

DISCUSSION OF ISSUES

ANALYSIS: Conformance to Master Plan

The proposal meets the requirements of the Silver Spring Central Business District and Vicinity Sector Plan. The Sector Plan recommends CBD zoning for this site, which was applied through the Sectional Map Amendment (SMA), adopted July 18, 2000 per County Council Resolution 14-600. The property is within the Fenton Village Overlay Zone, which provides flexibility of development standards to encourage innovative design solutions.

The residential lofts are permitted by right in the CBD-1 zone and will be developed under the standard method of development. The project proposes 33,665 gross square feet of residential (24 lofts) with a 1.97 FAR which is less than the permitted maximum of 34,178 gross square feet or 2 FAR for standard method projects within the Fenton Village Overlay Zone. The minimum required public use space for this project is 1,647 square feet (10% of the net lot). The project proposes 1,665 square feet of on-site public use space, which equals to 10.1% of the net lot area plus 2,006 square feet of off-site streetscape improvements.

SECTOR PLAN CONFORMANCE:

The 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. Three of these themes (i.e. a residential downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed project. The Sector Plan specifically identifies the proposed project site as a potential housing site (see Attachment A-Map 35 Residential Downtown). This project is being developed under the standard method of development and provides opportunities for landscaped public open spaces and streetscapes. The proposed residential building will feature a green roof, which contributes to an environmentally friendly approach to urban development. This project encourages the development of active urban streets by providing multiple building entrances along the streets and a public space along the intersection of Bonifant Street and Fenton Street. This project encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the Silver Spring streetscape treatments normally required by optional method projects.

Compatibility

The Fenton Village Overlay Zone mandates height restrictions in order to address compatibility issues. The Overlay Zone requires a maximum height of 60 feet for projects west of Fenton Street. The proposed building is 60 feet in height. Staff feels that the proposed development satisfactorily meets the requirements of the Overlay Zone and the Sector Plan regarding compatibility.

Silver Spring Wayfinding System

There are no wayfinding signs proposed in the vicinity of the existing street frontage.

Sector Plan Street Rights-of-Way

The existing street right-of way for Fenton Street is 64 feet (32 feet measured from the centerline of the street). The existing street right-of way for Bonifant Street is 70 feet (35 feet measured from the centerline of the street). The Sector Plan recommends a street right-of-way of 80 feet for Fenton Street and 70 feet for Bonifant Street. This would require an additional 8 feet from both sides of Fenton Street. The Applicant has requested a reduction of the recommended right-of-way dedication on Fenton Street from 8 feet to 3 feet measured from the centerline of the street. Fenton Street has recently been improved with brick sidewalks and intersection neckdowns as well as reorganized to provide clearer travel lanes, a center left-turn lane and parking lanes.

