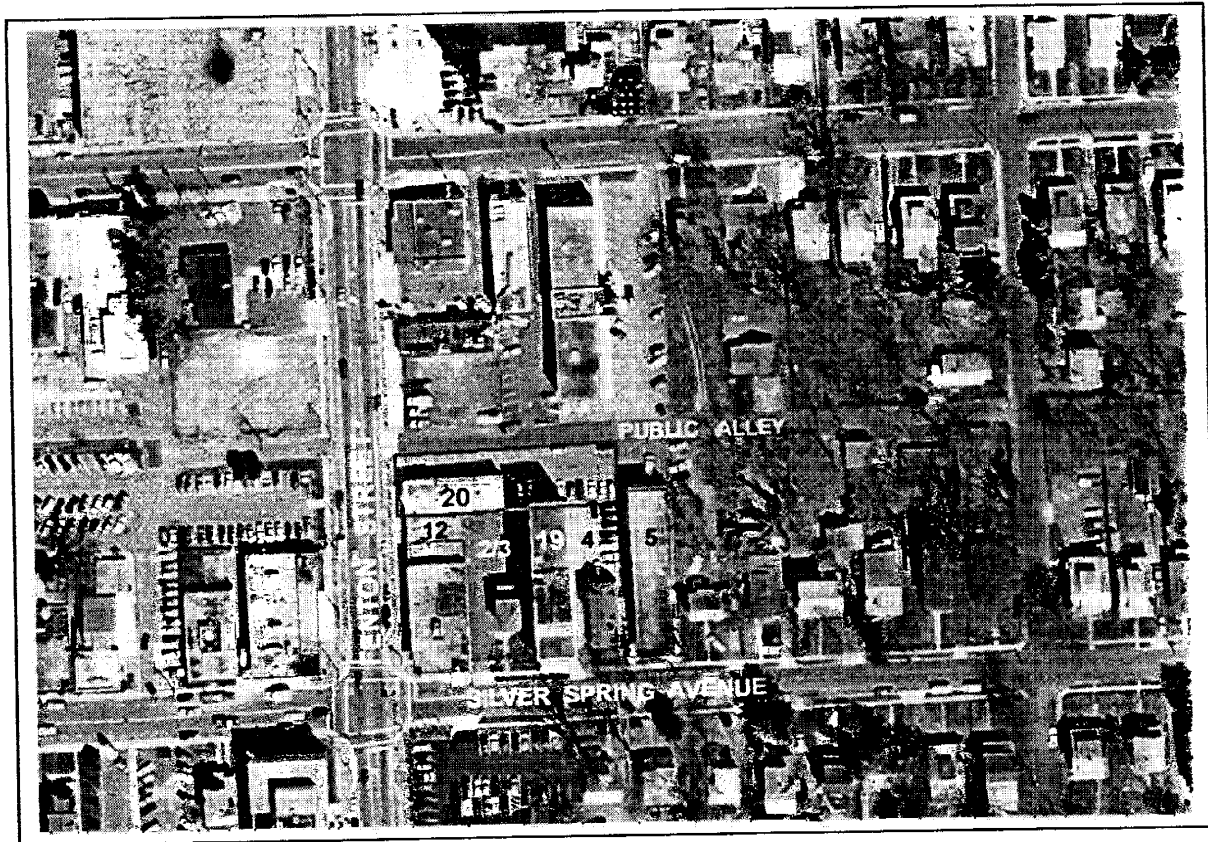


## PROJECT DESCRIPTION: Vicinity

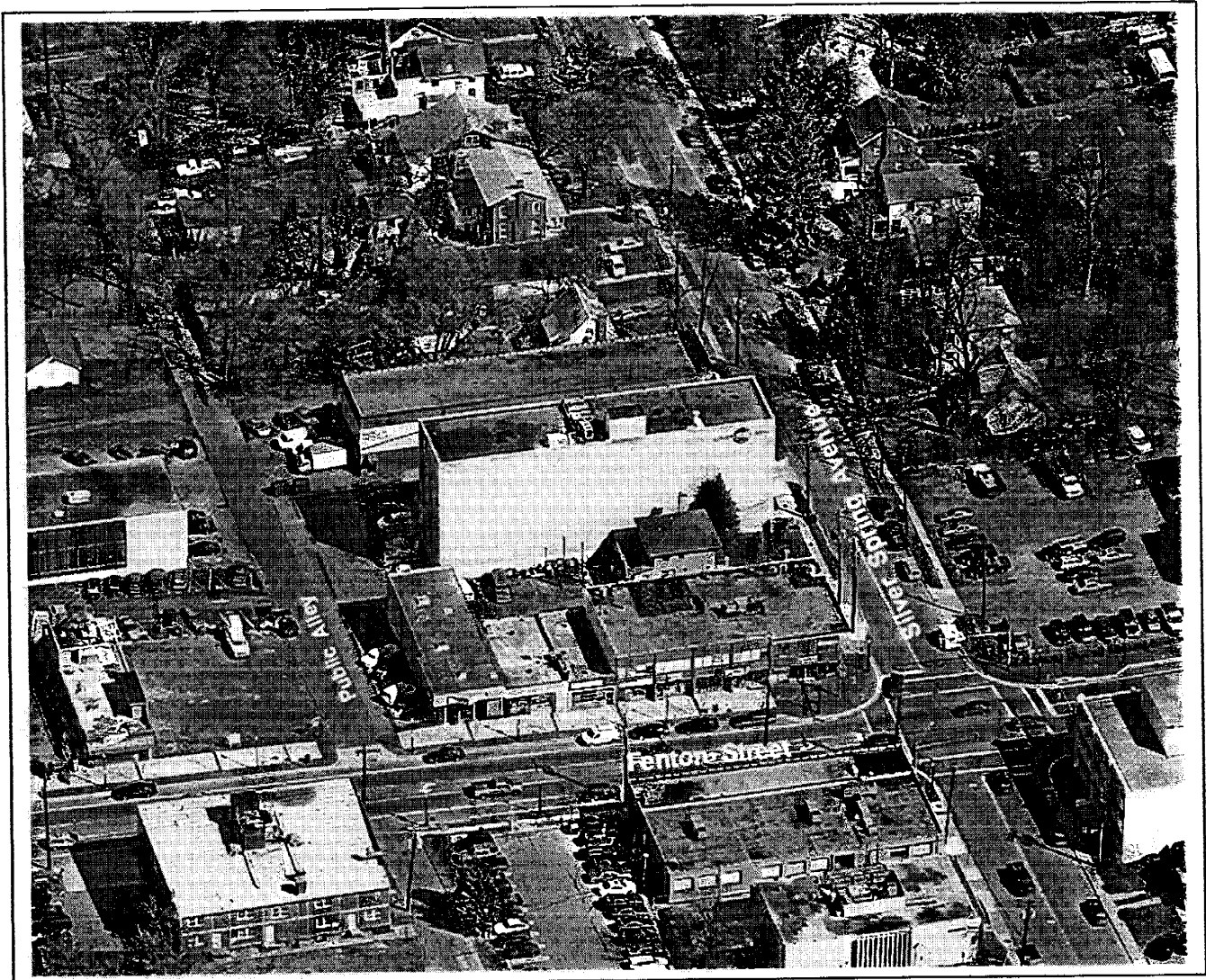
The site, located on the east side of Fenton Street between Silver Spring Avenue and Thayer Avenue, forms the frontage of the public alley that bisects this block of Fenton Village and connects to the residential neighborhood to the east. The site lies entirely within the boundaries of the Fenton Village Overlay Zone. The Silver Spring CBD extends approximately 50 feet to the east, with layered zoning intensity that steps down from CBD-1 along Fenton Street to CBD-0.5 along Silver Spring Avenue and the block interior. The zoning changes are demarcated by the sharp change in green area from the commercial zone to the adjoining R-60 zone of one-family homes to the east.



The block itself is comprised of one-story commercial storefronts facing Fenton Street, and a 4-5-story office building, located mid-block AT 817 Silver Spring Avenue. The five-story building, known as the Globe Building, was built in the 1960's and houses commercial tenants. The building was constructed to lot lines on the north, west, and south, leaving a linear 6-foot strip on the east that forms a shared easement with development on Lot 5.

**PROJECT DESCRIPTION: Site Description**

The site consists of 9,461 square feet of area, zoned CBD-1. The lot itself, providing 50.01 feet of street frontage along Fenton Street, extends 188.81 feet back from the street along the public alley. The site currently supports a one-story commercial structure that requires extensive upgrade and repair. Spanning the rear of 4 parcels lengthwise along its south property line, the linear parcel drops 11 feet in grade to its eastern property line. The Fenton Village streetscape has been installed along the street frontage in a concrete and brick-banded pattern.



