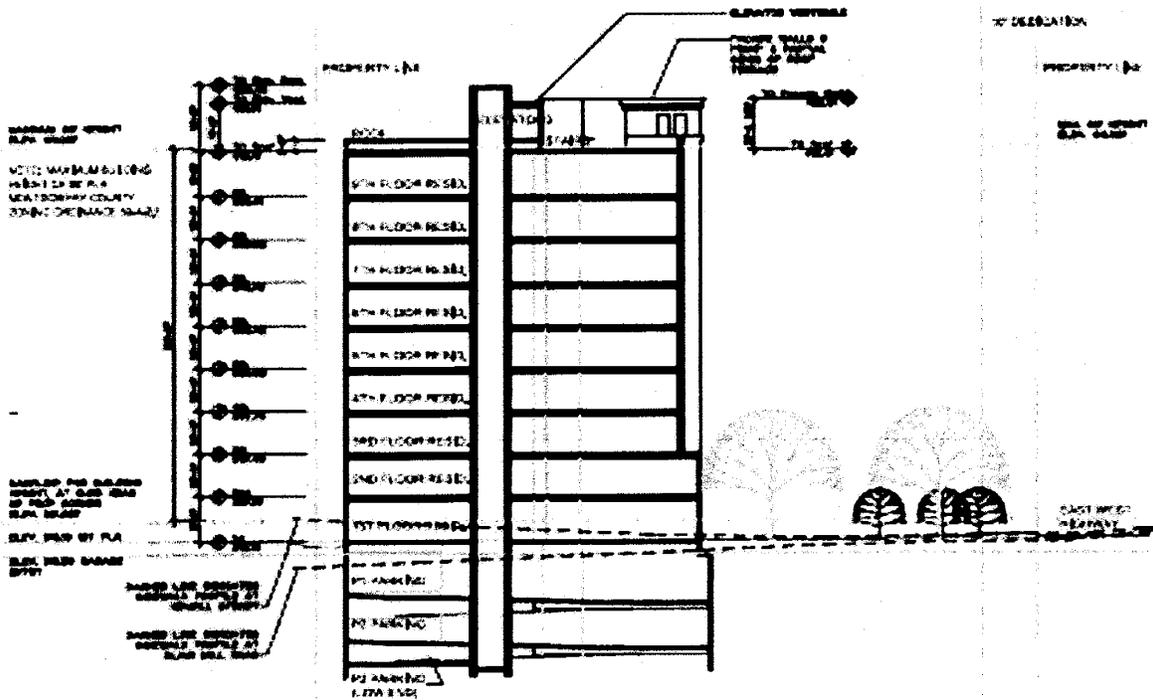


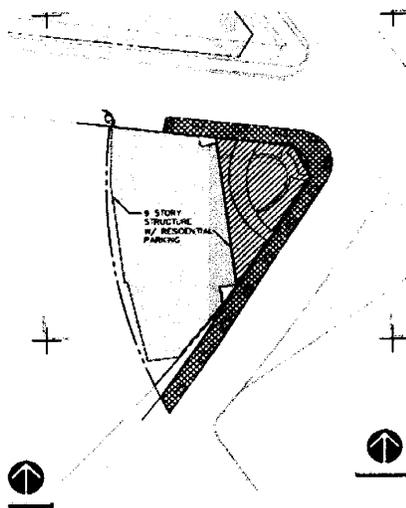
maximum 90-foot building height is measured from the southwest corner of the site directly off of Newell Street.



Northern Section of proposed building

The 9-story building contains two levels of underground parking that consists of approximately 46 parking spaces. The vehicular access point to the garage is located in the northwest corner of the site from Blair Mill Road. The first floor contains residential units and the residential lobby, located in the northeast corner of the building, that includes a mailroom, office and fitness room for the residents.