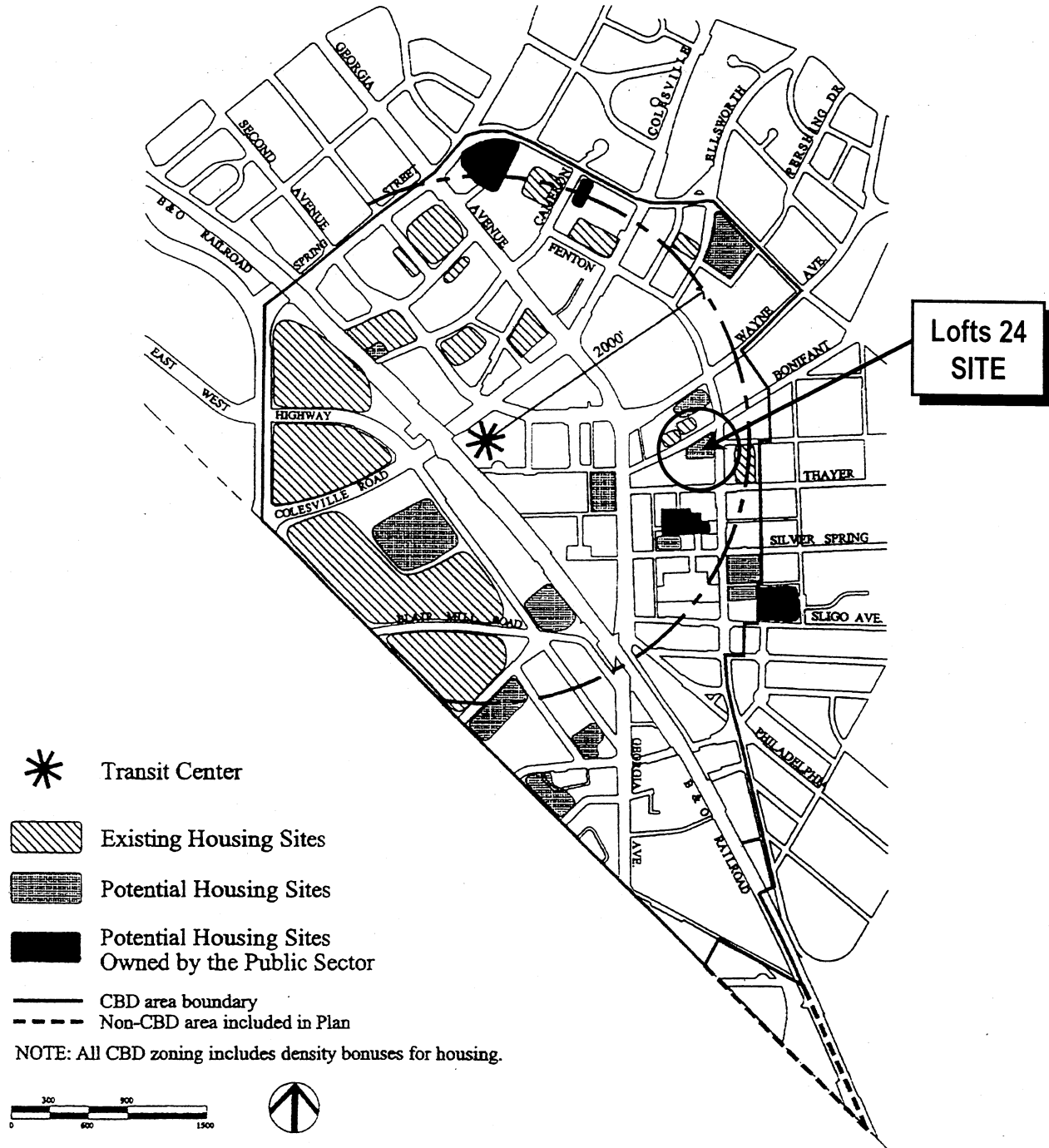
The proposed sidewalk dimension will be 12 feet with a 5-foot public use space located between the edge of the sidewalk and the face of the proposed building. The perceived public realm along the Fenton Street frontage will be 17 feet in width and is acceptable to staff. The provisions outlined in the Fenton Village Overlay Zone imply added flexibility to development standards in order to encourage innovative design solutions. The building design solution, given the site conditions is innovative and respects the existing urban fabric while improving the public realm. Staff therefore recommends approving the reduction of the Fenton Street right-of-way dedication from 8 feet to 3 feet.

Streetscape

The Applicant proposes streetscape improvements in conformance with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). The applicant proposes to improve the Bonifant Street streetscape with a 10-foot wide brick sidewalk and the addition of street trees and street lighting. The Fenton Street frontage will be improved by replacing the existing concrete paving with brick and expanding the sidewalk to 12 feet wide.