**The 8215 Fenton Street is outlined in red. The proposed building will extend eastward along the public alley frontage; the proposed structure will adjoin four lots with frontage on Silver Spring Avenue.**

**PROJECT DESCRIPTION: Prior Approvals**

The proposed development site is included in the CBD-1.0 Zone and the Fenton Village Overlay Zone. No Preliminary Plan exists for the site, the parcel having been platted in 1904, per Plat #54, with an assumed 3,181 square feet of dedication; further area of 400 square feet was dedicated along the Fenton Street frontage in 1971 per plat #9997.

<p>MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION MONTGOMERY COUNTY PLANNING BOARD</p> <p>APPROVED: <u>May 13, 1971</u>  <i>Sarah Lee Probst</i> CHAIRMAN  <i>John A. Sprague</i> SECRETARY-TREASURER</p> <p>M.N.C.P.C. RECORD FILE NO. <u>111-22</u>          *For Public Sewer and Water Systems Only*</p>	<p>MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS ASTOR ROAD AND STREET GRADERS</p> <p>APPROVED: <u>JULY 28, 1971</u>  <i>Richard D. Lynch</i> DEPT. DIRECTOR</p>
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**OWNER'S DEDICATION**

We, Benjamin F. Eckles and Albert J. Kay, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines and grant to Montgomery County, Maryland, slope easement 1 foot wide on this plot adjacent contiguous, and parallel to the right-of-way lines shown hereon. Slope easements granted hereon shall be extinguished after all the public improvements requiring said easements have been lawfully completed and have been accepted for maintenance by Montgomery County, Maryland, or other appropriate agency.

There are no suits of action, leases, liens or trusts on the property included on this plan.

April 23, 1971  
*B. F. Eckles* BENJAMIN F. ECKLES WITNESS  
*A. J. Kay* ALBERT J. KAY WITNESS

**SURVEYOR'S CERTIFICATION**

I hereby certify that the plot delineated hereon is correct; that it is a subdivision of all the lands conveyed by Rodney L. Senseman and Megan N. Senseman, his wife, to Benjamin F. Eckles and Albert J. Kay, by deed dated June 15, 1959 and recorded in Liber 2829 of Folio 421 of the land records of Montgomery County, Maryland, and that iron pipes shown this — are in place as indicated.

Street dedicated by this plat is 400 square feet.  
 April 23, 1971

**LOT 20**  
 A RESUBDIVISION OF PARTS OF LOTS 1, 2, 3 & 4 BLOCK  
**R. HOLT EASLEY'S SUBDIVISION**  
**SILVER SPRING**  
 ELECTION DISTRICT NO. 13  
 MONTGOMERY COUNTY, MARYLAND  
 SCALE 1" = 30'      APRIL 1971  
 Wallace R. Amos and Associates, Ltd.  
 3525 Georgia Avenue  
 Silver Spring, Maryland

