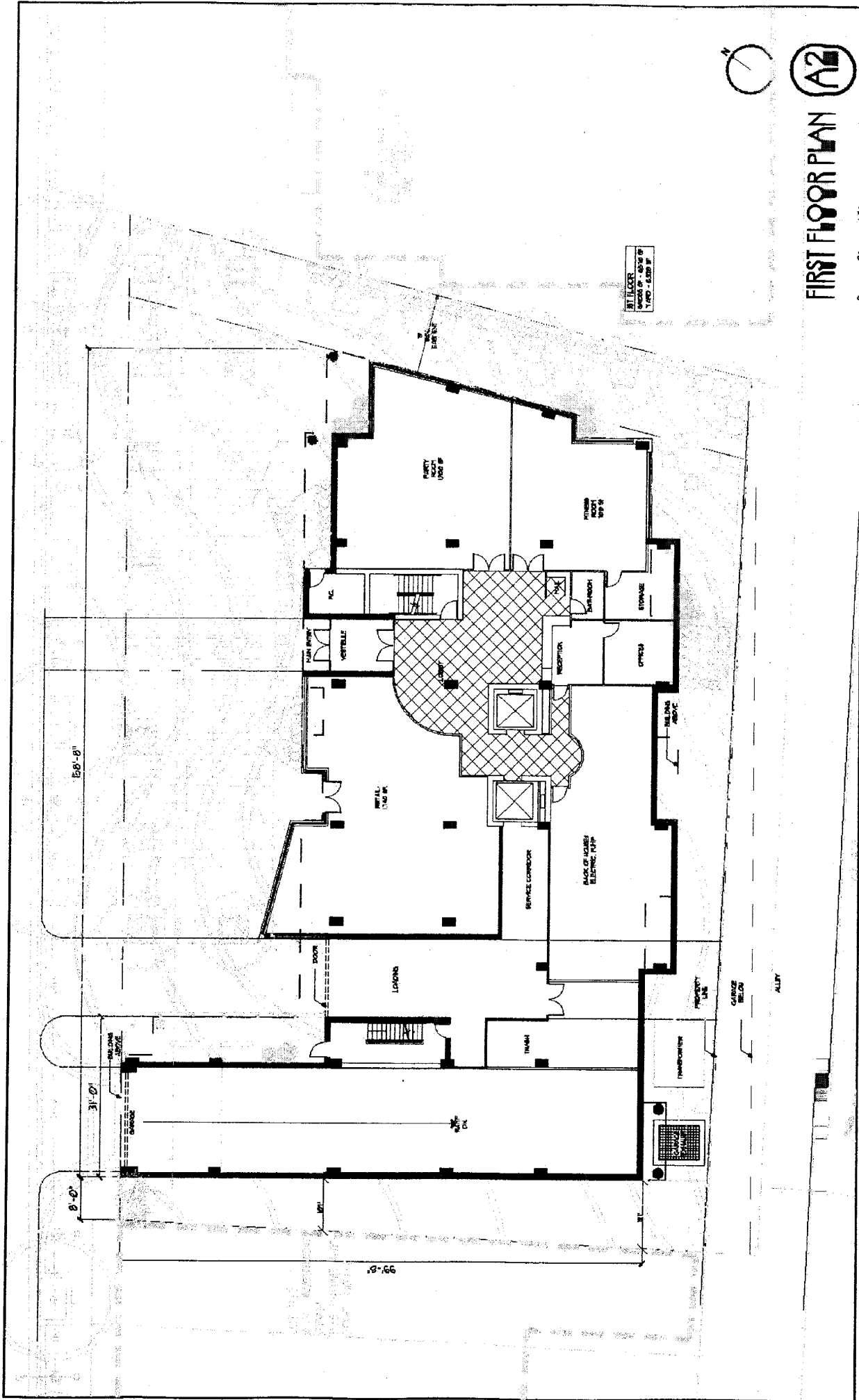


930 WAYNE AVENUE, LLC

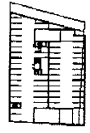
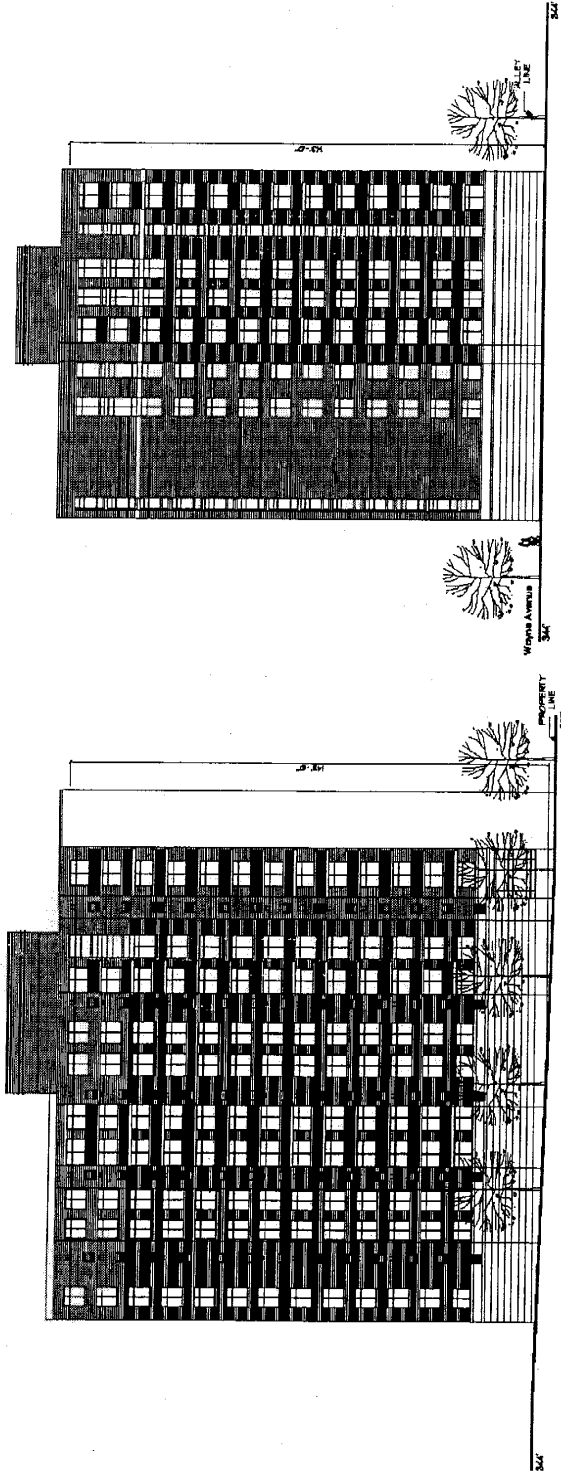
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March 30, 2006



