



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

July 16, 2004

Robert C. Hubbard
Director

Mr. Todd M. Reddan, P.E.
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866

Re: Stormwater Management **CONCEPT** Request
for Jordan & Smith Addition to Silver Spring
Preliminary Plan #: Pending
SM File #: 210991
Tract Size/Zone: 0.48 Ac./CBD-2
Total Concept Area: 0.48 Ac
Lots/Block: 30/1
Watershed: Lower Rock Creek

Dear Mr. Reddan:

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 an "Aquafilter" or a "StormFilter". This site is considered as redevelopment. Therefore, onsite recharge is not required. 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. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Please meet all the requirements as per the attached letter dated June 1, 2004 in reference to 'Proprietary Stormwater Management Filtration Systems'.

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.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



unless specifically approved on the concept plan. 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:dm CN210991 Jordan & Smith Addition to Silver Spring.DWK

cc: R. Weaver
S. Federline
SM File # 210991

QN -Onsite; Acres: 0.48
QL - Onsite; Acres: 0.48
Recharge is not provided

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: September 16, 2004

MEMO TO: Michael Ma, Supervisor
Development Review Committee, MNCPPC

FROM: William Campbell
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 8-05004, The Crescent
Project Plan #
Preliminary Plan # 1-89288A, DPS File # 210991
Subdivision Review Meeting of September 20, 2004

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site: CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved July 16, 2004
 Waiver: CPv WQv Both
 Approved on
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification .

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations: Provide written approval from WSSC to allow the flow splitter and HDPE storm drain to remain in the WSSC easement, there will need to be a stormwater easement around the flow splitter and stormwater structure that will overlap the WSSC easement.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bl DRC site plan.03/01

EPD Recommendation to Dev Rev Div: XXX Approve

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Robert Kronenberg
Development Review Division

SUBJECT: Plan # 1-89288A and 8-05004, Name Jordan and Smith's Addition/The Crescent
DRC date: September 20, 2004

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

XXX Plan is complete. (see recommendations below)

XXX Forest Conservation EXEMPT and NRI/FSD approved per
NRI/FSD #4-04113E "SMALL PROPERTY" Exemption granted 8/02/04.

 SWM Concept _____

EPD RECOMMENDATIONS:

XXX Approval: No forest conservation or noise conditions necessary.

 Hold for the following Revisions/Additional Information before scheduling for Planning Board:

 Revise forest conservation plan (see FCP recommendation sheet)

 Water and/or Sewer category change approval necessary (see comments)

 DPS floodplain study approval necessary

 DPS SWM concept approval necessary _____

XXX Comments: Adequate attention to fresh air intakes/garage exhaust relative to amenity/public space, and dumpster location ??

SIGNATURE:  301-495-4550 Date: September 20, 2004

Steve Federline, CW Environmental Planning
Countywide Planning Division

cc: engineer/applicant

**DEVELOPMENT REVIEW COMMITTEE
TRANSPORTATION PLANNING COMMENTS**

Item No. **8** Memo Required? Yes No **X**

Meeting Date **09/20/04** Transportation Planner **Maureen Decker** Ext **4529**
Date of Prior DRC **01/12/04** Dev. Rev. Planner **R. Kronenberg** Ext **2187**

Plan Number(s) **8-05004 (Concurrent with 1-89288-A)** Zone **CBD-2**

Plan Name **The Crescent (930 Wayne Avenue or Jordan & Smith's Addition to Silver Spring, Lot 30, Block 1)**

Applicant Name, Representative, or Attorney

Applicant=930 Wayne Avenue, LP - Stephen Jones.