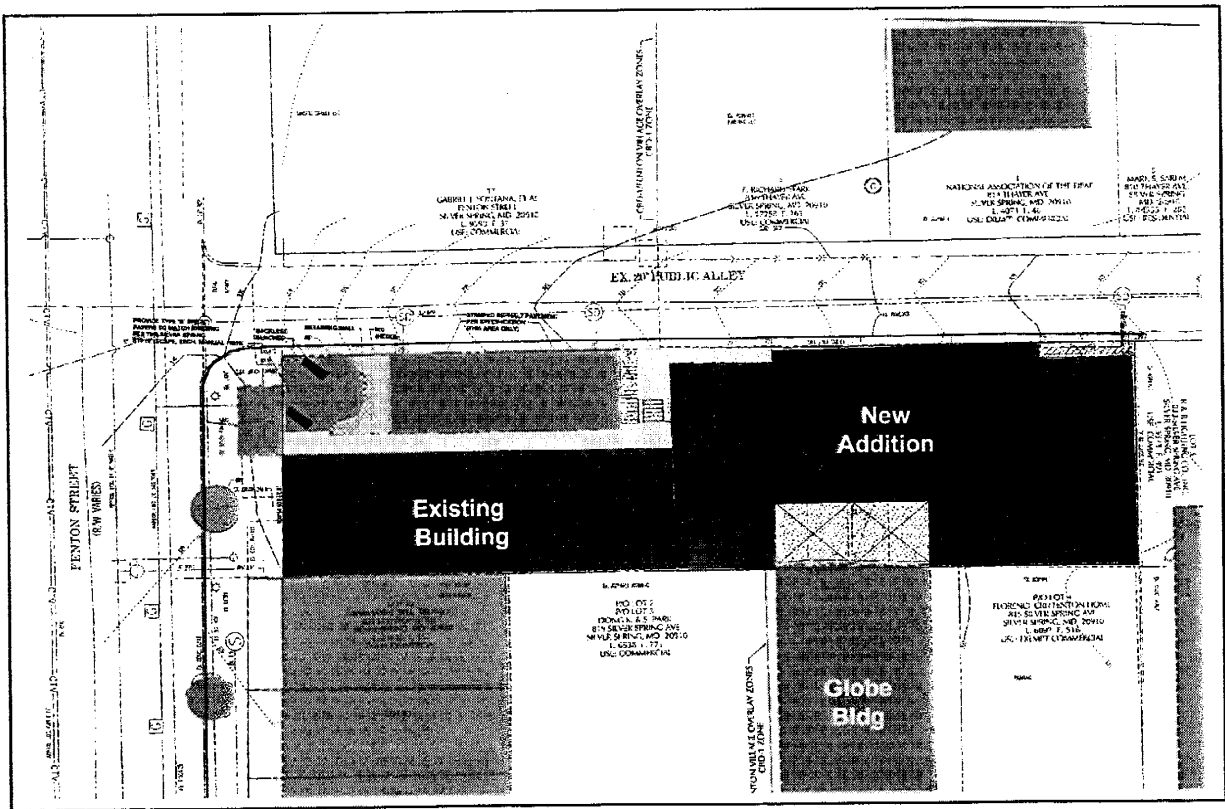
RECORDED: <u>8-17-71</u>
PLAT BOOK: <u>92</u>
PLAT NO.: <u>9997</u>

511-28

**PROJECT DESCRIPTION: Proposal**

The site plan for 8215 Fenton Street proposes a standard method commercial development consisting of 13,638 square feet of building space. The project proposes to retain and refurbish the existing one-story retail building (4,728 square feet) with frontage on Fenton Street, while constructing a new addition of 8,910 square feet that extends the full length of the site. The addition's footprint steps forward to embrace the public alley, in effect, transforming this service corridor into a semi-public street by accentuated massing that articulates the building's secondary entrance and accommodates the grade change by fitting the façade to fenestrated, double-story height. The applicant proposes this double height space for use as a dance studio or some other use that would benefit from its high ceiling and column-free space.

The building design features massing that outlines each part of the structure, that is, the existing linear form versus the new, "cubist" form that is identified by the brick parapets that frame the street wall. The two forms are skillfully joined by means of the public entrance with stairs whose landing integrates the connection of a long, pedestrian promenade with the new building's entrance. This focal point effectively terminates the "Art Wall" which alternatively provides handicapped access from Fenton Street, maintaining essentially the finished floor level of the existing building. The raised pedestrian access attractively frames the public open space that is located adjacent to the Fenton Street right-of-way. This public use space, 947 square feet is designed to offer a formal, European style "mini-plaza" with maximum access from the public sidewalk. The space extends the public street grade into the site, and features brick paving, landscaped edges with ornamental planting, and seating open to the public. The drop in grade is negotiated by means of retaining walls, finished in split-face stone, that will enclose the vehicular drop-off zone treated with special paving.

