



MEMORANDUM

DATE: October 20, 2005
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
 Michael Ma, Supervisor *MA*
 Development Review Division
FROM: Robert A. Kronenberg, RLA *RAK*
 Planning Department Staff
 (301) 495-2187

REVIEW TYPE: Site Plan Amendment
APPLYING FOR: Approval of 523,438 square feet of development, including the elimination of the previously approved grocery store and addition of 8,892 square feet of retail for a total of 14,080 sq. ft. of general retail; and a reduction of the number of multi-family dwelling units from 468 units (59 MPDUs) to 457 units (58 MPDUs). The parking requirements have also been reduced from 837 parking spaces to 655 spaces.

PROJECT NAME: Silver Spring Gateway
CASE #: 82005001A (8-05001A)
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance
ZONE: CBD-2
LOCATION: South East of the intersection of Blair Mill Road and East West Highway
MASTER PLAN: Silver Spring CBD Sector Plan, Approved and adopted February 2000
APPLICANT: Silver Spring Gateway Residential, L.L.C.
FILING DATE: August 18, 2005
HEARING DATE: November 3, 2005

STAFF RECOMMENDATION: Approval of 523,438 square feet of development, including 14,080 square feet of Retail and 457 multifamily units, inclusive of 58 MPDUs on 2.68 acres. All site development elements as shown on the Silver Spring Gateway plans stamped by the M-NCPPC on October 20, 2005, shall be required except as modified by the following conditions:

1. Project Plan Conformance
The Applicant shall comply with the previous conditions of approval for Project Plan 92004002A (formerly 9-04002A) [Appendix A].
2. Preliminary Plan Conformance
The Applicant shall comply with the conditions of approval for Preliminary Plan 12004039A (formerly 1-04039A) [Appendix B].
3. Site Plan Conformance
 - a. The Applicant shall comply with the previous conditions of approval for Site Plan 820050010 (formerly 8-05002) [Appendix C], except as modified by this amendment.
 - b. The Applicant shall obtain signature set approval for the original site plan prior to approval of the signature set for the amendment.
 - c. The approved amendment is limited to the specific revisions outlined in the letter dated August 18, 2005 from Scott Kibler to M-NCPPC [Appendix D], unless otherwise noted in the following conditions of approval.
4. Mixed Use Parking
The parking facility shall include the 40 dedicated spaces for the local merchants; the shared spaces shall be located in the most convenient location and available for short-term use.
5. Wayfinding Signs
Remove the reference to Wayfinding Signs from the site plan, consistent with the letter from Gary Stith dated October 12, 2005 [Appendix E].
6. Pedestrian and Vehicular Circulation
 - a. The applicant shall continue to coordinate with Montgomery County Department of Housing and Community Affairs regarding the construction of streetscape improvements on the New Mixed Street.
 - b. Provide roadway signage to direct local vehicular traffic through the Mixed-Use Street.
7. Recreation Facilities
The Applicant shall provide a detailed plan of the interior fitness facility and tot lot (with equipment layout and equipment list that achieves the similar play functions as an outdoor tot lot).
8. Maintenance Responsibility
 - a. The applicant shall be responsible for maintaining the public amenity features on and off site. The development program shall reference the artist statements about maintenance. The Silver Spring Urban District shall maintain the streetscape within the public right-of-way.
 - b. The Applicant shall enter into a Maintenance and Liability agreement with the Department of Permitting Services for the maintenance of the stormwater management facility underneath the raised landscape planter.
9. Moderately Priced Dwelling Units (MPDUs)
 - a. The proposed development shall provide 12.5% of 457 units, (58 MPDUs) on site with a range of unit types.
 - b. An executed MPDU agreement with the Department of Housing and Community Affairs (DHCA) shall be required prior to the issuance of the first building permit.

10. Stormwater Management

The proposed development is subject to the revised Stormwater Management Concept approval conditions dated May 31, 2005 [Appendix E].

11. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. Prior to approval of signature set site plans, the approved Development Program under Site Plan 820050010 (formerly 8-05001) shall be revised to include the additional program elements as follows:

a. The Traffic Mitigation Agreement shall be finalized and executed with the Planning Board and Montgomery County Department of Public Works and Transportation prior to issuance of the first building permit.

b. The MPDU agreement with DHCA prior to the release of the first building permit.

12. Signature Set Documentation

Prior to signature set approval of site and landscape/lighting plans, the following revisions shall be included and/or information provided, subject to staff review and approval:

a. Development program, inspection schedule, and Site Plan Opinion.

b. Limits of disturbance.

a. All other items specified in the mixed-use parking calculations, site and building design, wayfinding signs, pedestrian and vehicular circulation, recreation facilities and maintenance responsibilities conditions of approval above.

b. Details and layout of the recreation facilities.

c. Details of the proposed roadway signage for local traffic.

Summary of the Proposed Amendment to the Original Site Plan

The original site plan application (920050010) was approved by the Planning Board on March 17, 2005. An opinion was issued on May 12, 2005. The signature set for the site plan has been submitted but not approved. The original approval was for 53,027 square feet of Retail, which included 47,839 square feet of grocery space and 5,188 square feet of other retail. In addition to the retail, 468 multi-family units were approved inclusive of 59 moderately priced dwelling units (MPDUs).

The amendment primarily addresses the replacement of the grocery store and the addition of 8,892 square feet of retail space for a total of 14,080 retail space. The application also decreases the number of dwelling units from 468 multi-family dwelling units to 457, and the MPDUs respectively from 59 to 58. Due to the reduced amount of retail space, the parking requirement has been reduced from 837 required spaces to 655 spaces, eliminating a level of parking below grade.

The only other changes to the site plan include elimination of parking spaces along the private mixed-use streets to accommodate vehicular and pedestrian circulation.

Condition 24 of the original site plan (820050010) included the following requirement: "staff level approval for an amendment to Silver Spring Square Site Plan (8200040040) to provide for combined amenity plaza areas shall be completed prior to release of signature set". The approved and reconfigured public use space areas were presented at the public hearing for site plan (820050010) and are also part of this application. The subject site plan (sheet L-6.0) shows the overall configuration of the combined public use space areas for site plans (820050010 and 8200040040). The conditions of approval do not permit building permits to be released for Silver Spring Gateway (820050010) until staff approves the minor amendment for Silver Spring Square (8200040040). An amendment has been submitted for Silver Spring Square Site Plan (820004004A) for staff level review and approval.

PROJECT DESCRIPTION: Surrounding Vicinity

The property is bounded by existing Blair Mill Road which traverses through the property and a portion of which will be abandoned with this proposal, East-West Highway to the south and west, Georgia Avenue to the east and the CSX/WMATA rail lines to the north. Existing surrounding development consists of the 4-story (60 feet) Silverton Silver Spring Gateway apartments (82004002) directly north and adjacent to the site, the 4-story Discovery Channel Communications Building and Acorn Park opposite East-West Highway from the site. Further north and west of the site is the 15-story (143 feet) Barrington condominium building and the 15-story (143 feet) Blair Towers apartment complex.

Directly opposite the property from East-West Highway are two proposed developments consisting of a 9-story (90 feet) condominium building adjacent to Acorn Park and a 14-story (143 feet) mixed-use condominium and retail building adjacent to Blair Towers. The properties south of the site toward Georgia Avenue are comprised of local 1-2 story retail service stores.



PROJECT DESCRIPTION: Site Description

The property is comprised of ten individual properties, a portion of the Silver Spring Innovation Center (SSIC) site, and a portion of Blair Mill Road. The SSIC has been constructed and exists in the southeast quadrant of the property at the intersection Blair Mill Road, Georgia Avenue and the CSX Railroad. The majority of the site is a staging area for construction activity to accommodate the adjacent Silver Spring Square (Silverton) project. The northwest side of existing Blair Mill Road contains surface parking for the commercial establishments. Blair Mill Road contains metered parking spaces on each side from East-West Highway to Georgia Avenue. The site is nearly level with a slight 1-2 foot difference in elevation from the north to the south.