Engineer=Guts chick, Little & Weber, P.A. - Todd Reddan / Keven Foster

Attorney=Lingoes & Blocher, LLP - Erin Girard (& Stephen Kaufman)

Policy Area **Silver Spring Central Business District** Parcel or Lot Numbers **Lot 30, Block 1 (Record Plat 590-39)**

Development Type **High-Rise Condo Apts.** **Ancillary Retail**

Size/Number of Unit **143 units** **Reduced to 1,740 sq. ft.**

No. of Lots **to one** Phasing **no**

WSSC Map No(s) **207NW06** Tax Map No(s) **JN 343**

I. ADEQUATE PUBLIC FACILITIES

Existing Land Use/Occupied House(s) **(vacant)**

Prior approval for	Same as Above	As	1-89288-A (concurrent with 8-05004)	On	No PB Hearing Yet
For	143 apts. & 2,317 sq. ft. Retail Uses	As	9-04005	On	PB Approval=04/29/04
For	2,200 sf retail & 88,933 sf Hotel	As	8-91014=Wayne Avenue Hotel	On	PB Approval=11/21/91
For	3,200 sf retail & 93,792 sf Hotel	As	1-89288=Silver Spring Jordan & Smith Add.	On	PB Approval=05/10/90

a. Policy Area Review

Staging ceiling capacity (jobs/housing) available Yes **X** No
Number of jobs remaining as of
Number of housing units remaining **+ 4,448** as of **06/30/04**

If deficit: De Minimis Mitigation Pay & Go DAP

Proposed traffic mitigation program for policy area review:

Required/optional participation in TMO for **(NO- not for HU in Silver Spring TMD)** I-3 Zone

b. Local Area Review

Traffic study required **No>Prel PI** Traffic statement required **No** Submitted on **(was 12/10/03)**
Traffic study/statement complete Letter sent Submitted by **(Wells&Assoc.)**

Key Transportation Issues

1. **Provide one indoor garage bike locker, two bike racks at the entrance of the apartment, and one bike rack by the retail stores' front. Provide 10 bike lockers and 10 additional bike racks in the garage structure given the adjacent Silver Spring Green Trail on Wayne Avenue and proximity of the Metro Branch Trail. Coordinate with Chuck Kines of Park & Planning staff.**
- 2.
- 3.
- 4.

II. RIGHT-OF-WAY DESIGNATION/USE

Roadway(s)

Wayne Avenue

Alley to Confidant Street

Master Plan designation

Arterial (A-76)

Master Plan right-of-way

80 feet with Promenade

X	Dedicated as shown on plan	40 feet from the centerline
	Additional dedication for	
X	Designated bikeway as Class/Side of Road	Class I, Silver Spring Green Trail on the opposite side
X	Sidewalk	12 feet on Figure C-15

Rustic Road

Roadway(s)

Master Plan designation

Master Plan right-of-way

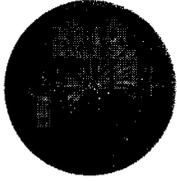
	Dedicated as shown on plan
	Additional dedication for
	Designated bikeway as Class/Side of Road
	Sidewalk

Rustic Road

	Provide roadway connection to
	Provide sidewalk connection to
	Abandonment needed for
	Place in reservation for
	Place in easement (transit/roadway) for

COMMENTS:

1. Access for a new public parking garage is opposite proposed garage access point.
2. The site is adequate from Wayne Avenue as an arterial -- besides an analyzed business district street.
3. Sight distance will be needed from Wayne Avenue.
4. Bus service is available along Wayne Avenue -- Metrobus route J-4 and Ride-On routes 15, 19, 28.
5. Any lighting along sidewalks and roadways should meet IES-NA standards.



October 8, 2004

MEMORANDUM

TO: Robert Kronenberg, Planner
Development Review Division

Richard Weaver, Supervisor
Development Review Division

FROM: Shahriar Etemadi, Supervisor
Transportation Planning

SUBJECT: Preliminary Plan #1-89288R/Site Plan #8-05004, 930 Wayne Avenue, Silver Spring Central Business District

This memorandum is Transportation Planning staff's Adequate Public Facilities review of the subject application.

RECOMMENDATION

Transportation Planning staff recommends the following condition as part of the requirements related to the approval of this Project Plan.

1. Dedicate 40 feet from the centerline to provide for a total of 80 feet right-of-way for Wayne Avenue, as shown on the plan.

Local Area Transportation Review

A traffic study was submitted to determine the impact of the proposed development on the local area transportation system. A total of five intersections in the study area were evaluated and Transportation Planning staff concurs with the conclusion of the study that all intersections operate within the congestion standard of 1,800 Critical Lane Volume (CLV) for the Silver Spring Central Business District (CBD).

