



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 31, 2007

**MEMORANDUM – MANDATORY REFERRAL**

**MCPB**

**TO:** Montgomery County Planning Board

**Item #9**

**VIA:** John Carter, Chief, Community Based Planning Division *JK*  
Glenn R. Kreger, Team Leader, Silver Spring/Takoma Park *JK*  
Rick Hawthorne, Chief, Transportation Planning *DKH for*

**06/07/07**

**FROM:** Tom Autrey, Supervisor, Transportation Planning (301-495-4533) *TA*

**SUBJECT:** 1. Forest Conservation Plan: Silver Spring Transit Center, Colesville Road and Wayne Avenue, CBD-2 Zone, Silver Spring Central Business District Sector Plan  
Colesville Road and Wayne Avenue, CBD-2 Zone, Silver Spring Central Business District Sector Plan  
  
2. Mandatory Referral No. 04106-DPW&T-1: Silver Spring Transit Center Phase 2, Colesville Road and Wayne Avenue, CBD-2 Zone, Silver Spring Central Business District Plan

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**FOREST CONSERVATION, BINDING ELEMENTS, AND STAFF RECOMMENDATIONS**

Forest Conservation (Chapter 22A)

The applicant has an approved Forest Conservation Plan (see Attachment E) from the prior submittal.

Binding Elements Related To Park Replacement

Staff recommends the Planning Board require the following prior to vacating the surface easement on which the existing Metro Urban Park is located:

1. The completion of an executed Memorandum of Understanding that provides for the establishment, delineation, maintenance, security and funding of the replacement parks and the potential impacts on the replacement park on the Transit Center Plaza from the possible construction of the Purple Line.

Staff Recommendations

Staff recommends approval of the Mandatory Referral with the following recommendations to the Department of Public Works and Transportation (DPWT) and the Washington Metropolitan Area Transit Authority (WMATA).

1. Provide for a minimum 30 foot wide building setback along Colesville Road as recommended in the March 2005 Mandatory Referral review.
2. Construct as part of the project the hiker/biker trail along Colesville Road adjacent to the Transit Center within the thirty-foot setback and in accordance with adopted Silver Spring Streetscape Standards.
3. Continue to pursue funding for the connection of Bonifant Street and Ripley Street, as recommended in the adopted Silver Spring CBD Sector Plan.