Attachment A- Map 35 Residential Downtown

Map 35 Residential Downtown



ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

Development Standard	Permitted/ Required	Proposed
Gross Tract Area (sf)	N/A	17,089
Street Dedication Area (sf)		621
Total Gross Tract Area for FAR (sf)		16,468
Max. Floor Area Ratio (FAR)	2.0	1.97
	Permitted in Fenton Village Overlay Zone	
Max. Building Height (ft.):	60	60
Max. Building Coverage (%)	75	44.2%
Min. Building Setbacks (ft.)*	10	5
Fenton Street	5	2
Bonifant Street	5	5
Public Use Space (Sq. ft.):		
On-site(min.10%)	1,647	1,665 (10.1%)
Off-site (12%)		<u>2,006 (12%)</u>
Total Public Use Space		3,671 (22%)
Parking:		
Residential Units (24)		
6 units (1 BR) x 1.0 =6 spaces		
18 units (2 BR) x 1.25 =22.5 spaces		
Total Parking	29	12** (includes 1 HC)

* Fenton Village Overlay Zone permits 1 foot for every 6 feet that exceeds 30' of building height. (30'/6=5' setback) Request for setback reduction is proposed for Bonifant Street for 3'.

** Reduction of spaces is permitted in the parking zone. Applicant shall pay a tax to the Parking District for the remaining required spaces for maintenance and upkeep of the facilities.

FINDINGS for Site Plan Review:

1. *The site plan is consistent with an approved development plan or a project plan for the optional method of development, if required. Not Applicable.*
2. *The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Location of Buildings

The layout of the building was thoughtfully designed to incorporate architectural features consistent with the residential uses for a Central Business District.

The building is oriented to the lot configuration in an L-shaped configuration, taking advantage of the two adjacent streets. The building fronts on Fenton and Bonifant Streets with a total of two entrances from Fenton Street and one entrance from Bonifant Street.

b. Open Spaces

Storm water management concept was approved on March 11, 2003 by DPS and consists of on-site water quantity control via a green roof and separator sand filter. Onsite recharge is waived due to urban site constraints. Channel protection volume is not required because the one-year post development peak is less than or equal to 2.0 cfs.

Green roof technology will be further implemented through DPS to include . Residents of the lofts will be able to access the green roof.

c. Landscaping and Lighting

The landscaping and lighting provides safety and efficiency for daily users of the site, neighboring residents and visitors in this urban setting.

The Applicant proposes streetscape improvements that are consistent with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). Fenton Street will be expanded to include additional pavers to a maximum width of 12 feet. Street trees and lighting are existing features on this stretch of road. Bonifant Street will be improved to 10 feet of paving, an additional streetlight and two additional street trees.

Foundation planting consists of shrubs at the base and ornamental trees at the two entries into the building. Specialty paving will be included at the entries to highlight access to the building.

The intersection of Bonifant and Fenton Street will include a public plaza including special paving to match the paving at the entrances. Additional amenities include a low wall with landscaping planting and board style lighting to signify pedestrian activity. Seating will also be provided within the plaza area.

d. Recreation

The site is not subject to recreation requirements due to the number of units being proposed.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation in general is adequate, safe and efficient.

The main entrance to the site is a one-way access from Fenton Street to the parking and rear entrance of the building. The vehicular traffic will enter from Fenton Street and exit a one-way drive on to Bonifant Street. Traffic signs and painted markers delineating vehicular circulation will be coordinated with DPW&T. Special pavers within the entry/exit aprons will assist with the pedestrian movement across the entrance and exit to and from the site.

The existing street right-of way for Fenton Street is 64 feet (32 feet measured from the centerline of the street). The existing street right-of way for Bonifant Street is 70 feet (35 feet measured from the centerline of the street). The Sector Plan recommends a street right-of-way of 80 feet for Fenton Street and 70 feet for Bonifant Street. This would require an additional 8 feet from both sides of Fenton Street. The Applicant has requested a reduction of the recommended right-of-way dedication on Fenton Street from 8 feet to 3 feet measured from the centerline of the street.

The proposed sidewalk dimension will be 12 feet with a 5-foot public use space located between the edge of the sidewalk and the face of the proposed building. The perceived public realm along the Fenton Street frontage will be 17 feet in width and is acceptable to staff. The provisions outlined in the Fenton Village Overlay Zone imply added flexibility to development standards in order to encourage innovative design solutions. The building design solution, given the site conditions is innovative and respects the existing urban fabric while improving the public realm. Staff therefore recommends approving the reduction of the Fenton Street right-of-way dedication from 8 feet to 3 feet.