Generated trips from the site were added to the existing and background traffic (trips from approved but unbuilt developments) to form the total future traffic. The total future traffic was assigned to five intersections to calculate the CLVs at each intersection. The results of the CLV calculations are shown in the following table.

Intersection	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Georgia Ave/Wayne Ave	1,225	1,210	1,268	1,482	1,279	1,509
Georgia Ave/Bonifant Street	972	1,015	992	1,048	1,000	1,053
Georgia Ave/Thayer Ave	882	974	899	1,009	906	1,015
Fenton Street/Bonifant Street	738	871	1004	1402	1,009	1,404
Fenton Street/Wayne Avenue	819	978	899	1102	904	1,113

Site Access, Circulation and Pedestrian Facilities.

The site will have one access from Wayne Avenue that is expected to operate safely and efficiently.

Planned pedestrian movements are safe due to minimized points of conflict by having only one access point on Wayne Avenue. Some of the signalized intersections in the vicinity of the site could be provided with additional crossing time to allow for pedestrians to cross safely.

This section of Wayne Avenue is part of the Wayne Avenue Green Corridor, and a Class I bikeway will be installed on the west side of the street (opposite of the site) that will provide for safe bicycling for the users along this corridor.

Policy Area Transportation Review/Staging Ceiling Analysis

The site is located within the Silver Spring CBD area, which has a remaining capacity of 4,583 housing units and 2,860 jobs, as of March 31, 2004. The application therefore satisfies the Policy Area Transportation Review test.

SE/gw

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FOREST CONSERVATION RECOMMENDATIONS**

TO: Plan enforcement staff, Development Review Division

SUBJECT: Project Name 930 Wayne Avenue Date Recd 11/5/03
NRI/FSD # 4-04113E

The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption:

EXEMPTION:

Small Property

Activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

Note: Tree Save Plan, including preservation and/or replanting of individual trees is required in lieu of a FCP where trees are impacted. Forest within any priority area on-site must be preserved.

NOTE: Per section 22A-6(b) of the Forest Conservation Law, Tree Save Plans may be substituted for Forest Conservation Plans on properties where the proposed development is exempt from Forest Conservation except that it involves clearing of specimen or champion trees.

This property may be subject to a Tree Save Plan. The need for a tree-save plan will be determined as part of the development review process (project plan, preliminary plan, and/or site plan).

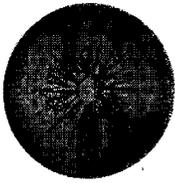
This property is not within a Special Protection Area.

Signature: Candy Bunnag
, Environmental Planning

Date: 11/26/03

cc: Thomas Zyla, GLW (fax: 301-421-4186)

fcpxemption.doc r01/03



October 13, 2004

MEMORANDUM

TO: ✓ Robert Kronenberg, ASLA, Planner Coordinator
Development Review Division

Richard Weaver, Planner Coordinator
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: Site Plan Review No. 8-05004
Preliminary Plan Review No. 1-89288A
The Crescent (930 Wayne Avenue)

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 on the south side of Wayne Avenue west of Fenton Street in the core area of Silver Spring. Community-Based Planning recommends the approval of this Site Plan and Preliminary Plan and finds the development proposal consistent with the approved CBD Sector Plan.

ZONING AND LAND USE:

The 30,228 square foot subject property is zoned CBD-2 (Central Business District, 2.0). The approved CBD Sector Plan recommends retaining the CBD-2 zoning for this site, which was reconfirmed through the Sectional Map Amendment (SMA) adopted July 18, 2000, per County Council Resolution 14-600.

The proposed mixed-use development is comprised of 143 residential units and 1,740 square feet of retail space which are permitted uses under the CBD-2 zone. The Sector Plan specifically identifies this property as a potential housing site (see **Attachment A-Map 35 Residential Downtown**). The proposal will be implemented under the optional method of development. The project proposes 150,993 GSF (gross square feet) of development (149,252 GSF of residential and 1,741 GSF of non-residential) with a 5.0

FAR. The permitted maximum density for this site under the optional method of development is 5.0 FAR or 151,140 GSF of mixed-use development per the CBD-2 zone. The minimum required on-site public use space for this project is 4,166 square feet (20% of the net lot).

