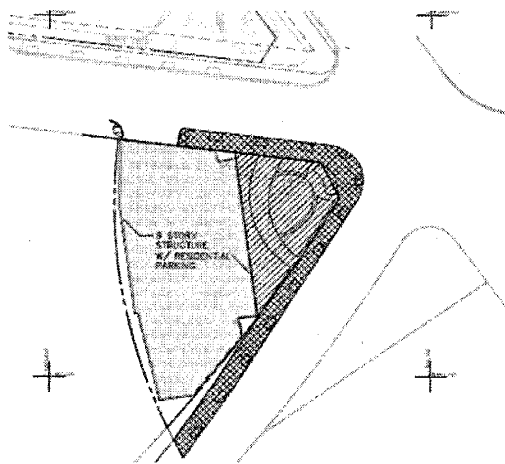
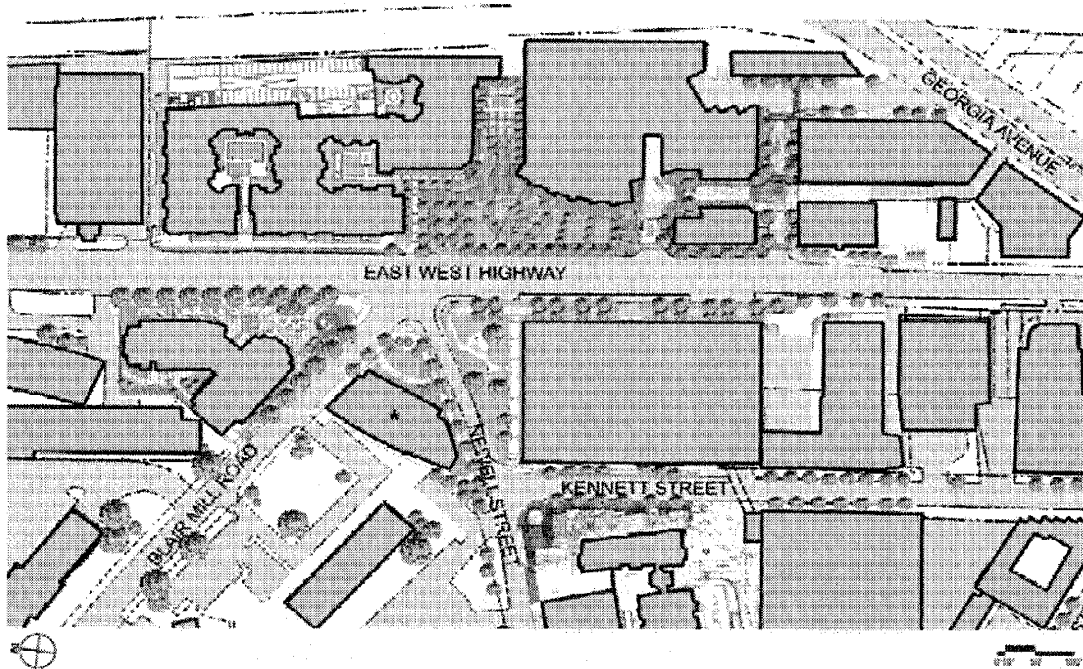


The 9-story building contains two levels of underground parking that consists of 46 parking spaces. The vehicular access point to the garage is located in the northwest corner of the site from Blair Mill Road. The first floor contains residential units and the residential lobby, which includes a mailroom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



The project plan is providing 25.1 percent (4,460 sf) on-site public use space and 25.2 percent (4,470 sf) off-site public use space for a total of approximately 50 percent. The on-site public use space consists of a public green area at the foreground to the building that includes walkways, seating, and a lawn area for public interaction. An art program is incorporated into the flagstone walkway and consists of eight stainless steel lotus-like columns. 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 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 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.

PROJECT DESCRIPTION: Prior Approvals

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.

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

Preliminary Plan

A Preliminary Plan of Subdivision 120060060 (formerly 1-06006) was approved by the Planning Board on October 10, 2005 (Opinion issued February 15, 2006) for a maximum of 96 multi-family dwelling units.

Project Plan

The Project Plan 920060010 (formerly 9-06001) was approved by the Planning Board on October 10, 2005 (Opinion issued February 15, 2006) for a maximum of 96 multi-family dwelling units.