The site is approximately ½ mile from the Silver Spring Metro, allowing residents

to walk to public transportation, which is encouraged in the CBD. The Site Plan proposes a sign and textured pavement at the access points cautioning drivers of the pedestrian crossing.

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The structure and use is compatible with other uses and with existing and proposed adjacent development.

The Fenton Village Overlay Zone mandates height restrictions in order to address compatibility issues. The Overlay Zone requires a maximum height of 60 feet for projects west of Fenton Street. The proposed building is 60 feet in height. Staff feels that the proposed development satisfactorily meets the requirements of the Overlay Zone and the Sector Plan regarding compatibility.

The proposed building is also compatible with the adjacent structures along Bonifant Street, specifically the neighboring building to the west of the site. The proposed building will be 2 feet from the right-of-way line, closely aligning with the adjacent structure to the west, which marginally overlaps the right-of-way.

The activity associated with the proposed development will not cause any negative effect on adjacent residential or commercial uses.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The property is exempt from Forest Conservation requirements.

APPENDIX

- A. Stormwater management concept approval from DPS dated March 19, 2003
- B. Memorandum from Community Based Planning Staff dated May 14, 2003
- C. Memorandum from East Silver Spring Citizens Association, Inc. dated March 18, 2003

**WEST CONSULTING
GROUP INC.**

engineers • surveyors • consultants

4424 MONTGOMERY AVENUE
BETHESDA, MARYLAND 20814

April 18, 2003

REQUEST FOR REDUCTION OF RIGHT OF WAY DEDICATIONREGARDING: Site Plan #8-03025
Lofts 24

To Whom It May Concern:

Pursuant to the requirements for Site Plan approval in Montgomery County for the proposed twenty-four (24) townhouse units for Lots 14 and 15, Block "O", Silver Spring Park having an address of 900 - 902 Bonifant Street and 8360 Fenton Street, Silver Spring, Maryland the proposed Site Plan provides for a dedication of right of way for the property frontage along Fenton Street. The proposed dedication is shown on the Site Plan is to provide an additional three (3) feet of dedicated right of way.

Fenton Street currently has a right of way of (sixty four) 64 feet along the frontage of this project site. The current transportation plan for the Silver Spring Central Business District shows Fenton Street to have a future right of way of eighty (80) feet. To accommodate this plan a combination of dedicated right of way and public use space is proposed for this Site Plan. A three (3) foot dedication for right of way and a five (5) foot easement for public use space will provide the needed area for sidewalks and public improvements.

This project will provide the street landscaping and public improvements required for development in the Central Business District and will benefit the development of Silver Spring Central Business District. Therefore we are requesting a reduction of right of way dedication from eight (8) feet to three (3) feet and to allow an easement for public use space of five (5) feet.

Signed



Ken West, PE



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

March 11, 2003

Mr. Ken West
West Consulting Group, Inc.
4424 Montgomery Avenue
Bethesda, Md 20814

Re: Stormwater Management **CONCEPT** Request
for Silver Spring Park
Preliminary Plan #: 1-03060
SM File #: 207267
Tract Size/Zone: 0.39 Ac./CBD-1
Total Concept Area: 0.39 Ac.
Lots/Block: 14&15/O (Prop. 22/O)
Watershed: Sligo Creek

Dear Mr. West:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via a green roof and a separator sand filter. Onsite recharge is waived due to urban site constraints. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. You must use the 2000 Maryland Stormwater Design Manual to calculate the water quality volume. The current law uses 1 inch over the impervious area.
5. Use the latest MCDPS Standard and Specifications for the Separator Sand filter design.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.