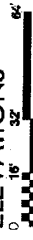
FIRST FLOOR PLAN (A2)

930 WAYNE AVENUE, LLC 930 WAYNE AVENUE



A8

ELEVATIONS



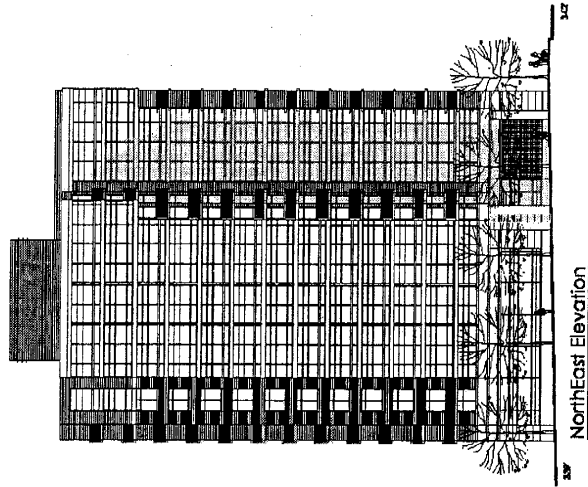
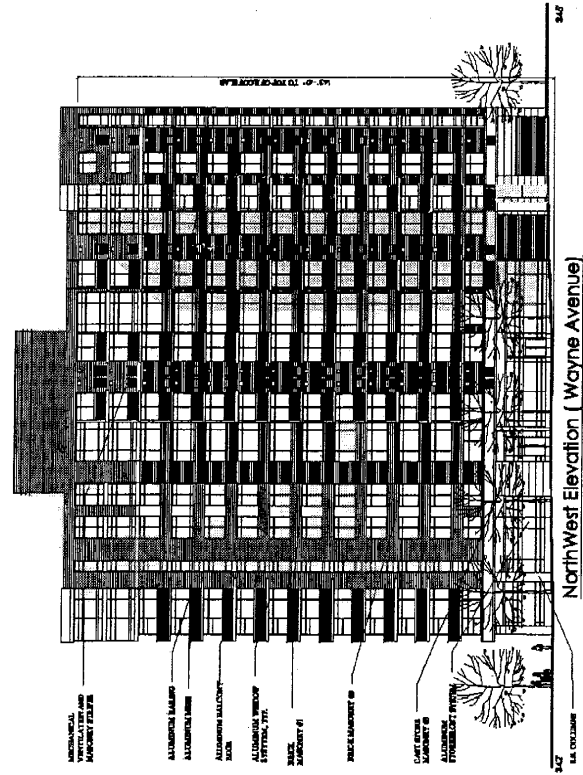
March 30, 2004