ANALYSIS: Conformance to Development Standards

SITE PLAN DATA TABLE (CBD-1)

	Zoning Ordinance Development Standard	Approved with Project Plan 920060010	Proposed for Approval with Site Plan 820060280
Gross Tract Area (sf.):	22,000	33,747	33,747
Previous Dedication (sf.):		13,650	13,650
Proposed Dedication (sf.):		<u>2,326</u>	<u>2,326</u>
Net Lot Area (sf.):		17,771	17,771
Floor Area Ratio (FAR):	5.0	4.51	4.51
Dwelling Units Per Acre:	125	124	124
Unit Mix:			
Residential Uses (Mkt. Rate)			
Studio Units		7	7
1 BR Units		22	29
1 BR + Den Units		27	8
2 BR Units		20	39
2 BR + Den Units		7	0
3 BR		0	1
Residential Uses (MPDUs)			
Studio Units		1	1

	Zoning Ordinance Development Standard	Approved with Project Plan 920060010	Proposed for Approval with Site Plan 820060280
1 BR Units		4	6
1 BR + Den Units		3	0
2 BR		3	5
2 BR + Den		1	0
Total Number of Units:		96	96
Public Use Space (%/ sf.):			
On-site Public Use Space	(20%) 3,555	(24.7%) 4,387	(25.1%) 4,460
Off-site Public Use Space		<u>(23.8%) 4,235</u>	<u>(25.2%) 4,470</u>
Total Public Use Space	(20%) 3,555	(49.9%) 8,622	(50.3%) 8,930
Max. Building Height (ft.): Measured from Newell St.	90	90	90
Number of Floors:	Not specified	9 stories	9 stories
Setbacks (ft.):	none specified	0 provided along Blair Mill Road	0 provided along Blair Mill Road
		0 provided along Newell Street	0 provided along Newell Street
		0 provided along west property line	0 provided along west property line
		53 feet from East-West Highway Truncation	53 feet from East-West Highway truncation
Total Base Parking Spaces Required: (Based upon unit mix proposed)	123	123	124
Parking Credits (59-E-3.3)			
10% for CBD 123 x .10	12	12	12
5% for <1600' to metro 123 x .05	6	6	6
Total Parking Requirement after Credits:	105	105	106
Total Parking Provided:		44* (Incl. 2 HC)	46* (Incl. 2 HC)
Loading	1 space	1 sp.	1 sp.

*Site is located in Parking Lot District; therefore the total requirement does not need to be accommodated on-site.

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
Demand Points					
Demand per 100 d.u.					
HR (96)	3.8	3.8	3.8	73.9	44.2
*Housing type : High-Rise Residential					
Total Required Points	3.8	3.8	3.8	73.9	44.2
On-Site Supply Points					
Picnic/Sitting Area (8)	14.0	14.0	21.0	70.00	28.0
Pedestrian System	0.29	1.11	1.17	10.97	1.12
Total Supply Points	4.44	6.66	7.54	29.62	4.49
% of demand met on-site	149	120	129	121	180

Note: Recreation demand is not being met on site; however the Recreation Guidelines provide for communities, which include more than 25 dwelling units, to allow credit off-site facilities. The Applicant is required to provide information on the off-site amenities being credited toward this development.

ANALYSIS:

Conformance to Master Plan

The approved Silver Spring CBD Sector Plan recommends the CBD-1 zoning for this site, which was applied through a Sectional Map Amendment (SMA) adopted July 18, 2000, consistent with County Council Resolution 14-600.

The proposed residential development is comprised of 96 residential condominium units (equivalent to 124 dwelling units per acre), which is in keeping with the permitted 125 dwelling units per acre for this site. The application is proposing to develop the site under the optional method of development.

The minimum required public use space for this project is 3,555 square feet (20% of the net lot area). The applicant is proposing 4,460 square feet of on-site public use space and amenities (25.1% of the net lot area). The applicant also proposes an additional 4,470 (25.2 % of the net lot area) square feet of off-site public use space, including the streetscape improvements to East-West Highway and Blair Mill Road, for a total of 8,930 square feet (or 50.3% of the net lot area) of public use space, amenities and off-site improvements.

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 does not specifically identify the proposed project site as a potential housing site. However, the Sector Plan does encourage housing as an important component to the revitalization efforts of downtown Silver Spring and is a permitted use in the CBD-1 Zone.

The proposed project will include new public open space and an art amenity and proposes new opportunities for landscaped public open spaces, public art and streetscapes. This project encourages the development of active urban streets by providing the main building entrance along Blair Mill Road. Placing the primary public space in a prominent place as an activity generator further activates the street. This proposal improves the quality of the pedestrian environment by providing the streetscape treatment required for optional method projects. The proximity to transit facilities and to the downtown employment core will reduce the dependency on the automobile for the residents of the development.