4. Avoid reductions in the project scope that would have a direct impact on facility users such as canopies, stairs, elevators, signage, landscaping, and tree plantings.
5. Provide a public art component that is submitted for review by the art panel prior to September 1, 2007.
6. Provide for an architectural treatment along the Colesville Road and Wayne Avenue edges that will soften the appearance given the fact that the private development may not take place until well after the construction of the Transit Center is completed.
7. Provide the wayfinding /signage plan previously requested by the Planning Board by June 30, 2007.
8. Provide a formal Crime Prevention Through Environmental Design (CPTED) analysis for the Transit Center by September 30, 2007.
9. Consider another approach to the pavement marking proposed on the Lower Level entrance at Colesville Road for guiding buses to and from the two different circulation patterns. The large crosshatch area as currently proposed appears to cover an area that buses cannot avoid.
10. Include simple, straightforward information on the two-way bus circulation pattern as part of the outreach effort a minimum of 30 days in advance of the Transit Center becoming operational.
11. Provide crosswalk widths of a minimum of 15 feet across Colesville Road and 20 feet across Wayne Avenue south of Colesville Road.
12. Identify the number and location of bike lockers and bike racks for the Transit Center.
13. Widen the existing northbound Wayne Avenue through/right lane to accommodate bus right turn movements.
14. Widen northbound Dixon Avenue approach to Wayne Avenue from the existing one left/through/right lane to one left/through lane and one right turn lane.
15. Submit an updated VISSIM analyses for SHA review no later than June 30, 2008.
16. The Transit Center shall be constructed in substantial conformance with the Permit Set Package, dated February 19, 2007, and as amended herein. A complete, revised Permit Set package, including the specifications, shall be provided to the Commission prior to bidding which incorporates the following revisions:
  - a. Construction documents and specifications for the park shall be added to the Permit Set package or shall be included as an addendum. The Planning Board shall review and approve the construction documents for the park replacement areas prior to vacating the current park easement.
  - b. A paving pattern shall be implemented throughout the passenger portions of the station based on the paving pattern used in Park Area #1. The pattern shall consist of intersecting bands with accent nodes. Alternates shall be developed to obtain costs to implement the pattern. The paving pattern shall be constructed concurrent with construction of the station. Special design emphasis and higher quality materials shall be used at all entrances to the Transit Center, including around all escalators and elevators.
  - c. The streetscape treatment along the public road frontage at the Metro station entrance at Colesville Road, under the bridge and in front of the south entrance shall incorporate the new paving pattern as indicated on EDAW's most current plan submitted May 21, 2007.
  - d. The Silver Spring Streetscape treatment shall be provided in all of the pedestrian areas of level 350 of the Transit Center. The center island, as well as the large striped island at the northwest terminus of the island, shall also be paved with The Silver Spring standard Belden brick.
  - e. Specially paved crosswalks shall be installed across Wayne Avenue, Ramsey Avenue and Colesville Road. A construction detail for these crosswalks shall be reviewed and approved by staff.
  - f. The Silver Spring Streetscape treatment shall be used along the public sidewalk along both sides of the new road providing access to the Transit Center from Ramsey Avenue to level 330 of the transit center structure.

- g. Demonstrate that each shade tree planted over structure has a minimum of 250 cubic feet of soil to sustain and encourage healthy growth, and that all planters have been designed with proper drainage. The top level of the transit center deck shall include a minimum of 25 shade trees as shown on sheet A2.02.
  - h. The curved planter at the second floor (el. 330) level that faces Colesville Road shall be redesigned as a hanging garden similar to the very successful planters at National Airport. The metal trusses for future signage can be scaled to fit within the planting or be relocated to another equally prominent location.
  - i. The plan for Park #2 shall be further developed to ensure that the proposed park area is significantly enhanced to justify the reduction in overall replacement parkland. The plan may include public art, a water feature, drinking fountains, a high quality paving treatment similar to that in Area #1, benches, signage, bike racks, extensive plantings, lighting, etc.
17. The south entrance to the Metro Station shall be opened to the public upon, or before, completion of the Transit Center construction

#### **An Issue For The Near Term - Reaching Agreement On Park Replacement Before Transit Center Construction Starts**

As of this writing, there is no signed Memorandum of Understanding (MOU) among the involved parties – Maryland National Capital Park and Planning Commission (M-NCPPC), WMATA, and Montgomery County (i.e., the Department of Public Works and Transportation or DPW&T). The MOU is required in order to vacate the existing surface easement for the Metro Urban Park, define the area for the replacement parks, and provide specific understandings with respect to maintenance, security, funding, park features, and other items, including remedies that may be necessary if the Purple Line is constructed on or near the area to be delineated for the park features.

The existing bus stops adjacent to the Silver Spring Metrorail Station are scheduled to be moved to the Interim (Bus) Operations Site on Sunday, July 29, 2007 so that construction can begin on the Transit Center site. It is critical that the relocation take place in the summer so that there is a period to observe the bus operations and pedestrian flow and make adjustments during August prior to the beginning of fall and the start of school. The July 29, 2007 date is also important because it marks the beginning of demolition work on the Transit Center site, including the area of the existing Metro Urban Park.