The applicant proposes to satisfy this requirement by providing 4,999 square feet of on-site public use space or 24.0% of the net lot area. In addition, the applicant proposes 4,985 square feet of off-site streetscape improvements for a total of 9,984 square feet of on-site and off-site public use space, 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 themes (i.e. a commercial downtown; a residential downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed project. The proposed mixed-use building will provide retail space on the ground floor. The Sector Plan encourages housing as an important component to the revitalization efforts. This project is being developed under the optional method of development and proposes a new public space with public art as well as the optional method streetscape treatment. This project encourages the development of active urban streets by providing building entrances fronting Wayne Avenue and the clearly accessible public space as activity generators. This proposal improves the quality of the pedestrian environment by extending the optional method streetscape treatment along Wayne Avenue to the west and also improves access to transit.

- A. **Silver Spring Wayfinding System:** There are no wayfinding signs proposed in the vicinity of the existing street frontage.
- B. **Sector Plan Street Rights-of-Way:** The Sector Plan recommends a street right-of-way of 80 feet for Wayne Avenue. Street right-of-way dedications to Wayne Avenue were required and recorded from a previously approved optional method proposal on this property. No additional street right-of-way will be required. Staff also supports the abandonment of the existing ten foot public utility easement (PUE) along Wayne Avenue in order to facilitate the implementation of the Type "B" streetscape treatment and amenities in the public use space.
- C. **Streetscape:** The applicant proposes to improve the sidewalk with the Type "B" streetscape treatment along Wayne Avenue frontage west to the existing alley that parallels Georgia Avenue. The streetscape design proposed for the project should be in accordance with the standards of the *Silver Spring Streetscape* technical manual or as amended. The applicant has agreed to relocate all overhead utilities underground along the Wayne Avenue frontage.

COMMUNITY OUTREACH:

The applicant met with and received positive endorsements from various community and civic groups regarding this proposal during Project Plan review earlier this year. These groups included the Greater Silver Spring Chamber of Commerce and the Silver Spring Citizens Advisory Board. Staff has contacted representatives from both of these groups and confirmed that their positions remain in favor of the proposal subject to the current proposal having no significant changes from what was proposed at Project Plan.