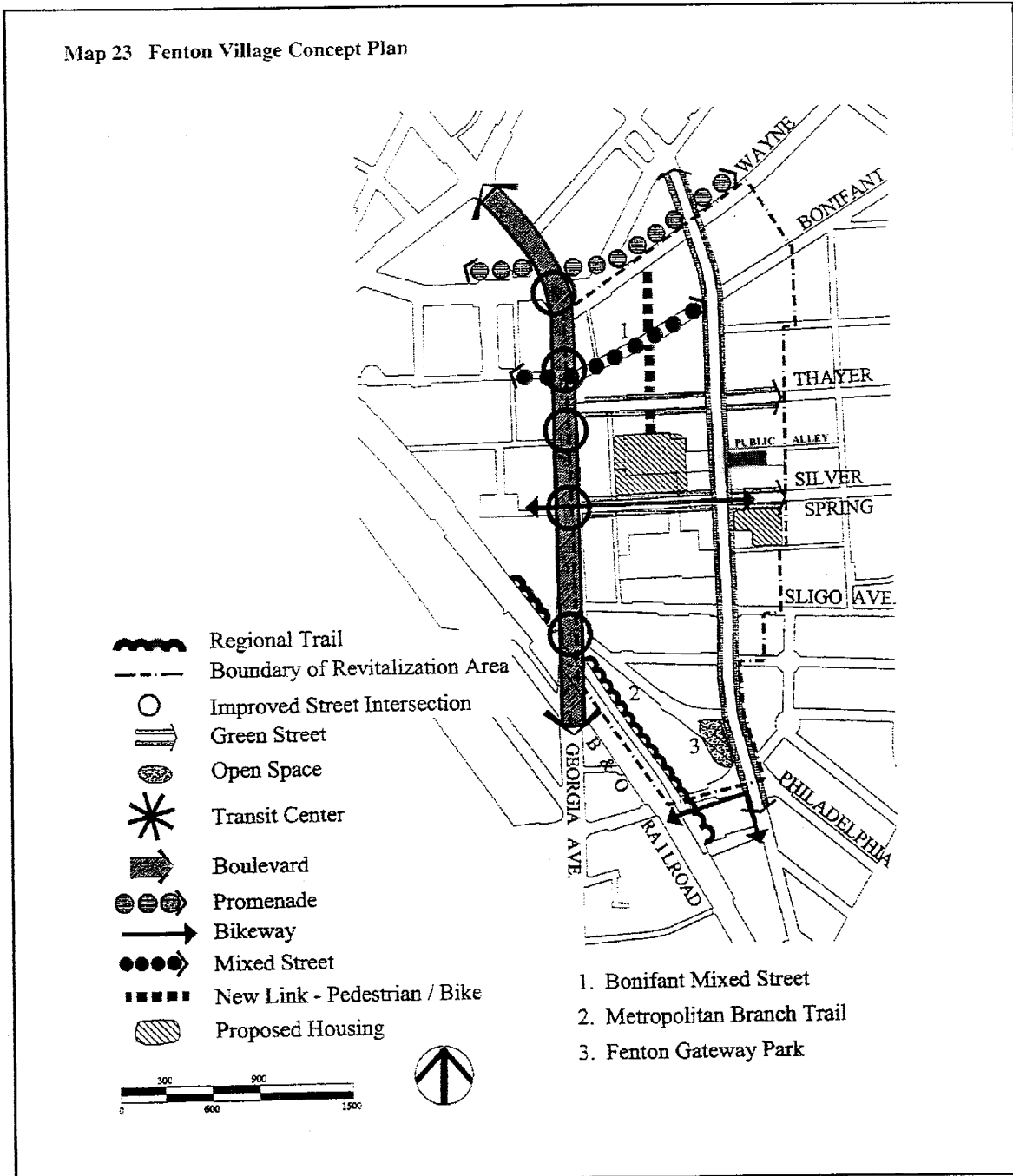


**ANALYSIS: Conformance to Development Standards**

<b>8215 FENTON STREET</b>		<b>CBD-1 Std Method</b>	<b>Overlay Zone</b>	<b>Site Plan</b>
<b>Development Standard: Lot 20</b>		<b>Permit/Reqd</b>	<b>Fenton Village</b>	<b>8-05021</b>
				<b>Proposed</b>
Gross Lot Area [§59-C-6.231]	13,042 sf [0.29 acres]	N/A		13,042 sf [0.29 acres]
Street Dedication- Plat 54 <sup>1</sup>	Dedication ca 1904+			3,181 sf
Street Dedication- Plat 9997	Dedication 1971			400 sf
Net Lot Area (ac)	9,461 sf [0.217 ac]			9,461 sf [0.217 ac]
<b>Building Area</b>				
Existing Building Area [net area]	4,728 sf			4,728 sf
New Building Addition [net area]	8,910 sf			8,910 sf
				<b>13,638 sf</b>
<b>Gross Floor Area</b>				
<b>Density [Non-residential]</b>				
Floor Area Ratio [§59-C-18.192(b)(5)]		---	2.00 FAR [26,084 sf]	0.52 FAR [6,819 sf]
Floor Area Ratio [§59-C-6.234(a)(ii)]		1.00 FAR [13,042 sf]	---	---
Building Coverage [§59-C-6.232]		75% maximum	---	72% [6,827 sf]
Bldg Ht. [§59-C-6.235]		60 feet	---	N/A
Bldg Ht. [§59-C-18.192(b)(1)(B)]	Commercial Use	---	45 feet	25.6 feet
<b>Public Use Space</b>				
Public Use Space (on site)		10% [950 sf]		10% [950 sf]
<b>Setbacks</b>				
	<b>Relationship</b>			
From public ROW [§59-C-6.234(b)(2)]		1ft. Per 6 ft. ht> 30 ft.		0 feet
<u>Proposed bldg with windows - SB from adjoining lots:</u>				
Lot 19 [adj structure at PL]	New Bldg Lot 20	15 feet		15 feet
<u>Proposed bldg without windows - SB from adjoining lots:</u>				
Lot 12 [adj bldg at PL]	Existing Bldg Lot 20	N/A		N/A (existing)
Lot 2/3 [adj bldg 68' from PL]	Portion Ex. Bldg Lot 20	N/A		N/A (existing)
Lot 2/3 [adj bldg 68' from PL]	Portion New Bldg Lot 20	15 feet minimum		0 feet <sup>2</sup>
Lot 19 [adj driveway easement]	New Bldg Add'n Lot 20	15 feet minimum		0 feet <sup>2</sup>
Lot 4 [adj bldg 72' from PL]	New Bldg Add'n Lot 20	15 feet minimum		0 feet <sup>2</sup>
Lot 5 [adj bldg 8 feet from PL]	New Bldg Add'n Lot 20	15 feet minimum		0 feet <sup>2</sup>
<b>Parking</b>				
