

APPENDIX A



July 12, 2005

MEMORANDUM

TO: Robert Kronenberg, RLA, Planner Coordinator
Development Review Division

Catherine Conlon, Subdivision Supervisor
Development Review Division

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

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

SUBJECT: Project Plan Review No. 9-05005
Preliminary Plan Review No. 1-05089
The Galaxy

The Community-Based Planning staff has reviewed the above referenced Preliminary Plan and Project Plan for conformance with the Silver Spring Central Business District and Vicinity Sector Plan (Approved February 2000). The subject property is located generally east of Eastern Avenue between 13th Street and King Street South in Silver Spring. Community-Based Planning recommends the approval of this Project Plan and Preliminary Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan:

1. The height of Building C (fronting on Eastern Avenue) shall not exceed 45 feet measured from Eastern Avenue. Other buildings on the property that are located at least 60 feet from Eastern Avenue are limited to 90 feet in height, or 125 feet for residential development where the applicant is providing public parking under an agreement with the Parking Lot District.
2. Dedicate additional street right-of-way for 13th Street equal to 41 feet measured from the centerline of the street.
3. Provide a Class III bikeway (on-road, signed shared roadway) along 13th Street.
4. Provide full width streetscape improvements on 13th Street (Type "B") and King Street (Type "B") along the entire site frontage in accordance with the *Silver Spring Streetscape* (April 1992) technical manual or as amended.

5. Coordinate with the Montgomery County Department of Housing and Community Affairs (DHCA) and other interested parties on the design of the proposed Art Walk prior to Site Plan Review.
6. Abandon the existing public alley connecting to 13th Street:

ZONING AND LAND USE

The 92,010-square foot (114,310 square foot gross tract area for determining density) 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 Ripley/South Silver Spring overlay zone which provides for flexibility of development standards to encourage innovative design solutions.

The proposed mixed-use development is comprised of 328 residential units with private structured parking and a public parking structure which are permitted uses under the CBD-1 Zone. The proposal will be implemented under the optional method of development. The permitted maximum density for this site is 125 dwelling units per acre or 328 units.

The minimum required public use space for this project is 17,367 square feet (20% of the net lot). The applicant is proposing 26,920 square feet of public use space and amenities provided on-site which equals 31.0% of the net lot. The applicant also proposes an additional 11,470 square feet of off-site streetscape improvements. In total, the applicant proposes 38,390 square feet of on-site public use space, amenities and off-site improvements or 44.2% of the net lot area. In addition to the public use space, amenities and off-site improvements, the applicant proposes 3,910 square feet of streetscape improvements outside the Montgomery County jurisdictional boundaries along the Eastern Avenue frontage.

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 a portion of the proposed project site as a potential housing site (see **Attachment A- Map 35 Residential Downtown**). The Sector Plan encourages housing as an important component of the revitalization efforts. This project is being developed under the optional method of development and proposes new opportunities for landscaped public open spaces, public art and streetscapes. This project encourages the development of active urban streets by providing building entrances along the public streets and easily accessible public spaces with public art components as activity generators. This proposal improves the quality of the pedestrian environment by providing

the optional method streetscape treatment and other amenities along 13th Street and King Street.

- A. **Compatibility:** The proposed mixed-use development is adjacent to the Aurora (Williams & Wilste) condominium buildings (11 stories) and a bank to the west and the Ramada Inn (6 stories) and a car wash to the east. The Days Inn hotel (2 stories) and the Gramax Tower apartment building (14 stories) are located across 13th Street from the proposed development. A Seven-Eleven convenience store and a vacant lot are located across King Street to the south.

Building height in the Ripley/South Silver Spring Overlay Zone along Eastern Avenue that confronts a residential zone in the District of Columbia must not exceed a height of 45 feet. However, this building height may be increased to a maximum of 125 feet for residential development that is set back at least 100 feet from Eastern Avenue and that includes a public parking garage constructed under a General Development Agreement with Montgomery County, Maryland.

Staff recommends that the building fronting on Eastern Avenue (Building C) not exceed 45 feet measured from Eastern Avenue and that the building fronting on 13th Street (Building B) not exceed 125 feet measured from 13th Street. Building A has frontage on both 13th Street and King Street and should not exceed 125 feet measured from King Street. Both Buildings A and B shall be setback a minimum of 100 feet from Eastern Avenue. Staff feels that the proposed development as conditioned, meets the intent of the Sector Plan and the Zoning Ordinance in terms of building height and will not adversely affect surrounding properties.