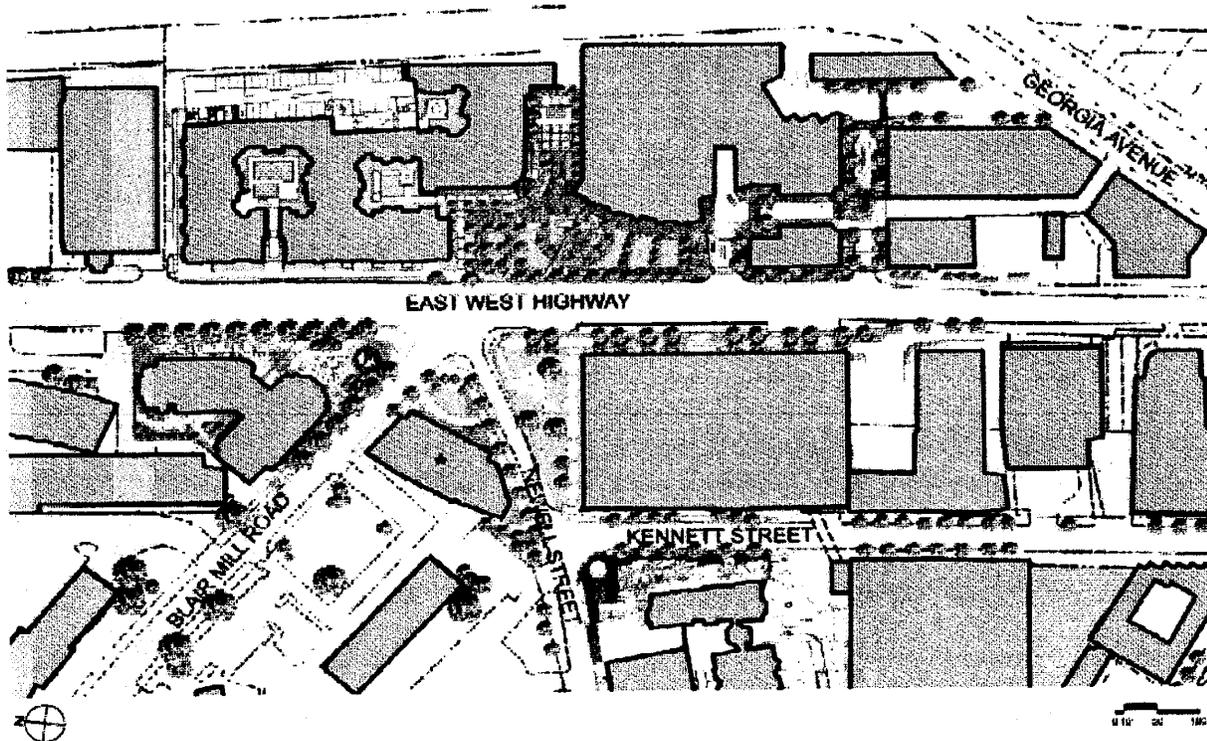
Public Use Space and Amenities



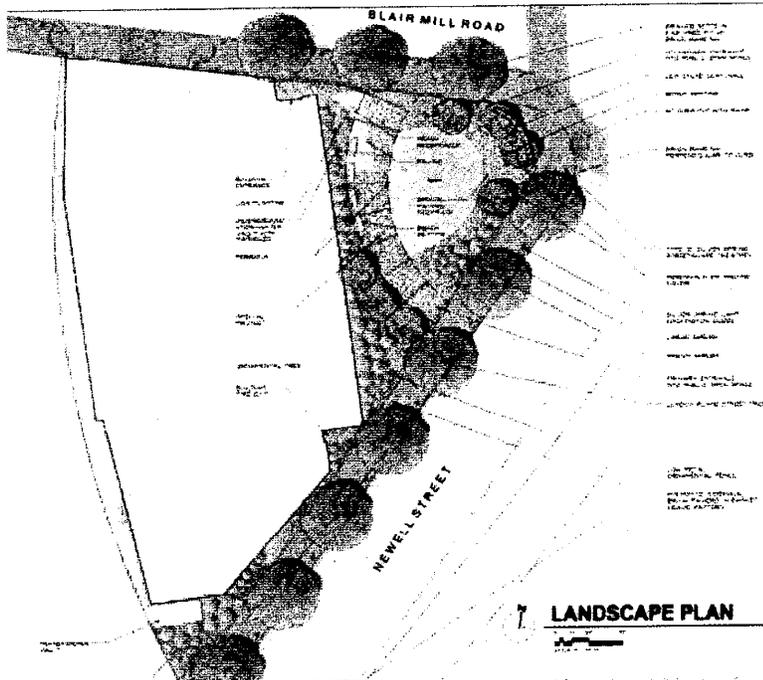
The project plan is providing 24.7 percent (4,387 sf) on-site public use space and 23.8 percent (4,235 sf) off-site public use space for a total of approximately 48 percent. The minimum on-site public use space requirement is 20 percent, which is being significantly increased with this proposal. The combined on and off-site public use space is consistent with the standard percentage of public use space within the Silver Spring CBD of 46-48 percent, primarily due to the property configuration and amount of street frontage. The on-site public use space consists of a public green area at the foreground to the building that includes walkways, seating, a pergola and lawn area for public interaction. An art program is being developed to include artistic treatment of the pergola and building façade.