General Office [2.4 spaces/1,000sf] <sup>3</sup>		0 spaces		0 spaces
General Retail [5 spaces/1,000 sf]		0 spaces		0 spaces
<p><sup>1</sup> Dedication estimate extrapolated from dimensions listed on plat.</p> <p><sup>2</sup> Applicant seeks the Planning Board's approval for reduced setback per Zoning Ordinance</p> <p><sup>3</sup> Project is located within the Parking Lot District</p>				

**ANALYSIS: Conformance to Sector 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 lies within the Fenton Village Overlay Zone (§59-C-18.19), which provides flexibility of development standards to encourage innovative design solutions.



The Site lies within the Fenton Street Revitalization Area. The Sector Plan recommends brick paving and street trees for Fenton Street, which is designated a “green street.” Silver Spring Avenue and Thayer Avenue are identified as “green streets,” as well.

## 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 that articulate the shared goals and vision for a revitalized Silver Spring. Three of these themes (i.e. a commercial downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed project. The Sector Plan recommended the overlay zone in order to foster redevelopment and improve the investment climate in Fenton Village. The proposal will improve an existing building and add additional new commercial space. This project is being developed under the Standard Method of Development and provides opportunities for landscaped public open spaces and streetscapes. This project encourages the development of active urban streets by providing the public space along Fenton Street 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 as the primary means of addressing compatibility issues. The Overlay Zone requires a maximum height east of Fenton Street of 45 feet for all uses except housing, which must not exceed 60 feet. The proposed building is 25.6 feet in height. Staff opinion is that the proposed development satisfactorily meets the requirements of the Overlay Zone and the Sector Plan regarding compatibility.