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(A7)

ELEVATIONS

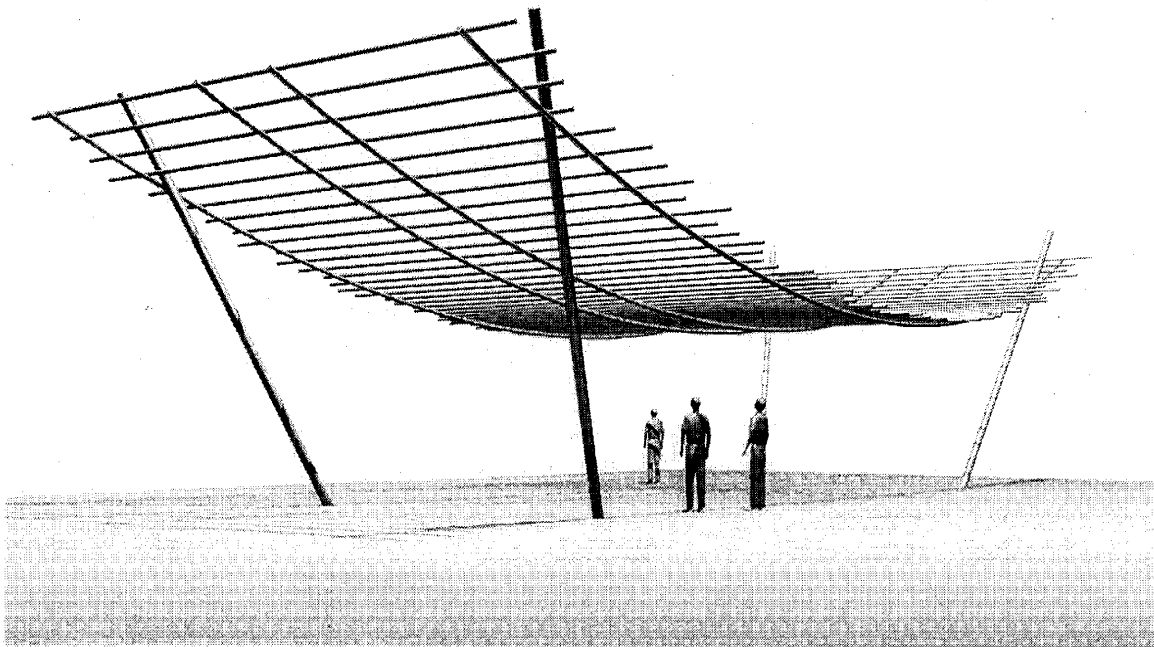
0 18' 32' 64' March 30, 2004

930 WAYNE AVENUE , LLC **930 WAYNE AVENUE**

PROJECT ARCHITECT & ENGINEER
 ARCHITECTURE 1900 W. 10TH AVENUE, SUITE 200, DENVER, CO 80202
 DATE: 03/30/04

DESCRIPTION OF PUBLIC ART

930 Wayne Avenue
Silver Spring, Maryland



DESCRIPTION OF SCULPTURE

The sculpture designed for the public space at the primary street entrance for 930 Wayne Avenue will be a stainless steel structure measuring 85 feet wide 22 feet tall and 34 feet deep. The open lattice work and curvilinear geometry of stainless steel pipe is designed to act as counterpoint and compliment to the large volume and rectilinear format of this building. The sculpture will highlight this highly public space and be accessible to pedestrian traffic.

To create continuity, the artist has worked with the landscape planners to create a flowing and organic movement of pavers and plant material. The artist will work with the landscape architect to identify furniture and lighting that enhances the primary characteristics of the art work.