The hatched area in front of the proposed building represents the on-site public use space and the crosshatched area represents the off-site public use space along the road frontage

The off-site public use space is comprised of the streetscape improvements within the rights-of-way for Blair Mill Road, Newell Street and a small portion of East-West Highway. The streetscape improvements include the standard Silver Spring streetscape (Type B for both roads) consisting of shade trees in tree pits, brick pavers, Washington Globe streetlights and the undergrounding of utilities.



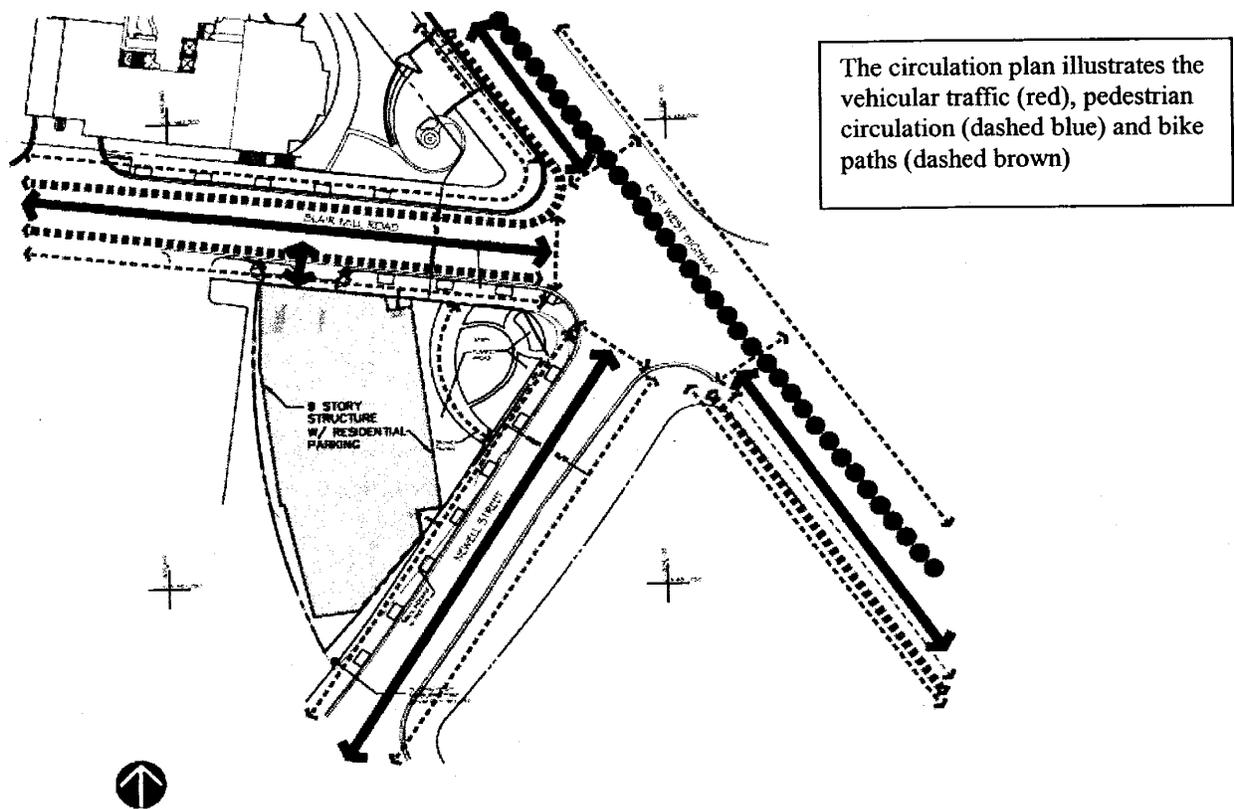
The contextual public use space plan identifies the subject site with an asterisk and places the surrounding properties in context with the public use space being provided.