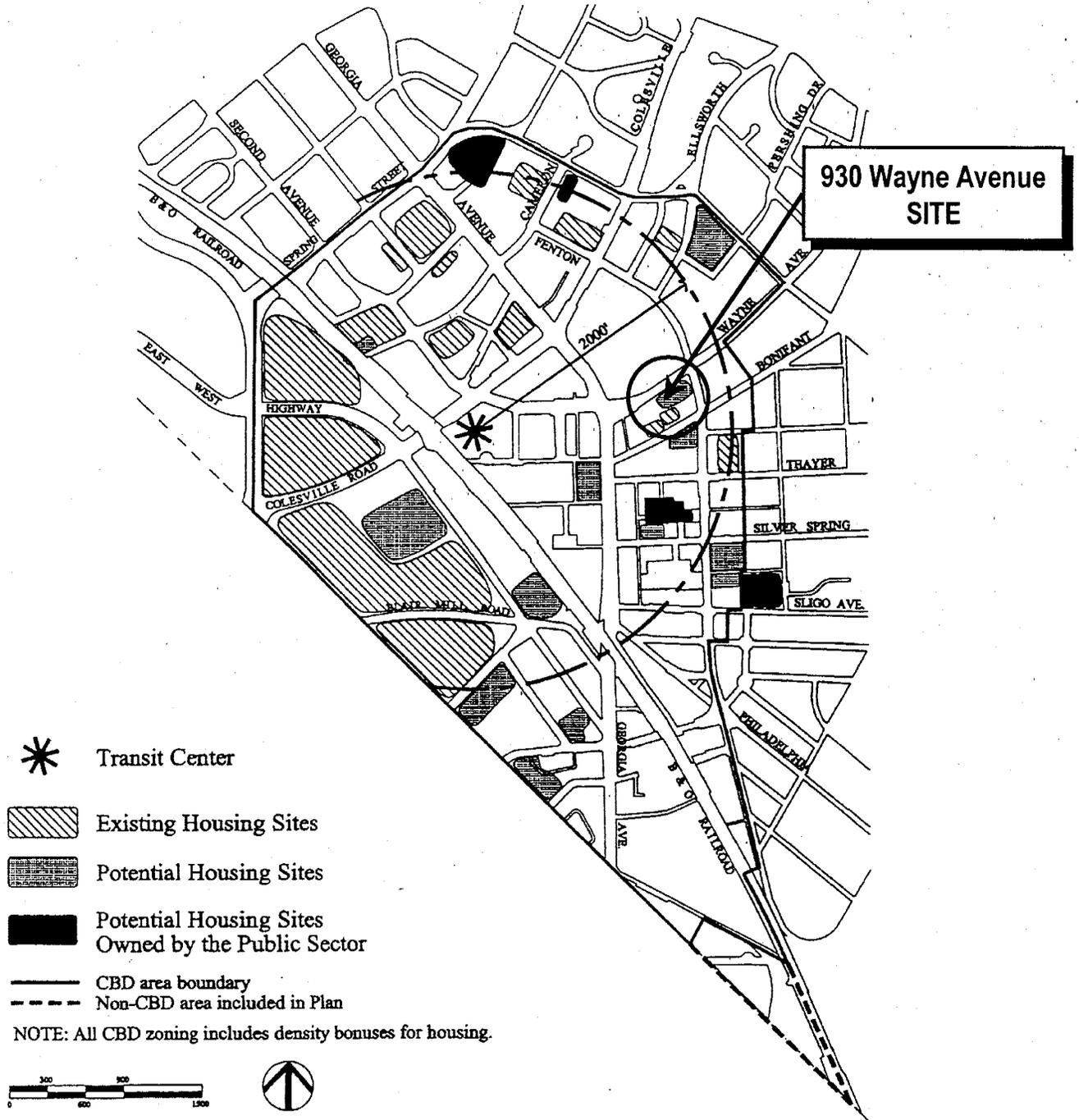
The applicant has made significant outreach efforts to the property owners affected by the proposed streetscape improvements along Wayne Avenue west of the project. In particular, the applicant has coordinated with the Washington Real Estate Investment Trust, owners of the building at 962 Wayne Avenue.