PLANNING AND REGULATORY FRAMEWORK: Master Plan

The Project Plan is in conformance with the Silver Spring Central Business District and Vicinity Sector Plan (February 2000). A description of the themes and goals for Silver Spring are outlined within the Sector Plan Conformance standards on page 17 of this report.

PLANNING AND REGULATORY FRAMEWORK: Prior Approvals

The proposed development is zoned CBD-2 (Central Business District-2). On March 8, 1990, a Project Plan (#9-89004) was approved for a 182-room hotel and 3,200 foot retail building. The Preliminary Plan (#1-89288) was approved on May 10, 1990 and the Site Plan (#8-91014) was approved on November 21, 1991 for the same use. No additional submittals have been presented for this property.

A Preliminary Plan of subdivision will be required concurrently with the submittal for site plan to revise the land-use designation from a hotel and amount of retail to multi-family dwelling units.

BASIS FOR CONSIDERATION OF ISSUES

Per Sec. 59-D-2.43, in making its decision on an application for an optional method development in making the required findings, the Planning Board must consider the following:

- (a) *The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures, and its consistency with an urban renewal plan approved under Chapter 56.*
- (b) *Whether the open spaces, including developed open space, would serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are planned, designed and situated to function as necessary physical and aesthetic open areas among and between individuals structures and groups of structures, and whether the setbacks, yards and related walkways are located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.*
- (c) *Whether the vehicular circulation system, including access and off-street and loading, is designed to provide an efficient, safe and convenient transportation system.*
- (d) *Whether the pedestrian circulation system is located, designed and of sufficient size to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.*
- (e) *The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, in relation to the type of use and neighborhood.*
- (f) *The adequacy of provisions for construction of moderately priced dwelling units in accordance with Chapter 25A if that Chapter applies.*
- (g) *The staging program and schedule of development.*
- (h) *The adequacy of forest conservation measures proposed to meet any requirements under Chapter 22A.*
- (i) *The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.*

FINDINGS for Project Plan Review:

Section 59-D-2.42 of the Zoning Ordinance establishes the findings, which must be made by the Planning Board and forms the basis for the Board's consideration of approval. In accordance herewith, the staff makes the following findings:

- (a) *It would comply with all of the intents and requirements of the zone.*

Purpose Clause Section 59-C-6.212

The Montgomery County Zoning Ordinance states the purposes, which the CBD zones are designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes:

- (1) *"to encourage development in accordance with an adopted and approved master or sector plan, or an urban renewal plan approved under Chapter 56 by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan or urban renewal plan and the site plan or combined urban renewal project plan is approved on review by the Planning Board."*

The Project Plan proposes to use the optional method of development and is in conformance with the Silver Spring Central Business District and Vicinity Sector Plan. The plan uses the more intense method of development standards conforming the goals of the Sector Plan. The site is not in the Fenton Village Overlay Zone. The proposed development maximizes their permitted gross floor area and Floor Area Ratio "FAR", under the Optional Method of Development by providing the permitted 151,140 gsf and 5.0 FAR. The development reaches the maximum height limitations of 143 feet as well. A total of 143 condominium apartments are being provided, of which 18 (or 12.5% of the total number of units) will be MPDUs. All of the MPDUs are proposed to be located within the building.

- (2) *"permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities in central business districts to meet the needs and requirements of workers, shoppers and residents."*

The project plan responds to the need for housing in downtown Silver Spring and addresses the need for smart growth policies where infrastructure, community facilities and elements of an urban district already exist. The Sector Plan specifically identifies the proposed project site as a potential housing site (See Appendix A - Community-Based Planning Memorandum dated April 14, 2004). Under the optional method, this project encourages the development of active urban streets by providing public spaces along street edges and improves the quality of pedestrian environment within the improved streetscapes. The improved streetscape along with the amenities addressing the need for public interaction enhance the downtown Silver Spring area.

The project supports the economic base in the downtown by making it easier for workers in Silver Spring to live near their jobs. This project will also increase the vitality of the downtown Silver Spring and add an economic infrastructure for commercial and retail businesses in the core area.