255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850-4166

This letter must appear on the sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:enm CN207267.DWK

cc: M. Shaneman
S. Federline
SM File # 207267

QN - Onsite; Acres: 0.39
QL - Onsite; Acres: 0.39
Recharge is not provided



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

TELECOPIER TRANSMITTAL

DATE: March 11, 2003

TO:	NAME:	COMPANY:	FAX NUMBER:
1.	Angela Brown (301-495-4611)	MNCPPC	301-495-1306
2.			
3.			
4.			
5.			

FROM: David Kuykendall
Department of Permitting Services
Division of Land Development Services
255 Rockville Pike, 2nd Fl., Station 8
Rockville, MD 20850
Telecopier Phone Number: 240-777-6339
Telephone Numbers: Chief Office – 240-777-6350, Water Resources Section - 6320, Inspection – 6366
Right of Way Permitting & Plan Review - 6298

Operator's Name:

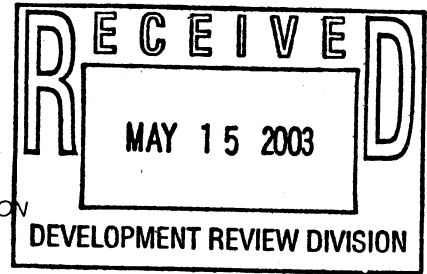
Number of Pages Sent: Cover Sheet Plus 2

DESCRIPTION/COMMENTS/SPECIAL INSTRUCTION:

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION





May 14, 2003

MEMORANDUM

TO: ✓ Robert Kronenberg, RLA, Staff Reviewer
Development Review Division

Malcolm Shaneman, Supervisor
Development Review Division

VIA: Glenn Kreger, Team Leader, Silver Spring/Takoma Park Team 
Community-Based Planning Division

FROM: Miguel Iraola, ASLA, Planner Coordinator 
Community-Based Planning Division

SUBJECT: Preliminary Plan Review No. 1-03060
Site Plan Review No. 8-03025
Lofts 24

The Community-Based Planning staff has reviewed the above referenced Site Plan and Preliminary Plan for conformance with the Silver Spring Central Business District and Vicinity Sector Plan (Approved February 2000). The subject property is located at the south west quadrant of the intersection of Fenton Street and Bonifant Street in Fenton Village. Community-Based Planning recommends the approval of this Site Plan and Preliminary Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan:

1. Provide full width streetscape improvements on Bonifant Street in accordance with the *Silver Spring Streetscape* (April 1992) technical manual or as amended.
2. Expand the existing streetscape improvements on Fenton Street to conform with the *Silver Spring Streetscape* (April 1992) technical manual or as amended.

ZONING AND LAND USE:

The 17,089 square foot subject property is zoned CBD-1 (Central Business District, 1.0). The approved CBD Sector Plan recommends the CBD-1 zoning for this site which was applied through the Sectional Map Amendment (SMA) adopted July 18, 2000 per

County Council Resolution 14-600. The property is within the Fenton Village Overlay Zone which provides for flexibility of development standards to encourage innovative design solutions.

The proposed residential use is permitted under the CBD-1 zone. The proposal will be implemented under the Standard Method of Development. The project proposes 33,665 gross square feet of residential (24 units) with a 1.97 FAR which is less than the permitted maximum of 34,178 gross square feet or 2 FAR for Standard Method projects under the CBD-1 zone within the Fenton Village Overlay Zone. The minimum required public use space for this project is 1,647 square feet (10% of the net lot). The project proposes 1,665 square feet of on-site public use space which equals to 10.1% of the net lot plus 2,006 square feet of off-site streetscape improvements.

SECTOR PLAN CONFORMANCE:

The 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. Three of these themes (i.e. a residential downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed project. The Sector Plan specifically identifies the proposed project site as a potential housing site (see **Attachment A- Map 35 Residential Downtown**). This project is being developed under the Standard Method of Development and provides opportunities for landscaped public open spaces and streetscapes. The proposed residential building will feature a green roof which contributes to an environmentally friendly approach to urban development. This project encourages the development of active urban streets by providing multiple building entrances along the streets and a public space along the intersection of Bonifant Street and Fenton Street. This project encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the Silver Spring streetscape treatments normally required by Optional Method projects.