- B. **Sector Plan Street Rights-of-Way:** The existing street right-of-way for 13th Street is approximately 60 feet. The applicant proposes to dedicate additional right-of-way equal to 41 feet measured from the centerline of the street. The public alley connecting to 13th Street at two points is proposed for abandonment.
- C. **Sector Plan Bikeways:** The Sector Plan recommends a Class II or III bikeway (on-road, bike lanes or signed shared roadway) along the south side of 13th Street. Staff recommends a Class III bikeway (on-road, signed shared roadway) along 13th Street.
- D. **Streetscape:** The applicant proposes to improve the 13th Street and King Street frontages with the Type "B" streetscape treatment. The streetscape public amenities for the proposed project should be in accordance with the standards of the *Silver Spring Streetscape* technical manual or as modified to include the bikeway. The Eastern Avenue frontage will be improved using elements from the Type "B" streetscape treatment subject to approval by the District of Columbia.

COMMUNITY OUTREACH

The applicant has met with the Commercial and Economic Development subcommittee of the Silver Spring Citizens Advisory Board, the Eastern Village Cohousing Community, the Gateway Coalition and the ANC (Ward 4) of Washington, D.C. The Eastern Village Cohousing Community has sent a letter outlining their concerns over the single-use (residential only) development program, lack of a neighborhood children's play area and need to apply Crime Prevention Through Environmental Design (CPTED) principles for the public spaces. The Silver Spring Urban District Advisory Committee has sent a letter of support of the project. Mr. G. William Calomiris, owner of the adjacent car wash property and Mr. Blair Lee, owner of another adjacent property have written letters in support of the proposal.

RELATIONSHIP TO THE SOUTH SILVER SPRING PATHWAYS PLAN

The Montgomery County Department of Housing and Community Affairs (DHCA) has prepared a conceptual Pedestrian Pathways Plan for South Silver Spring. The Pedestrian Pathways Plan consists of a series of pedestrian-oriented linkages routed primarily through the larger blocks typical of South Silver Spring. The pathways most affected by this development proposal are not specifically identified in the plan and are simply referred to as "Later Phases". A briefing was held on May 15, 2003 for the Planning Board on the DHCA Pedestrian Pathways Plan.

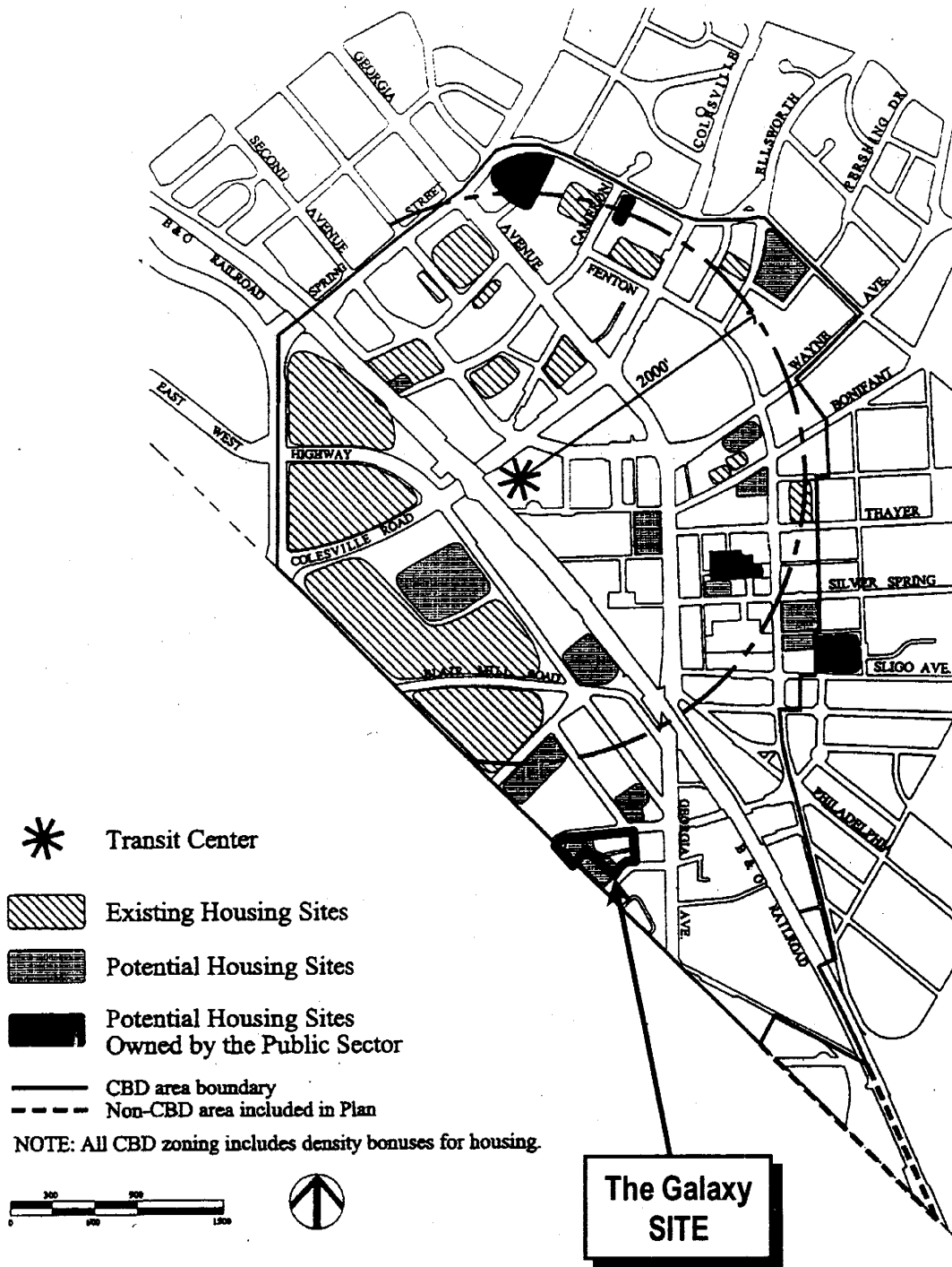
The Pathways identified as "Later Phases" are generally organized along existing public alleys. The development of the Aurora condominium project (i.e. the Williams and Wilste buildings) effectively dismissed one of the links (between the two buildings) to the existing alley located on the Galaxy property. The existing public alley is the subject of the proposed abandonment petition (AB 667). The applicant is proposing to implement one of the pathways (the Art Walk) as part of the public use space requirement. This linkage will connect 13th Street with King Street and is located between the subject property and the Ramada Inn and car wash properties. Staff encourages an open dialogue between the applicant, DHCA and other interested parties as the design of the proposed Art Walk continues to evolve.