A. Compatibility: The proposed residential development is adjacent to the 4-story Spring Garden apartment building to the west and Acorn Park to the south. The 15-story Blair Towers high-rise apartment building is located directly north of the recently approved 1200 East West Highway, a mixed-use 143-foot high-rise development across Blair Mill Road. The 60-foot-tall Silver Spring Square (The Silverton) condominium and the 15-story (143-foot) Bennington apartment buildings are located across East-West Highway from the proposed development. These buildings are in the final stages of construction. The 143-foot Silver Spring Gateway project is located east of the Silverton and will be starting construction soon. The Discovery Communications Creative Technology Center (height 60 feet) is located across Newell Street on East West Highway. The proposed building height is 90 feet. The varying heights from 60 to 143 feet on these existing and proposed buildings provide for a compatible relationship.

The Sector Plan suggests height and setback limitations for buildings along Newell Street and Eastern Avenue to ensure compatibility with adjacent residential neighborhoods. This recommendation was later codified as part of the Ripley/South Silver Spring Overlay Zone; however, this property is outside the overlay zone. The proposed 90' building height is compatible with the existing and proposed residential buildings adjacent to the proposed development and therefore satisfies the intent of the Sector Plan. The proposed development meets the intent of the Sector Plan and the Montgomery County Zoning Ordinance in terms of height and massing, and will not adversely affect the surrounding properties, the streetscape or the adequacy of light and air.

B. Sector Plan Street Rights-of-Way: The Sector Plan recommends a street right-of-way of 70 feet for Newell Street. The existing right-of-way of 42 feet was reduced from 60 feet as part of an abandonment and subsequent parcel creation for Acorn Park in 1994. Staff at that time agreed that an additional 10 feet of street right-of-way dedication would be required for the north side of Newell Street in the future. The Applicant dedicated the additional 10 feet of street right-of-way to equal a final width of 52 feet with the preliminary plan (120060060).

Blair Mill Road has an existing 60-foot street right-of-way and is symmetrical (street centered). The Sector Plan recommends a street right-of-way of 70 feet for Blair Mill Road. The right-of-way for Blair Mill Road was established at 63 feet during the Preliminary Plan Review (120050840) of the 1200 East West Highway project, opposite the site; therefore, no additional street dedication was required for this proposal.

The reduced right-of-way meets the circulation criteria and recommendations in the Sector Plan and provides the streetscape elements required by the Silver Spring Streetscape Plan.

- C. **Streetscape:** The applicant proposes to improve the streetscape for Blair Mill Road and Newell Street along the frontage of their property with the Type 'B' streetscape treatment. The streetscape treatment consists of a 12-foot-wide sidewalk separated from the curb by street trees. The streetscape public amenities for the proposed development shall be in accordance with the standards recommended in the *Silver Spring Streetscape* (April 1992) technical manual, or as modified to include the bikeway.
- D. **Sector Plan Bikeways:** The Sector Plan recommends a Class II or III bikeway (on-road, shared-use path) on Blair Mill Road. Staff recommends a Class III bikeway (on-road, signed shared bikeway) on both sides of Blair Mill Road.

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.*

If amended in accordance with recommended conditions, the proposed development is consistent with the approved Project Plan (920060010) in land use, density, location, and building height and development guidelines.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the CBD-1 Zone as demonstrated in the project Data Table on page 10.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. Buildings and Structures

The proposed building is a rectangular structure that defines the western edge of the property, while creating an open space in the front of the building that directly corresponds to the adjacent Acorn Park. The building is proposed as a 9-story, 90-foot tall building, with amenity space on the first floor that is directed toward East-West Highway. The residential lobby entrance to the building is located on Blair Mill Road, placing more emphasis on the public green space.

The 9-story building is equipped with two levels of underground parking accommodating 46 parking spaces. The maximum 90-foot building height is measured from the southwest corner of the site directly off of Newell Street.

The location of the proposed building is adequate, safe and efficient and does not adversely affect the surrounding development.

- b. Open Spaces

The project plan is providing 25.1 percent (4,460 sf) on-site public use space and 25.2 percent (4,470 sf) off-site public use space for a total of 50.3 percent. The minimum on-site public use space requirement is 20 percent, which is being significantly increased with this proposal, and the combined on and off-site public use space is higher than the standard percentage of public use space within the Silver Spring CBD of 46-48 percent. The on-site public use space consists of a lawn area and integrated pathways with benches and the art columns, designed as a foreground to the building. The public use area contains many elements that are unified by paving patterns, plant materials, seating areas, vertical elements and the public art.

The off-site public use space is comprised of the streetscape improvements within the rights-of-way of Blair Mill Road, Newell Street and East-West Highway.

The proposed stormwater management concept consists of (1) on-site water quality and recharge control via grass swales, dry swales, a modified dry swale, drywells and a surface sand filter. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

c. Landscaping and Lighting

The proposed landscaping on the site consists of foundation planting along the east side of the proposed building, separated by the internal path connection and art columns. The planting consists of shrub masses with ornamental deciduous trees. The entire public use area that contains the lawn area, planting, benches and walkways is situated over the top of the structured garage and contains a minimum soil depth of three feet over the structure for adequate root growth and plant survivability.