- A. **Compatibility:** The Fenton Village Overlay Zone mandates height restrictions in order to address compatibility issues. The Overlay Zone requires a maximum height of 60 feet for projects west of Fenton Street. The proposed building is 60 feet in height. Staff feels that the proposed development satisfactorily meets the requirements of the Overlay Zone and the Sector Plan regarding compatibility.
- B. **Silver Spring Wayfinding System:** There are no wayfinding signs proposed in the vicinity of the existing street frontage.
- C. **Sector Plan Street Rights-of-Way:** The existing street right-of way for Fenton Street is 64 feet (32 feet measured from the centerline of the street). The existing street right-of way for Bonifant Street is 70 feet (35 feet measured from the centerline of the street). The Sector Plan recommends a street right-of-way of 80 feet for Fenton Street and 70 feet for Bonifant Street. This would require

an additional 8 feet from both sides of Fenton Street. The Applicant has requested a reduction of the recommended right-of-way dedication on Fenton Street from 8 feet to 3 feet measured from the centerline of the street. Fenton Street has recently been improved with brick sidewalks and intersection neckdowns as well as reorganized to provide clearer travel lanes, a center left-turn lane and parking lanes.

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- D. **Streetscape:** The Applicant proposes to improve the Bonifant Street streetscape with a 10-foot wide brick sidewalk and the addition of street trees and street lighting. The Fenton Street frontage will be improved by replacing the existing concrete paving with brick and expanding the sidewalk to 12 feet wide. Staff recommends that the streetscape improvements be in accordance with the *Silver Spring Streetscape* (April 1992) technical manual or as amended.

COMMUNITY OUTREACH:

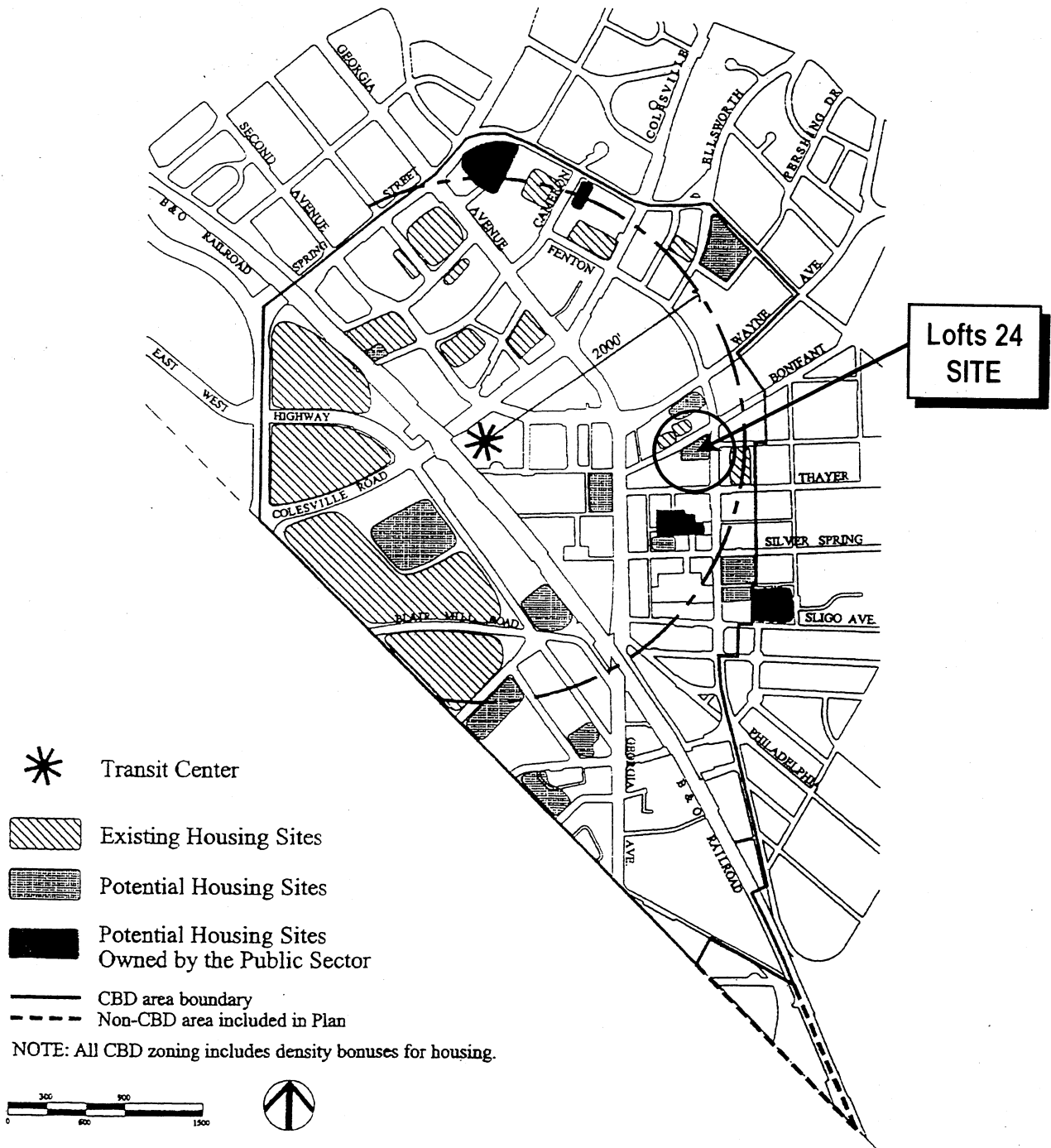
The Applicant has presented the development proposal to the East Silver Spring Citizens Association (ESSCA). ESSCA is supportive of the proposal and has provided comments to the Applicant.