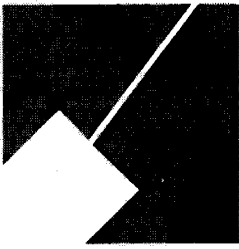
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Attachment

Attachment A- Map 35 Residential Downtown

Map 35 Residential Downtown

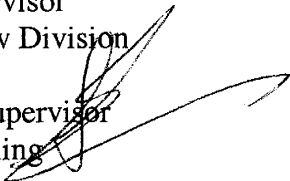




July 20, 2005

MEMORANDUM

TO: Cathy Conlon, Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Scott A. James, Planner/Coordinator *SAS*
Transportation Planning

SUBJECT: Project Plan # 9-05005 and Preliminary Plan # 1-05089
The Galaxy RST Development
Silver Spring Central Business District

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject application for a total of 328 high-rise residential units and a structured parking garage.

RECOMMENDATION

Transportation Planning staff recommends approval of the above referenced preliminary and project plans with the following conditions as part of the APF test for transportation requirements related to Local Area Transportation Review (LATR):

1. Limit the project plan and the preliminary plan to 328 high-rise residential units.
2. Dedicate, and show on the final record plat, additional right-of-way so as to provide 41 feet from the 13th Street centerline across the property frontage, as shown on the plan. An additional 9 feet of right-of-way is to be designated as a public improvement easement (P.I.E.) for a total of 80 feet.

3. Applicant to reach an agreement with Montgomery County Department of Public Works and Transportation (DPWT) on use and location of three super bus shelters and two real-time transit information signs and present agreement to Development Review and Transportation Planning staff before record plat.
4. Construct three super bus shelters and two real-time transit information signs and turn over to DPWT before issuance of a building permit for Building B with written notification to Development Review and Transportation Planning staff.
5. Approval of this preliminary plan is conditioned upon Montgomery County Council abandonment of the alleyway located within Block D of Silver Spring, with connection to 13th Street, in accordance with DPWT Docket No. AB 667.
6. Provide and maintain, in perpetuity, a north-south pedestrian connection along the eastern edge of the property between 13th Street and King Street in accordance with Silver Spring Central Business District (CBD) Sector Plan.
7. Construct structured 200 space public parking garage per negotiated agreement with DPWT. Agreement to use land beneath the public right-of-way must be obtained from DPWT in writing before record plat, or some other parking garage design submitted for review.
8. The applicant is to resolve any other outstanding issues and conditions raised by DPWT, with written notification provided to Development Review and Transportation Planning staff, before approval of the site plan.