**If there is no agreement on the MOU at the time the Planning Board considers this agenda item (now scheduled for June 7, 2007), the Planning Department staff recommends that Planning Board direct the staff to provide weekly updates on the progress as part of the Directors reports throughout June and July until an agreement is reached.**

## PROJECT LOCATION AND DESCRIPTION

### Location

The new Paul S. Sarbanes Silver Spring Transit Center will be located adjacent to the Silver Spring Metrorail Station. The Transit Center will share the WMATA owned site as part of a joint development project that is expected to include a hotel, ground floor retail, and two multi-family residential towers. The site is bounded by Colesville Road and Wayne Avenue to the north, Ramsey Avenue to the east, Bonifant Street and Ripley Street (when extended) to the south, and the CSX and Metrorail right of way to the southwest (see Exhibit 1).

### Project Overview

The Transit Center project will consist of three levels and will include two urban parks, a total of 32 bus bays for Ride-On and Metrobus, taxi and Kiss and Ride spaces, MARC and Intercity Bus ticketing and waiting areas, a Transit Store, a segment of the Metropolitan Branch Trail (MBT), and the main entrance to a future hotel. The applicant's rendering of the project (depicting the planned but unapproved private component of the project in addition to the Transit Center) is presented in Exhibit 2.<sup>1</sup> The Site Plan is presented as Exhibit 3<sup>2</sup>. A more detailed description of the features of each level is presented below.

#### First Level (Level 305)

This level is directly accessible only from Colesville Road, the Metrorail Station or the interim Metropolitan Branch Trail (MBT) and includes 17 bus bays, a Transit Store, a Transit Supervisor kiosk, a break room for WMATA and/or Ride-On employees, four escalators, four elevators, and an unspecified number of bike racks and/or lockers. Exterior access to the second level and a pedestrian bridge to the MARC platform are provided by covered escalators. The plaza area between Colesville Road and the exterior escalators will feature an Urban Park, approximately 12,074 square feet in size. The plan drawing (with no delineation of the Urban Park) for the First Level is shown in Exhibit 4.

#### Second Level (Level 330)

This level is accessible from Wayne Avenue and includes 12 designated bus bays, a Transit Supervisor kiosk, an Intercity Bus and MARC Commuter Rail Station with waiting area and restrooms, five escalators, four elevators, and a pedestrian bridge over the interim MBT to the MARC platform. Exhibit 5 depicts the specific features and layout of the second level.

#### Third Level (Level 350)

This level is accessible from Bonifant Street and will eventually serve as the main vehicular entrance to the hotel. It also includes Kiss and Ride drop-off spaces and ADA parking, *one escalator*, and four elevators. This level differs from the vehicle circulation area in the lower levels in that it covers about one-half of the size, features a relatively extensive planting scheme, and has one-way circulation. This level could also potentially be accessible from an extended Ripley Street, an issue that is discussed in some detail later in this memorandum. The plan for the third level is shown in Exhibit 6.

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<sup>1</sup> The Metro Urban Park (to be located in the plaza area near the Transit Store) is not shown in Exhibit 2.

<sup>2</sup> Exhibit 3 denotes the triangle area on the north side of Wayne Avenue as "NIC" or Not In Contract. This is incorrect. This area is now designated as one of two areas (the other being the plaza area near the Transit Store) where new urban parks will be located.



# Exhibit 1 - Project Area



Map Compiled On 05-29-2007 at 10:11 AM  
 Map Code: 1 inch = 200 Feet or 1:2400

0

200 Feet

The Maryland-National Capital Park and Planning Commission  
 Montgomery County Department of Park and Planning  
 Transportation Planning Unit  
 8787 Georgia Avenue | Silver Spring, Maryland 20910  
 301.455.4525 ext. 301 | 301.455.1302 fax | <http://www.mnppc.org>