The internal flagstone pathways will vary in width while connecting the two public streets and allowing for interaction with the public use space and proposed art elements. Benches are proposed along the outside of the pathways throughout the public use space and oriented to interact with the art.

The public art (Appendix D) was envisioned to strike a balance between the mass of the building, that is set in a purely urban environment, to an oasis of green area that invites the public into the space. The transition provides an intimate scale for pedestrian interaction while providing an opportunity for pedestrian movement through the site. The Applicant is proposing eight stainless steel columns with a softly brushed finish. The columns will have an organic quality that resembles the graceful form of lotus columns. The columns are located in strategic areas along the internal flagstone path and vary in height from 12-16 feet, relating to the building mass.

The lighting plan consists of the standard Washington Globe fixtures and decorative bases within the rights-of-way for Blair Mill Road, Newell Street and East-West Highway, in conformance with the Silver Spring Streetscape Standards. The on-site fixtures consist of 42" tall bollards along the stone pathway and up lighting to accent the art columns. Flexibility will be allowed for the placement of the up lighting by the artist to maximize the positive impact to the vertical columns.

d. Recreation

Recreation demand and supply is shown in the recreation calculations table on page 11 of this report and consists primarily of outdoor picnic/sitting areas and the pedestrian walkways. The recreation amenities shall be in conformance with the M-NCPPC Recreation Guidelines. The Applicant will need to revise the recreation calculations to provide facilities and amenities within the building or take credit for immediately adjacent public facilities such as Acorn Park.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

This site 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.

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 with 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 dedicated an additional 10 feet on Newell Street, for a total right-of-way width of 52 feet, based upon an agreement to protect Acorn Park. Blair Mill Road did not require additional dedication because the recently approved preliminary plan (120050840, 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 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 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 site falls within the Silver Spring Parking Lot District, allowing the Applicant to provide fewer parking spaces on site than normally required.

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 full streetscape improvements along East-West Highway will complete a portion of the block all the way to Colesville Road. The street trees and streetlights within the Blair Mill Road right-of-way will be aligned with the adjacent property across Blair Mill Road.

Internal pedestrian circulation consists of the variable width flagstone path connecting the proposed streetscapes of Blair Mill Road and Newell Street.

The Site 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.

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 is required to enter into a Traffic Mitigation Agreement with the Montgomery County Planning Board and Montgomery County Department of Public Works and Transportation (DPW&T) to participate in the Silver Spring Transportation Management District. The Traffic Mitigation Agreement shall be signed and executed prior to release of the building permit.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed development is compatible with existing and proposed development within the surrounding area with regard to height, design of the building and public spaces, intensity of the development and operational characteristics.

The proposed residential development is adjacent to the 4-story Spring Garden apartment building to the west, Acorn Park to the south and Blair East high-rise apartment building to the north of the recently approved 1200 East West Highway mixed-use 143-foot high-rise development across Blair Mill Road. The 60-foot-tall Silver Spring Square (The Silverton) condominium and the 15-story (143-foot) Bennington apartment buildings are located across East-West Highway from the proposed development. These buildings are in the final stages of construction. The 143-foot Silver Spring Gateway project is located next to the Silverton and will be starting construction soon. The Discovery Communications Creative Technology Center (height 60 feet) is located across Newell Street on East West Highway. The proposed building height is 90 feet. The varying heights from 60 to 143 feet on these existing and proposed buildings provides for a compatible relationship. The subject development meets the intent of the Sector Plan and the Montgomery County Zoning Ordinance in terms of height and massing,

and will not adversely affect the surrounding properties, the streetscape or the adequacy of providing light and air.

The proposed 90-foot building height is permitted in the CBD-1 Zone and is not subject to the Ripley/South Silver Spring Overlay Zone.

The public use space proposed at the front of the building along East-West Highway frames the entire intersection providing a unified relationship with the surrounding properties. The massing of the building is compatible with the surrounding proposed and existing residential buildings and fills in a long-term gap in the urban building fabric along East-West Highway. The building and open space at the apex of the site complete and define the intersection of Blair Mill Road, Newell Street and East-West Highway.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The development is exempt from the requirements of forest conservation from Environmental Planning Division by letter dated July 26, 2005. The property falls under a small property exemption; whereby, activity occurring on the site is less than 1.5 acres and no existing forest in excess of 10,000 square feet is being removed. The site contains no wooded areas.

APPENDICES

- A. Planning Board opinion for Project Plan 920060010
- B. Planning Board opinion for Preliminary Plan 12006060.
- C. Memoranda from agencies