### Silver Spring Wayfinding System

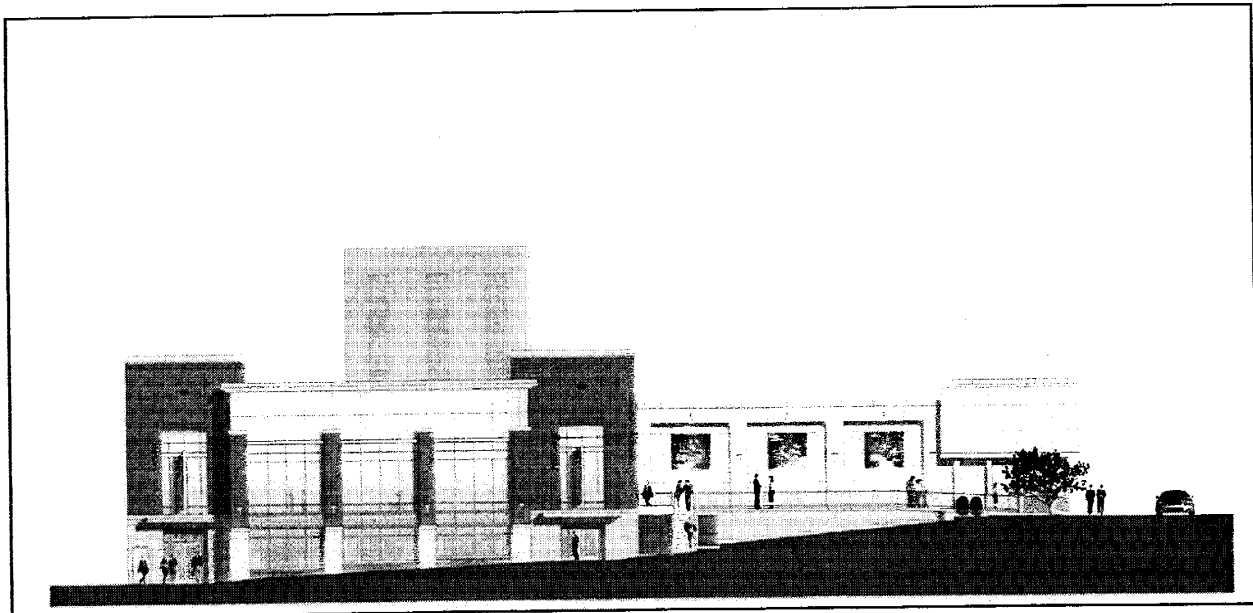
There are no wayfinding signs proposed in the vicinity of the existing street frontage.

### Sector Plan Street Rights-of-Way

The Sector Plan recommends an 80-foot street right-of-way for Fenton Street. The existing street right-of way for Fenton Street is 80 feet (40 feet measured from the centerline of the street).

### Streetscape

The Applicant proposes to improve the Fenton Street streetscape with additional brick paving and one additional street tree. Staff recommends that the streetscape improvements be in accordance with the Silver Spring Streetscape (April 1992) technical manual or as amended.



**Elevation drawing showing the building as seen from the public alley. Fenton Street is shown at right. Note the change in grade and the accommodating fenestration.**

**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**

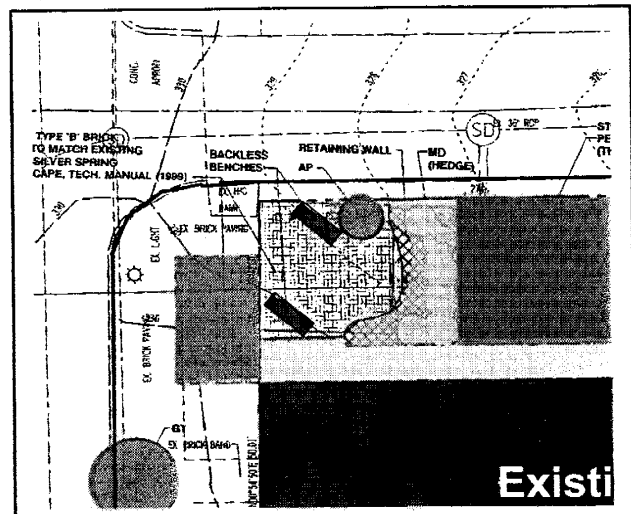
The proposed building utilizes two massing forms that articulate the old and the new, complementing each other effectively in form and function. The contrast between the two forms, linear in the existing structure and cubist with the new, allows the building to provide two different types of spaces that will serve a variety of programmatic functions required for commercial space.

The new building addition is optimally placed, particularly with respect to the location, floor level, and the height of the existing structure and its location within the overlay zone. The plan utilizes an effective “linking mechanism” with the old, vis-à-vis the public stair and landing with the art promenade that enhances the frontage on Fenton Street and the public ally and employs to full advantage the site’s natural sloping topography and corner siting. The two-story building essentially maintains the finished floor level of the Fenton Street entrance, adding 4,455 square feet to the existing 2,364 square feet as FAR density. This square footage is duplicated via below-grade space, that is, the “public alley grade” that is not attributed to FAR density. See also, *Finding of Compatibility*, below and *Issues of Review: Reduction in Building Setbacks*, pp. 4-10.

b. **Open Spaces**

Staff has encouraged the applicant to pursue enhancement of the public realm, that is, Fenton Village Streetscape with usable public space for this standard method project. The plan provides 970 square feet of public use space at occupies the northwest corner of the site, opening to the public sidewalk. The plaza will feature special brick paving, perimeter ground planting, and an ornamental tree, and open back seating. The placement and design of this European-style, “mini-plaza” will extend the public realm through the use of the Silver Spring streetscape.