Exhibit 2 - Paul Sarbanes Silver Spring Transit Center

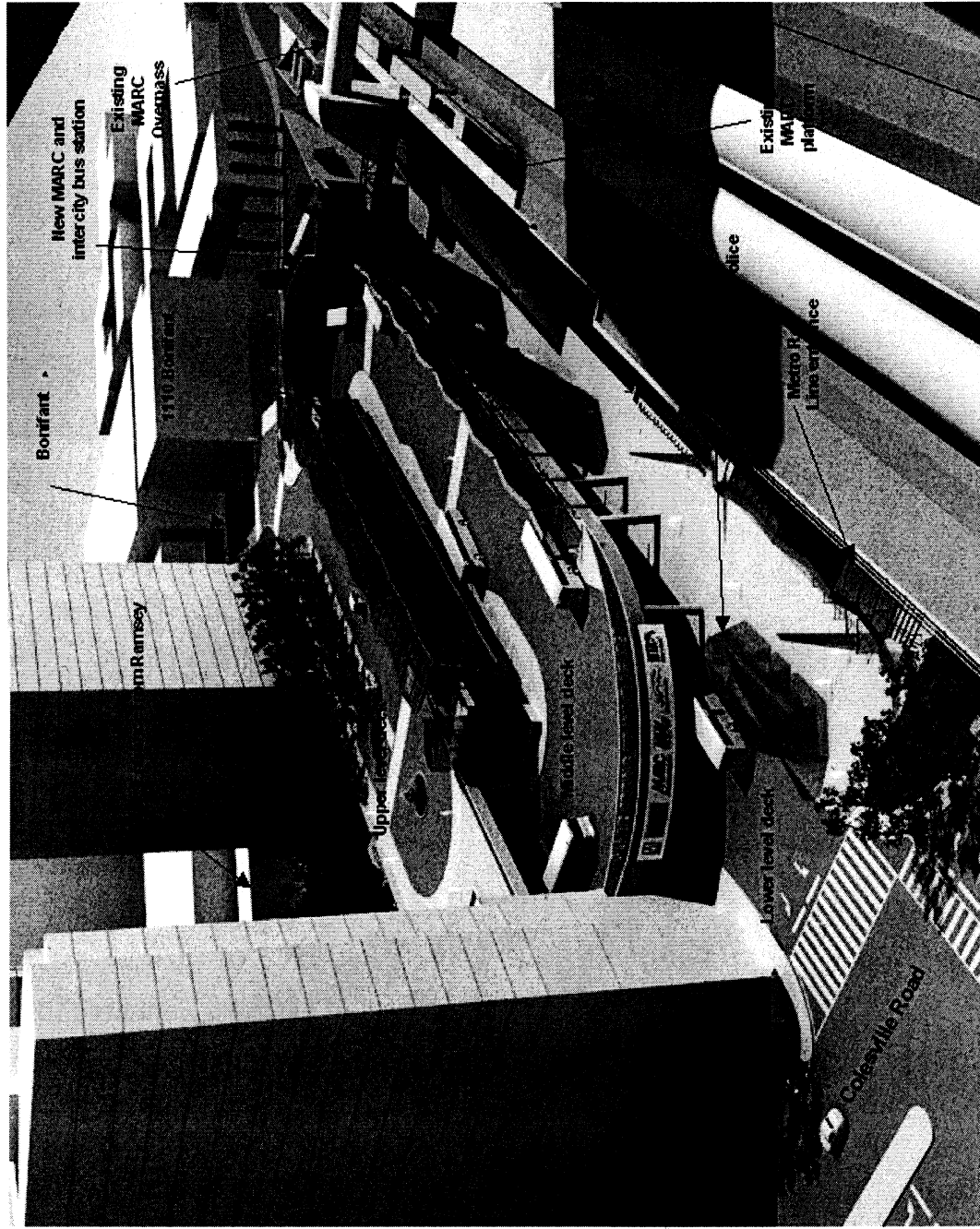


Exhibit 3 – Site Plan

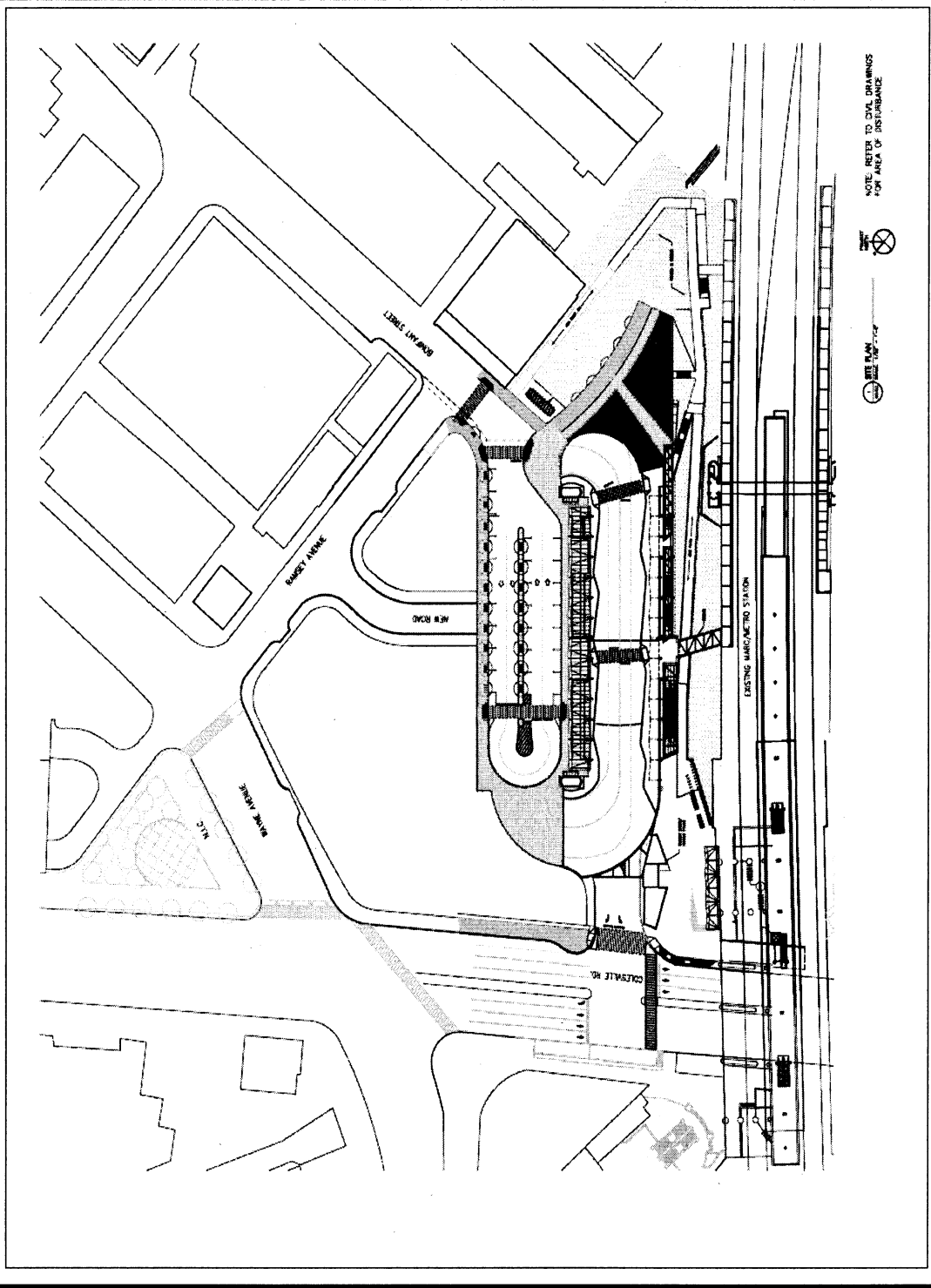