- (3) *"To encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas."*

The proposed project strengthens this core area by complementing the scale and mix of existing design elements across Wayne Avenue within the redevelopment area of the downtown Silver Spring project. The proposed design, building facade, streetscape improvements, public use space and amenities integrate the existing framework of downtown Silver Spring with the design intent of this project. The 143-foot building will blend well with the mix of mid-rise and high-rise buildings along the north side of Wayne Avenue. The proposal seeks a height of 143 feet along the street frontage for an optional method project, and is compatible with the adjacent zones and uses.

The compatibility of the building is enhanced by the existing mix of residential and commercial buildings to the south and west of the property. The improved streetscape will complete a portion of an improved pedestrian link on the south side of Wayne Avenue. The design provides an effective relationship with adjacent uses and amenities and allows for a more interactive pedestrian and vehicular pattern. This development also prompts the redevelopment of the existing uses surrounding the site and creates a framework for the edge of the core area for downtown Silver Spring.

- (4) *"To promote the effective use of transit facilities in the central business district and pedestrian access thereto."*

The proposed development is located less than a quarter mile (5 minute walking distance) from the Silver Spring Metro Station. The proximity to transit facilities as well as the downtown employment core will reduce the dependency on the automobile for the residents of the development. The streetscape improvements along Wayne Avenue facilitate the desire for pedestrian connectivity to the bus and metro station.

- (5) *"To improve pedestrian and vehicular circulation."*

This project plan encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the enhancement to the streetscape as prescribed in the Silver Spring Streetscape Plan (April 11 92) Technical Manual, as amended.

Vehicular circulation is enhanced with improved right-of-way along the south side of Wayne Avenue and aligning the entry to the parking garage with the channelization

of vehicular traffic on Wayne Avenue. The loading space is separate from the parking garage, so as not to interfere with vehicular traffic in the garage and to provide a separate area for the retail space and infrequent deliveries. Signs indicating traffic circulation in and out of the garage will promote safety for pedestrian activity in the public use space.

- (6) *“To assist in the development of adequate residential areas for people with a range of different incomes.”*

The objective of Montgomery County for moderately priced housing is to provide MPDUs in the CBD zones where public facilities, services and transit options are readily available. Consistent with Chapter 25A, the applicant is committed to providing 18 MPDUs (or 12.5% of the total number of units) within the building.

- (7) *“To encourage land assembly and most desirable use of land in accordance with a sector plan.”*

The Silver Spring Central Business District and Vicinity Sector Plan specifically identifies the proposed project site as a potential housing site. The Sector Plan encourages residential units throughout the CBD and specifically recommends residential for the site. The project plan introduces market-rate condo units into an existing framework of commercial and retail use in downtown Silver Spring, further encouraging revitalization in the downtown corridor.

Requirements of the CBD-2 Zone

The following table demonstrates the conformance of the Project Plan with the development standards under the Optional Method of Development.

PROJECT DATA TABLE FOR CBD-2 ZONE

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
Gross Tract Area:	22,000 sf	30,228* sf
Net Site Area (after dedication)	N/A	20,828 sf
Permitted Density Calculations: Residential Apartments		143 d/u (includes 18 MPDU's/ 12.5%)
Floor Area Ratio (FAR): Optional Method (5 FAR)	151,140 sf	151,140 sf
Building Height (ft.):	143	143
Parking:	N/A **	140 (incl. 4 H/C)
Public Use Space (% of net lot area): On-Site	20% or 4,166 sf	24% or 4,999 sf
Off-Site		23.9% or 4,985 sf
Total On and Off-Site Public Use Space		47.9% or 9,984 sf

* Previous dedication (7,738 sf for Wayne Avenue right-of-way and 1,662 sf for the rear alley) exceed the lot size requirements for optional method of development projects within the CBD-2 Zone (See letter from Linowes and Blocher dated February 5, 2004 with regard to calculation of land area-Appendix D)

** The proposed development is within the Silver Spring Parking District and is not required to provide any parking on site if they are subject to the Parking District Tax.

