



MEMORANDUM

DATE: November 8, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

FROM: Catherine Conlon, Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Preliminary Plan Approval for 5,445 gross square feet of commercial development of which 2,036 square feet is existing and 3,409 is new construction

PROJECT NAME: 836 Bonifant Street

CASE NO. 120050940 (formerly 1-05094)

REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

ZONE: CBD-0.5

LOCATION: On the south side of Bonifant Street, approximately 500 feet east of the intersection with Fenton Street

MASTER PLAN: Silver Spring Central Business District

APPLICANT: Bonifant Investments LLC

ENGINEER: Raztec Associates, Inc.

FILING DATE: May 3, 2005

HEARING DATE: November 17, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 5,445 gross square feet of commercial use.
- 2) Applicant shall dedicate, and show on the record plat, additional street right-of-way for Bonifant Street equal to 40 feet measured from the centerline of the street.
- 3) Applicant shall provide a Class III bikeway (signed, shared roadway) along the frontage of the property on Bonifant Street.
- 4) Compliance with the conditions of the MCDPS approval of the stormwater management plan dated September 9, 2004 [Attachment C].
- 5) Compliance with conditions of MCDPWT letter dated November 1, 2005, as may be amended [Attachment C].
- 6) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 7) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 8) Other necessary easements.

SITE DESCRIPTION

The subject property, Part of Lot 3, Block U, Silver Spring Park, consists of 0.125 acres of land located on the south side of Bonifant Street within the Silver Spring Central Business District (see Attachment A). The property is zoned CBD-0.5 and lies within the Sligo Creek watershed, which is designated as Use Class I. An existing two-story building, erected as a residential dwelling, is located on the site. There is one significant existing tree on the site, a 36-inch Norway maple, but no other environmentally sensitive areas.

PROJECT DESCRIPTION

This is an application to establish the property as an independent lot on which a standard method commercial development will occur (see Attachment B). The existing structure will be retained and enlarged. Per the CBD-0.5 development standards, Chapter 59, Section 59-C-6.2353, a maximum Floor Area Ratio (F.A.R.) of 1.0 is permitted with a Section 59-D-3 Site Plan approval. The subject plan is undergoing concurrent site plan review and proposes the maximum permitted 5,445 square feet of commercial use. The minimum required public use space for this project is 489 square feet (10% of the net lot). The project proposes 866 square feet of on-site public use space (17.7% of the net lot), and the applicant will provide 1,034 square feet of off-site streetscape improvements along Bonifant Street.

RELATIONSHIP TO THE SILVER SPRING CENTRAL BUSINESS DISTRICT SECTOR PLAN

The Silver Spring Central Business District and Vicinity Sector Plan, approved by the County Council on February 1, 2000 ("Sector Plan"), 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. This project is providing a public open space and streetscape improvements in keeping with amenities typically proposed under the Standard Method of Development. This project encourages the development of active urban streets and improves the quality of the pedestrian environment by providing a brick sidewalk and six trees on Bonifant Street.

TRANSPORTATION

Staff concludes that area roads will provide safe and adequate access for vehicles and pedestrians. A traffic study was not required for the property because of the small number of trips that will be generated by the proposed development. Additional right-of-way dedication along Bonifant Street will be provided by the development.

ENVIRONMENTAL:

As previously noted, the subject site contains no environmentally sensitive areas. The property is exempt from forest planting requirements because of its small size. Staff has determined that removal of one existing large tree cannot be reasonably avoided. Replacement tree planting will occur on-site as compensation.

CONCLUSION:

Staff finds the proposed preliminary plan to be in conformance with the requirements of Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance as summarized in attached Table 1, and recommends approval of the plan with the specified conditions.

Attachments

Attachment A – Site Vicinity Map

Attachment B – Preliminary Plan

Attachment C – Agency Correspondence Memos

No citizen correspondence has been received as of the date of this report.

Table 1. Preliminary Plan Data Table and Checklist

Plan Name: 836 Bonifant Street				
Plan Number: 120050940				
Zoning: CBD-0.5				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Commercial				
PLAN DATA	Required/Permitted	Provided	Verified	Date
Minimum Lot Area	N/a	5,445 sq.ft.	CAC	11/9/05
Building Coverage	50% Max.	May not exceed max	CAC	11/9/05
Public Use Space	10% (488 sf) Min.	17% (±866 sf)	CAC	11/9/05
Setbacks				
From ROW	1ft. per 3ft. ht > 30 ft.	Must meet minimum	CAC	11/9/05
From adjoining lots	15 ft. Min. for bldg w/ windows or 0 feet for bldg w/out windows	Must meet minimum (15 ft. provided from west and rear property line; 0 feet from east)	CAC	11/9/05
Height	45 ft. Max.	May not exceed max	CAC	11/9/05
Max FAR	1.0 (5,445 sf)	1.0 (5,445 sf)	CAC	11/9/05
MPDUs	N/a	N/a		
TDRs	N/a	N/a		
Site Plan Req'd?	Yes	Being reviewed concurrently	CAC	11/9/05
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes	Yes	CAC	11/9/05
Road dedication and frontage improvements	Dedication on Bonifant Street	Yes	By Staff memo	11/1/05
Environmental Guidelines	N/a	N/a		
Forest Conservation	Exempt	Exempt		
Master Plan Compliance	Yes	Yes	By staff memo	11/1/05
Other				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes	Yes	Approval memo	9/9/05
Water and Sewer	Yes	Yes	DRC comments	6/20/05
Local Area Traffic Review	No	Not required	DRC comments	11/9/05
Fire and Rescue	Must meet MCFRS standards	Yes	CAC	11/10/05