Exhibit 4 – Level One Plan

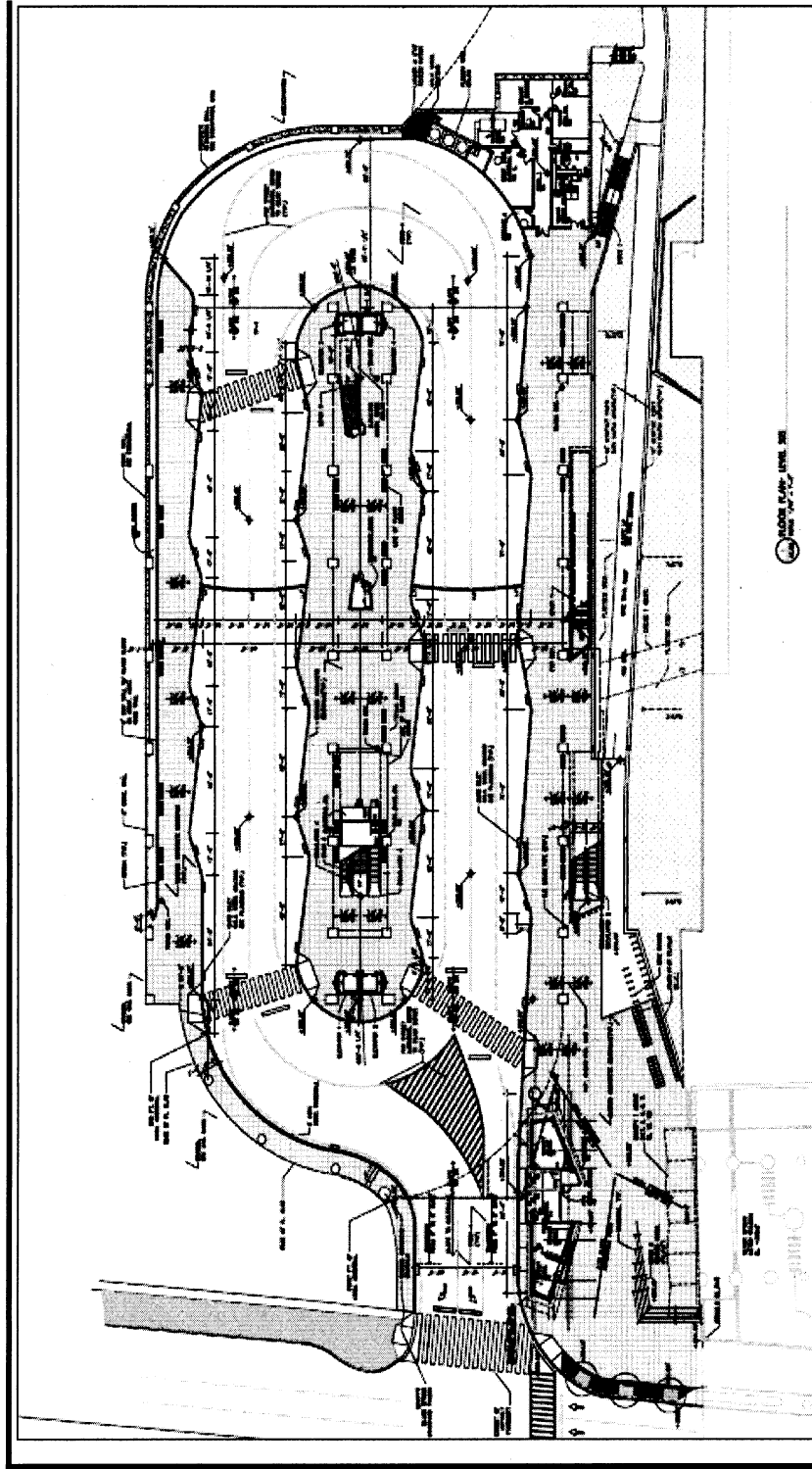