Amenities and Facilities Summary

On-Site Improvements

Wayne Avenue Public Plaza

- Brick paved mid-block public plaza along majority of site frontage to compliment streetscape improvements
- Public Art-to highlight public's interest of the revitalization efforts of downtown Silver Spring. Art to be constructed of stainless steel and provide central focal point for pedestrian and vehicular traffic. The sculpture provides an architectural edge at the street line and integrates the building form and plaza area.
- Specialty lighting in the plaza and up-lighting of the art structure to accentuate and visually activate the plaza at night.
- Serpentine or natural waves of stone and brick paving to draw pedestrians into the plaza, expand the spatial characteristics of the street, and provide visual interplay and interest with the rectilinear nature of the building and the street.
- Raised planters of brick and stone with integrated seating to compliment art and social gatherings for pedestrians.
- Landscape beds and planters with irrigation and plant material for seasonal accent and color. Plaza trees to be complimentary to Wayne Avenue streetscape as well as providing a canopy for shade within the seating areas.
- Plaza area can be effectively integrated with indoor/outdoor retail space
- Loading access area to provide brick paving, decorative bollards and landscaping similar and complimentary to the plaza and building façade.
- Existing overhead utilities to be installed underground consistent with the Silver Spring Master Plan
- Make available a space for public outdoor interaction
- Make available a space for entertainment as needed in conjunction with the Silver Spring Urban District (SSUD), and accommodations for outdoor entertainment

Off-Site Improvements

Wayne Avenue Right-of-Way

- Streetscape on the south side of Wayne Avenue along the entire property frontage to include Street trees (Willow Oaks), Brick Pavers and Street Lights (Washington Globe) consistent with Silver Spring Streetscape Plan Technical Manual
- Brick driveway apron consistent with patterns proposed in the plaza, entrance to parking garage from Wayne Avenue
- Granite sets within the tree pits as specified in the Silver Spring Streetscape Plan Technical Manual
- Streetscape within the existing Wayne Avenue right-of-way from the subject property west to the alley access prior to the Georgia Avenue right-of-way.

Streetscape to include street trees, brick pavers and streetlights consistent with the Silver Spring Streetscape Plan Technical Manual.

- Existing overhead utilities to be installed underground consistent with the Silver Spring Master Plan

(b) ***The proposal conforms to the approved and adopted Master or Sector Plan or an Urban Renewal Plan approved under Chapter 56.***

Zoning and Land Use:

The approved CBD Sector Plan recommended that the CBD-2 (Central Business District, 2.0) zoning for this site. This zoning was enacted through the Sectional Map Amendment (SMA) adopted July 18, 2000 per County Council Resolution 14-600.

The proposed project plan conforms to the uses permitted in the existing CBD-2 Zone for the site. The development proposes 151,140 sf (5 FAR) of 143 residential condominium apartments including 18 MPDUs or 12.5% of the total number of units proposed in the building. The proposed development is utilizing the optional method of development in the CBD-2 zone. The minimum required public use space for this project is 4,166 sf (20% of the net lot area). The project proposes 4,999 sf or 24% of the net lot area on site, dedicated to public use space, in addition to the 4,985 sf or 23.9% proposed for off-site streetscape improvements within the right-of-way of Wayne Avenue. The total public use and amenity space provided by the applicant for this development is 9,984 sf or 47.9% of the net lot area.

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. Four of these six themes, which directly apply to this development, include a *Commercial Downtown*, a *Residential Downtown*, a *Green Downtown* and a *Pedestrian-friendly Downtown*. Market-rate residential units will emphasize the residential compatibility of the Silver Spring corridor and complement the vibrant construction and revitalization of the downtown area. The residential element will also cater to a variety of professionals who wish to strengthen the economic viability of downtown Silver Spring. The project is being developed under the Optional Method of Development, which requires that applicant provide public use and amenity space on and off their site. The public use space combines public art along with the optional method streetscape treatment. This type of development provides residential corridors an opportunity to improve urban streetscapes and pedestrian circulation in an active urban setting, specifically within the Wayne Avenue right-of-way. In addition to the proposed improvements, the Sector Plan specifically encourages the redevelopment of vacant or underutilized buildings.

- A. Compatibility:** The Sector Plan address issues relevant to compatibility by requiring special development standards with regard to building heights and setbacks. The height of the proposed building meets the intent of the zone and requirements within the CBD.

The proposed building will be 143 feet in height from the street grade at Wayne Avenue and will be setback approximately 50 feet from the Wayne Avenue right-of-way. The building frontage along Wayne Avenue will be at street level and will include the residential lobby and retail space that protrudes slightly into the public use space. The building's vehicular access to the parking garage, and primary loading and service area is located directly off of Wayne Avenue and will be enhanced to compliment the adjacent plaza area with pavers, bollards and amenity lighting and landscaping.

The applicant proposes to improve the streetscape with street trees, specialty pavers and lighting to assist in integrating the proposed building with the surrounding environment and residential communities. The applicant has committed to enhancing their public participation and enjoyment by proposing a public plaza with art, seating and landscaping.