MI: G:\lraola\regulatory\site\8-03025_lofts24_CBPmemo

Attachment

Attachment A- Map 35 Residential Downtown

Map 35 Residential Downtown



EAST SILVER SPRING CITIZENS ASSOCIATION, INC.

SILVER SPRING, MARYLAND

March 18, 2003

Mr. Derick Berlage
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

re: Silver Spring Park (Lofts 24); File No. J-03060

Dear Mr. Berlage:

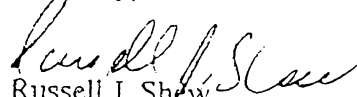
The East Silver Spring Citizens Association (ESSCA) supports the construction of Silver Spring Park, or "Lofts 24," the Tezzera Urban Authors' four-story, 24-unit condominium building at the southwest corner of Bonifant and Fenton Streets in Silver Spring. Creation of owner-occupied housing near the core of Silver Spring's downtown is a welcome addition that will have positive effects on redevelopment. ESSCA has some suggestions that we hope will be considered and implemented:

- ① sidewalks on the Fenton and Bonifant St. sides should be at least seven feet wide, to accommodate passing wheelchairs, pedestrians two abreast, strollers, etc. without having to walk single file.
- ① trees should be planted on the Fenton St. side of the property.
- ① for street lighting, we recommend "two-headed" lights (one for roadway, other for sidewalk), like those on Georgia Ave. in front of Discovery headquarters; or a mix of one- and two-head lights. Adequate lighting in this area is crucial.
- ① if feasible, the building corner at Fenton and Bonifant should be rounded, rather than right angle; e.g., use of rounded glazing that runs the full building height.
- ① the neckdown at the corner of Bonifant and Fenton should be removed.

ESSCA also commends Tezzera for incorporating an environmentally friendly "green roof" as part of the building's design.

We look forward to completion of this project and believe it will be an asset to Silver Spring. Thank you for your attention.

Sincerely,



Russell J. Shew
Vice President, ESSCA
411 Thayer Place
Silver Spring, MD 20910-5302
(301) 585-0239; rjs070@aol.com