DISCUSSION

Site Location, Access, Circulation, and Parking

The site is located on 13th Street, between Georgia Avenue (US 29) and Eastern Avenue, with frontage on 13th Street, King Street and Eastern Avenue. The proposed development includes 328 high-rise residential units, private structured parking and a 200 space structured public parking garage. Principal points of access to the site will be two full service entrance driveways from 13th Street, one reserved for tenant access to the private parking garage and one for public access. The King Street driveway is for tenant access and service vehicles. There is no proposed access point from Eastern Avenue.

The alleyway located within the properties proposed for redevelopment is to be abandoned (DPWT Docket No. 667). The proposed abandonment will allow for the design of an integrated site plan, including provision of pedestrian access through and across the property by means of passageways, sidewalks and a dedicated Arts Walk connecting 13th and King Streets.

All parking for the development will be provided through the use of structured parking garages. In addition, the applicant and DPWT have negotiated to replace a county owned surface parking lot on King Street (Lot #16), with a structured public parking garage with access from 13th Street. According to the current design, a portion of the public parking garage will vault beneath the right-of-way for 13th Street. The applicant and DPWT are negotiating the terms of this arrangement.

Local Area Transportation Review

The Galaxy development was required to submit a traffic impact study in accordance with LATR guidelines as the development is estimated to generate 98 peak hour vehicle trips, which is greater than the minimum 30 vehicle trip threshold for an LATR analysis.

Three intersections adjacent to the development were selected for analysis: Georgia Avenue (US 29) at Eastern Avenue/Blair Road, Georgia Avenue (US 29) at East-West Highway (MD 410)/Burlington Avenue/13th Street, and 13th Street at Eastern Avenue.

The following table shows the CLV analysis results for the studied intersections:

<u>Roadway Intersection</u>	<u>Current CLV levels (AM / PM)</u>	<u>Background CLV levels (AM / PM)</u>	<u>Projected Future CLV (AM / PM)</u>
Georgia Avenue (US 29) / Blair Road	822 / 1,109	868 / 1,151	877 / 1160
Georgia Avenue (US 29) / East-West Highway (MD 410)	1,635 / 1,329	1,800 / 1,448	1,868 / 1,458
13 th Street / Eastern Avenue	447 / 505	487 / 531	505 / 541

As noted in the table, all intersections are estimated to operate at or below the 1,800 CLV threshold, except the intersection of Georgia Avenue (US 29) and East-West Highway (MD 410) during the morning peak period. According to the LATR study, this intersection will approach the 1,800 CLV threshold after construction of the developments included in the background traffic calculations. Therefore, The Galaxy development would exceed the CLV threshold and need mitigation at this location.

The applicant proposes to construct three “super bus shelters,” two of which will be equipped with real-time transit information signs. A “super bus shelter” is larger in capacity than standard shelters, with four walls, heating and lighting elements, and an overall higher level of design. The locations for the super bus shelters must be reviewed and agreed upon by staff from Transportation Planning and DPWT. The trip credit total for these measures, per the LATR guidelines, is 20 trip credits per super bus shelter, and 20 trip credits per real-time information sign. The total of 100 trip credits would offset the estimated 98 trips generated by the development. Planning staff has accepted this proposal for the mitigation of the anticipated peak hour trips and finds the applicant in compliance with LATR guidelines.

Master Plan Roadways and Bikeways

King Street is a Business Street with 60 feet of right-of-way. No additional dedication is required for King Street. The Sector Plan recommended right-of-way for 13th Street is 80 feet, and it is also classified as a Business Street. The applicant will dedicate right-of-way to provide 41 feet from the centerline of 13th Street to insure compliance with the Sector Plan. Eastern Avenue is a two-lane roadway located entirely within the jurisdiction of the District of Columbia. The development does not include a vehicular point of access to Eastern Avenue.

The applicant has agreed to construct a Class III (shared lane) bicycle facility along the frontage of the property for 13th Street in accordance with the Sector Plan's objective of improving bicycle facilities. The applicant will construct full width streetscape improvements along the King Street and 13th Street frontage of the development, including sidewalks, curb ramps, and the recommended amenities per the Silver Spring Streetscape design manual.

Pedestrian Access

According to the data in the traffic study, pedestrian volumes were relatively low during the morning and evening peak periods. The existing sidewalks and crosswalks are adequate at the three intersections studied. No improvements to adjacent pedestrian facilities are recommended. On site circulation for pedestrians is provided by means of several connecting sidewalks and passageways between the proposed buildings. In order to comply with the Silver Spring CBD Master Plan for pedestrian access paths, a north-south pedestrian Arts Walk will be constructed along the eastern edge of the property connecting 13th Street with King Street. The proposed development will include streetscape amenities along 13th and King Streets in accordance with the Silver Spring Streetscape Plan recommendations.

SJ:gw

mmo to Conlon re Galaxy RST 1-05089