- B Streetscape:** This development proposes improvement to the south side of Wayne Avenue along the frontage of the property, consistent with the design guidelines of the *Silver Spring Streetscape Plan (Adopted April 1992) Technical Manual*.

The applicant proposes to improve Wayne Avenue as specified in the Silver Spring Streetscape Plan Technical Manual with the recommended species of Willow Oaks within the amended soil panels, brick pavers and streetlights (Washington Globe).

The applicant also proposes to improve the streetscape along the south side of Wayne Avenue from the subject property to the alley access at the Georgia Avenue right-of-way. The same elements of the streetscape with the right-of-way along the frontage of the property will be applied to this section of right-of-way, including the street trees, lights and pavers as specified in the Silver Spring Streetscape Plan Technical Manual

- C. Silver Spring Wayfinding System:** Coordinate with the Silver Spring Regional Service Center regarding the placement of any way finding signs as described by the Silver Spring Way finding System.

- D. Public Art:** The Planning Commission has formed an Art Review Panel composed of representatives from the development, academic and arts community. The Panel provides input on the location, type and community context for all public art proposed for Optional Method Development projects in

Silver Spring. The applicant has met with the Silver Spring CBD Art Review Panel for review for guidance. The public art component will be presented to the Art Review Panel for review prior to submittal of the site plan. Details of the final artwork will be reviewed prior to Site Plan review by the Planning Board.

The sculpture designed for the public space at the primary street entrance for 930 Wayne Avenue will be a stainless steel structure measuring 85 feet wide by 22 feet tall and 34 feet deep. The open latticework and curvilinear geometry of stainless steel pipe is designed to act as counterpoint and compliment to the large volume and rectilinear format of this building. The sculpture will highlight this highly public space and be accessible to pedestrian traffic. The artist will work with the landscape architect to identify site furniture and lighting that enhances the primary characteristics of the artwork.

- (c) *Because of its location size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.*

The project is complementary to the range of commercial and residential characteristics of the surrounding neighborhood. The design and scale of the project, pedestrian and vehicular circulation and improvements to the streetscape provide an enhancing and interactive relationship with the downtown Silver Spring. The proposed development is compatible with the existing development occurring in downtown Silver Spring and encourages redevelopment of adjacent properties in the CBD.

- (d) *As conditioned, the proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

The project proposes market-rate units amid a number of housing projects within the downtown Silver Spring area. Parking for the proposed residential units will occur on-site within a sub-surface parking garage. A total of 140 spaces are being provided in the subsurface parking. The remaining parking typically required for residential projects will take advantage of the county parking facilities. The property will not overburden existing public services by the improvements that are being made to the streetscape for pedestrian accessibility to the metro and taking advantage of existing vehicular traffic conditions.

- (e) *The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.*

The Optional Method of Development permits a more efficient and desirable product than by using the standard method of development. The Project Plan proposes to use the optional method of development and is in conformance with the goals and objectives of

the Silver Spring Sector Plan. The proposed development intends to maximize its' gross floor area on site to 151,140 square feet for a Floor Area Ratio "FAR" of 5.0

- (f) ***The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.***

This proposal requires eighteen Moderately Priced Dwelling Units (MPDU's) or 12.5% of the proposed residential dwelling units within the development. The applicant is proposing to provide all eighteen MPDU units on-site.

- (g) ***When a Project Plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from on lot to another or transfer densities, within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C 6.2351 or 59-C 6.2352 (whichever is applicable), the Project Plan may be approved by the Planning Board based on the following findings:***

Not Applicable.

- (h) ***As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.***

The property is exempt from the forest conservation requirements.

- (i) ***As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.***

Conditional approval from the Montgomery County Department of Permitting Services (DPS) for Stormwater Management is pending. Approval of final Stormwater Management is required prior to submittal of the Site Plan application. Consideration of Green Roof Technology is recommended by DPS to address quality and quantity management.

APPENDICES

- A. Memos from Staff
- B. Letters from Silver Spring Chamber of Commerce, Silver Spring Urban District and the Woodside Park Civic Association
- C. Letter from AV Investments Maryland LLC dated March 8, 2004 and letter from Linowes and Blocher dated April 6, 2004
- D. Letter from Linowes and Blocher dated February 5, 2004 regarding building setback