Attachment

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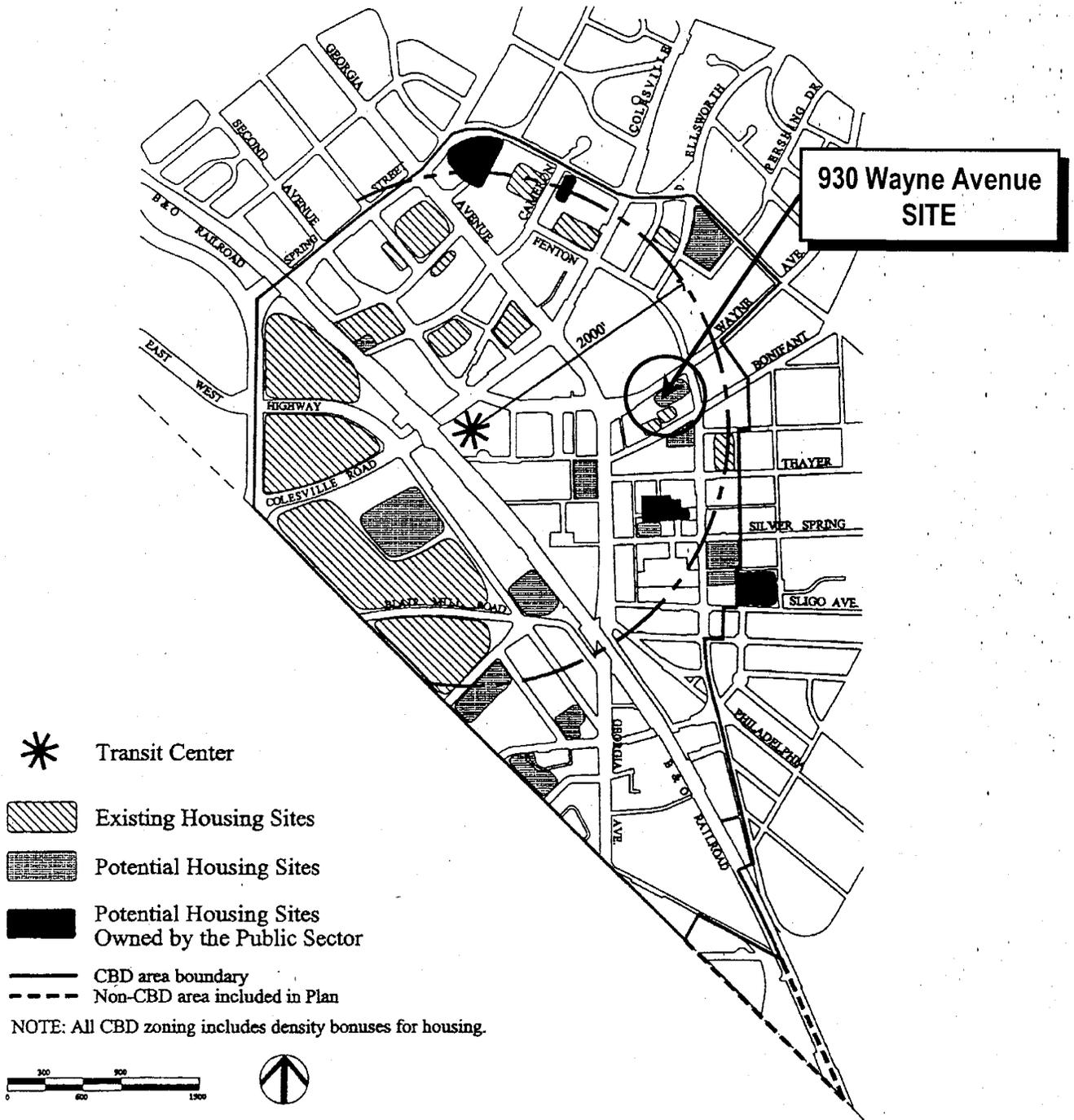
Attachment A- Map 35 Residential Downtown

Map 35 Residential Downtown



Attachment A- Map 35 Residential Downtown

Map 35 Residential Downtown



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is dated this _____ day of _____, 2004, by and between 930 Wayne Avenue LP ("Wayne") and the Montgomery County Department of Housing and Community Affairs ("DHCA").

WHEREAS, Wayne intends to construct a 143-unit condominium project located at 930 Wayne Avenue in Silver Spring, Maryland. This project is known as the Crescent and is a single-phase project.

WHEREAS, Wayne is currently undergoing review by the Planning Board for site plan and preliminary plan approval;

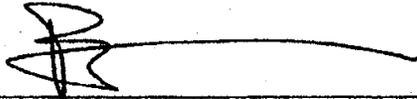
WHEREFORE, the parties agree as follows:

- A. The provision of MPDU units shall be as follows:
 - a. 100% of the required MPDU's shall be provided on site
 - b. 100% of the required MPDU's shall be one bedroom units
 - c. The 604 sf units will be sold for \$160,544
 - d. The 678 sf units will be sold for \$171,539
- B. The parties agree to the above conditions and understand that a formal agreement to provide moderately priced dwelling units will be entered into once the site plan and preliminary plan have been approved by the Planning Board.

IN WITNESS THEREOF the parties set their hands and seals below.

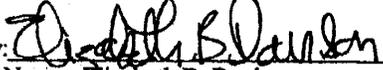
930 Wayne Avenue LP

by 930 Wayne Avenue LLC, Managing Partner



Leith Wain, Managing Member,
930 Wayne Avenue LLC

MONTGOMERY COUNTY
DEPARTMENT OF COMMUNITY
AFFAIRS

By: 
Name: Elizabeth B. Davison