Accent planting along the building foundation will highlight the curvilinear walk and public use area. The lawn area compliments the open space associated with Acorn Park and adds a green component to the urban plaza framework associated with the surrounding developments proposed and under construction. Specialty lighting, oriented toward accenting the plant material and seating and walkway areas is proposed within the on-site public use area in front of the building.

Pedestrian and vehicular access

East-West Highway is classified as a major highway with four travel lanes and an ultimate right-of-way width of 90 feet between Blair Mill Road and Georgia Avenue. Newell Street is classified as a primary residential street of ultimate right-of-way width of 70 feet, and Blair Mill Road is classified as a Business Street with 70 feet of ultimate right-of-way consistent with the Silver Spring Sector Plan recommendation. The proposed redevelopment of the Property anticipates an additional dedication of approximately 10 feet on Newell Street, for a total right-of-way width of 52 feet, based upon an agreement to protect Acorn Park. The ultimate Newell Street right-of-way will be 18 feet less than the 70 feet recommended by the Sector Plan. Blair Mill Road does not require additional dedication. The recently approved project plan (9-05004, 1200 East-West Highway) allowed for a reduction of 7 feet of the recommended 70-foot right-of-way on the north side of Blair Mill Road. The right-of-way approved for Blair Mill Road totals 63 feet. All of the streetscape improvements, including sidewalks and bike lanes, can be accommodated within the reduced rights-of-way for both roads.



The Project Plan is proposing a 10-foot, Class I bikeway (off-road, shared-use path) along the west side of East-West Highway, and a Class III bikeway (on-road, bike lanes or signed shared roadway) on both sides of Blair Mill Road, as recommended by the Sector Plan.

PLANNING AND REGULATORY FRAMEWORK:

Master Plan

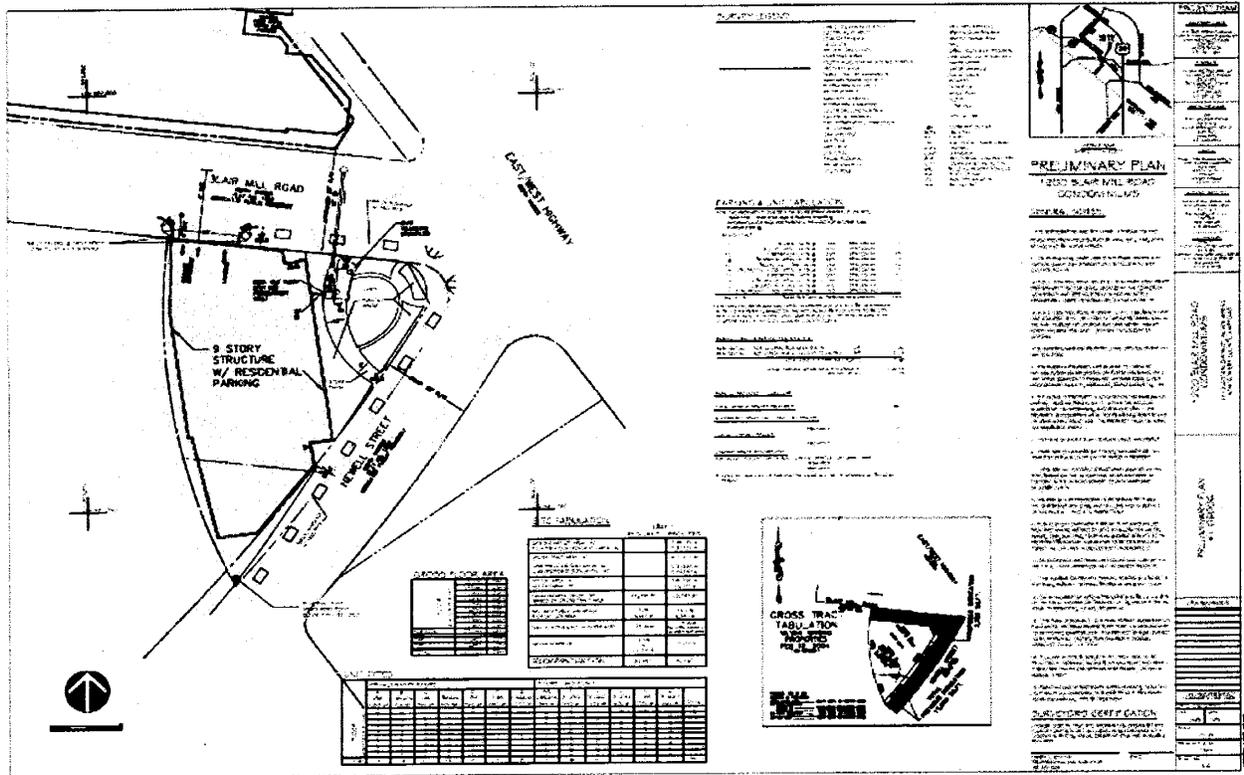
The Project Plan is in conformance with the Silver Spring Central Business District and Vicinity Sector Plan (February 2000), including the provisions in the Ripley/South Silver Spring Overlay Zone. A description of the themes and goals for Silver Spring are outlined with the Sector Plan Conformance standards on page 20 of this report.

Prior Approvals

The proposed development is zoned CBD-1 (Central Business District-1). This property consists of Lot 917, an unrecorded lot.

Preliminary Plan

A Preliminary Plan of Subdivision 120060060 (1-06006) is being reviewed concurrently with the Project Plan.



BASIS FOR CONSIDERATION OF ISSUES

Per Sec. 59-D-2.43, in making a decision on an application for an optional method project plan, the Planning Board must consider:

- (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 form the basis for the Board's consideration of approval. In accordance herewith, the staff makes the following findings:

- (a) *As conditioned, the proposal complies 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 proposed development is a high-rise condominium, comprised of a maximum of 96 multi-family dwelling units, including 12 (12.5%) Moderately Priced Dwelling Units (MPDUs) provided on-site. High density residential, office and commercial retail uses are permitted in the CBD-1 Zone.

The building is proposed for 9 stories and a maximum of 90 feet, which is in conformance with the Montgomery County Zoning Ordinance that permits up to 90 feet in height under the Optional Method. The building height is measured from the southwest corner of the Newell Street frontage. The proposal reflects 125 dwelling units per acre as permitted by in the CBD-1 Zone.

The Project Plan will accomplish important Sector Plan objectives by providing a residential component within south Silver Spring, including Moderately Priced Dwelling Units, promoting redevelopment of vacant and underutilized properties, protecting nearby residential development, upgrading the physical environment and providing a pedestrian environment with outdoor urban amenities and green space. The proposal improves the area by replacing an existing auto-related facility and surface parking lot with a modern high-rise residential 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 south 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 encourages housing as an important component to the revitalization efforts for the South Silver Spring area. This is one of the last remaining

underutilized properties in the intersection of East-West Highway, Blair Mill Road and Newell Street.

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 the pedestrian environment within the improved streetscapes. The improved streetscape, along with the amenities addressing the need for public interaction, enhances the downtown Silver Spring area. The location of the public use space unifies the East-West corridor and complements the existing historic Acorn Park and proposed amenities on adjacent properties. 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 downtown Silver Spring and add an economic infrastructure for commercial and retail businesses in south Silver Spring, especially with the development activity that provides only residential units.