The vehicular drop-off area accommodates additional open space along the alley frontage. The space will be treated with colored, stamped, asphalt that resembles unit pavers in a brick color. The space functions additionally as the surface over the underground stormwater management facility. The proposed street improvements with landscaping and lighting, along with the public art promenade promise a high quality of public space that will encourage pedestrian activity and fulfill the goals of the Sector Plan.





c. Landscaping and Lighting

The landscaping and lighting is adequate, safe and efficient.

The plan proposes to provide streetscape improvements to supplement the recently installed Silver Spring Streetscape on the east side of Fenton Street. The applicant will provide additional brick paving to

enhance the storefront entry, complemented by brick banding, along with brick paving for the public use space, using materials that are consistent with the specifications of the *Silver Spring Streetscape* technical manual (April 1992). The plan includes replacement street trees within the right of way.

d. Recreation

Recreation facilities are not required for this application.

e. Vehicular and Pedestrian Circulation

The site is approximately ½ mile from the Silver Spring Metro, allowing residents to walk to public transportation, which is encouraged in the CBD.

Pedestrian passage will be greatly enhanced along the east side of Fenton Street with the development of this site and the provision of the corner mini-plaza. The extension of the public realm by the creation of public use space adjoining the sidewalk will encourage pedestrian activity and the use of the storefront retail along Fenton Street that is identified as the building's main entrance.

The building accommodates at-grade handicapped access safely and efficiently through the placement of the promenade that highlights panels of public artwork. The plan features a secondary pedestrian access to the building addition that connects to the Fenton Street entry.

There is no vehicular circulation through the site, although a vehicular drop off area is provided along the public alley frontage, framed by retaining walls that accommodate the dropping grade. The site is located within the CBD Parking District, hence, there are no parking required on site.

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

The proposed re-development provides compatible, attractive treatment of a CBD infill site. The structure proposed and its commercial use is compatible with other uses and site plans, for both existing and proposed development. The building proposes compatible relationships with its adjacent structures, both on Fenton Street and within the subject block, with respect to height, access, massing, orientation, and materials.

The Fenton Village Overlay Zone mandates height restrictions as a primary means to address compatibility issues. The height limit as applied to the subject site is 45 feet, as measured from the Fenton Street grade. The site plan under review proposes a height of 25.6 feet at Fenton Street, significantly lower than the height allowed. Likewise, the development density of 0.52 FAR proposed is less than the 2.0 Far allowed in this zone. The height and additional square footage achieved through building design that accommodates the change in grade remains well below the development envelope envisioned for the Fenton Village revitalization effort. The activity associated with the proposed development will not cause any negative effect on adjacent residential or commercial uses.

The applicant requests a reduction in setbacks along the site's rear lot line that adjoin the "companion" rear lot lines of the adjacent lots. This relationship, typical of infill urban development, allows the proposed plan to yield useful

space on two grade levels: the Fenton Street grade and the alley grade that is 10 feet lower. The disposition of space in this form and building footprint proposed allows more flexibility in development, as envisioned by the zoning revisions implemented via the Fenton Village Overlay Zone. The placement of this structure, built to the lot line, will allow greater latitude in the future re-development of Lot 2/3 and Lot 4 to the lot line, as well, which, in turn, will promote greater flexibility over a greater area of this block within overlay zone.

See also, *Issues of Review: Reduction in Building Setbacks, Discussion*, pp. 4-10.

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

The property has been granted an exemption (4-05113E) from Forest Conservation requirements because the property is less than one acre in area.

## **Attachments**

1. *Letter from Betsy Taylor, East Silver Spring Citizens Association, dated January 30, 2005.*
2. *Letter from William Chen, representing Katz & Company, dated February 7, 2005.*
3. *Letter from Robert Harris to William Chen, dated February 22, 2005*
4. *Memorandum from MNCPPC Transportation Planning, dated March 3, 2005*
5. *Memorandum from MNCPPC Community Based Planning dated march 3, 2005*