tract less than or equal to 1.5 acres in size where there is no existing forest and afforestation requirements are less than 10,000 square feet.

This site is located in the Lower Sligo Creek tributary and subwatershed of the Sligo Creek watershed. Full water quality control is expected to protect the integrity of the Sligo Creek watershed.