- (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 the south Silver Spring corridor by complementing the scale and mix of existing design elements along East-West Highway, Newell Street and Blair Mill Road and providing a compatible and desirable relationship with adjacent and surrounding uses. The 90-foot-tall building provides the necessary transition from the 12-14 story buildings along East-West Highway to the adjacent 4-6 story mid-rise residential buildings south and west of the subject site to the higher density uses and buildings that front East-West Highway toward Colesville Road.

The design creates an effective relationship with adjacent uses and amenities and allows for a more interactive pedestrian and vehicular pattern. The improved streetscape for Newell Street and Blair Mill will strengthen the overall pedestrian system along East-West Highway to Georgia Avenue and especially to the Silver Spring metro station.

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

The proposed development is located approximately 1600-1800 feet 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 East-West Highway, Newell Street and Blair Mill Road facilitate the desire for pedestrian connectivity to the metro station core areas of development within Silver Spring, especially with the existing and proposed improvements to East-West Highway in conjunction with the new developments under way. The proposed streetscape improvements along Blair Mill Road and Newell Street will promote pedestrian circulation to East-West Highway from Eastern Avenue for the residents of Springwood apartments to the south and west, as well as residents of Shepherd Park in the District. The expanded streetscape improvements along the southwest side of East-West Highway will direct pedestrian circulation to Colesville Road and Georgia Avenue and the associated businesses and restaurants in the downtown corridor.

The applicant will enter into a traffic mitigation agreement (TMA) with the Planning Board to help the Project achieve the non-driver commuting goal for development in the Silver

Spring CBD. A draft TMA was submitted with the proposal that outlines possible transit alternatives, monitoring of the program and commuter display information.

(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* (April 1992) Technical Manual, as amended.

Vehicular circulation is enhanced with a small section of improved right-of-way along the southwest side of East-West Highway. Newell Street is proposed for an additional 10 feet of dedication along the subject property line to expand the total right-of-way dedication to 52 feet from the opposite side of Newell Street. No dedication is required on Blair Mill Road. The right-of-way for Blair Mill Road is 63 feet due to a 7-foot reduction in the total right-of-way permitted by the adjacent preliminary plan approval for 1200 East-West Highway (#1-05084).

The entrance to the parking garage and loading area is located at the northwestern end of the property with direct access from Blair Mill Road. The parking garage is a 2-level, below grade structure planned to accommodate approximately 46 parking spaces, including 2 handicapped spaces. Signs indicating traffic circulation in and out of the garage will promote safety for pedestrian activity in the public use space. The intersection located at East-West Highway and Blair Mill Road is signalized and contains pedestrian crosswalks on all approaches. Access to and through the intersection is safe and adequate for pedestrians.

The streetscape improvements along East-West Highway, Newell Street and Blair Mill Road will facilitate the desire for pedestrian connectivity to the bus and metro station. The streetscape improvements are being expanded along East-West Highway to complement that portion of the existing streetscape on the southwest side and the existing and proposed streetscape improvements on the opposite side of the road. The full streetscape improvements along East-West Highway will complete the block in its entirety to Colesville Road.

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

The Sector Plan recognizes the need for market rate units in the CBD and the objectives of Montgomery County for moderately priced housing is to provide Moderately Priced Dwelling Units (MPDUs) where public facilities, services and transit options are readily available. Consistent with Chapter 25A, the applicant is committed to providing 12 MPDUs within the building, representing 12.5% of the total number of dwelling units.

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

This property consists of Lot 917, an unrecorded lot that proposes redevelopment of a currently underutilized site within south Silver Spring. The Sector Plan does not specifically identify the proposed project site as a potential housing site, however, the Sector Plan encourages housing as an important component of the revitalization efforts for downtown Silver Spring and does recommend a zone for the property that permits residential uses. 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 project plan introduces market-rate and moderately priced condominium units into an existing framework of commercial and retail use in downtown Silver Spring, further encouraging revitalization in the downtown corridor.