Exhibit 5 – Level Two Plan

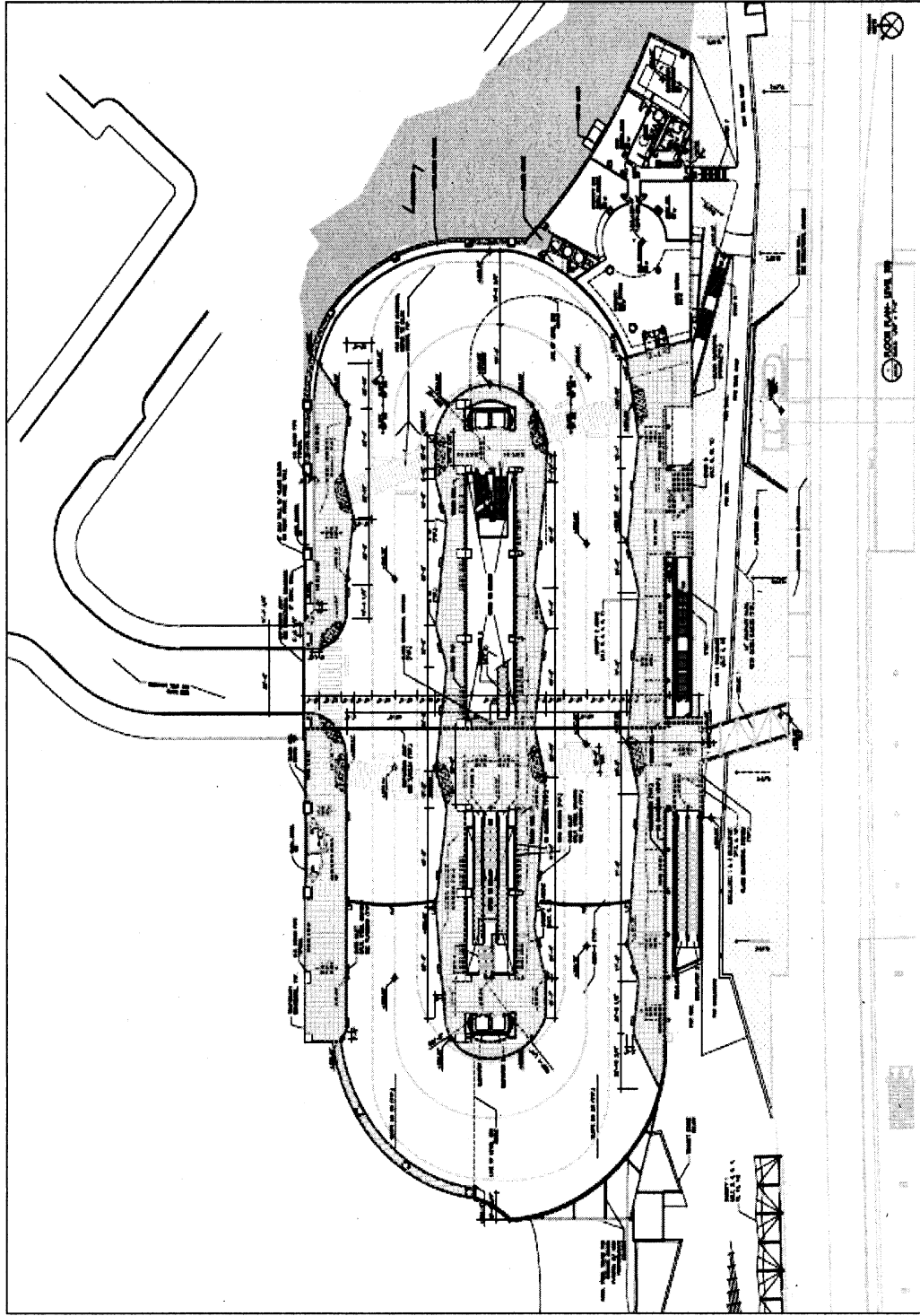
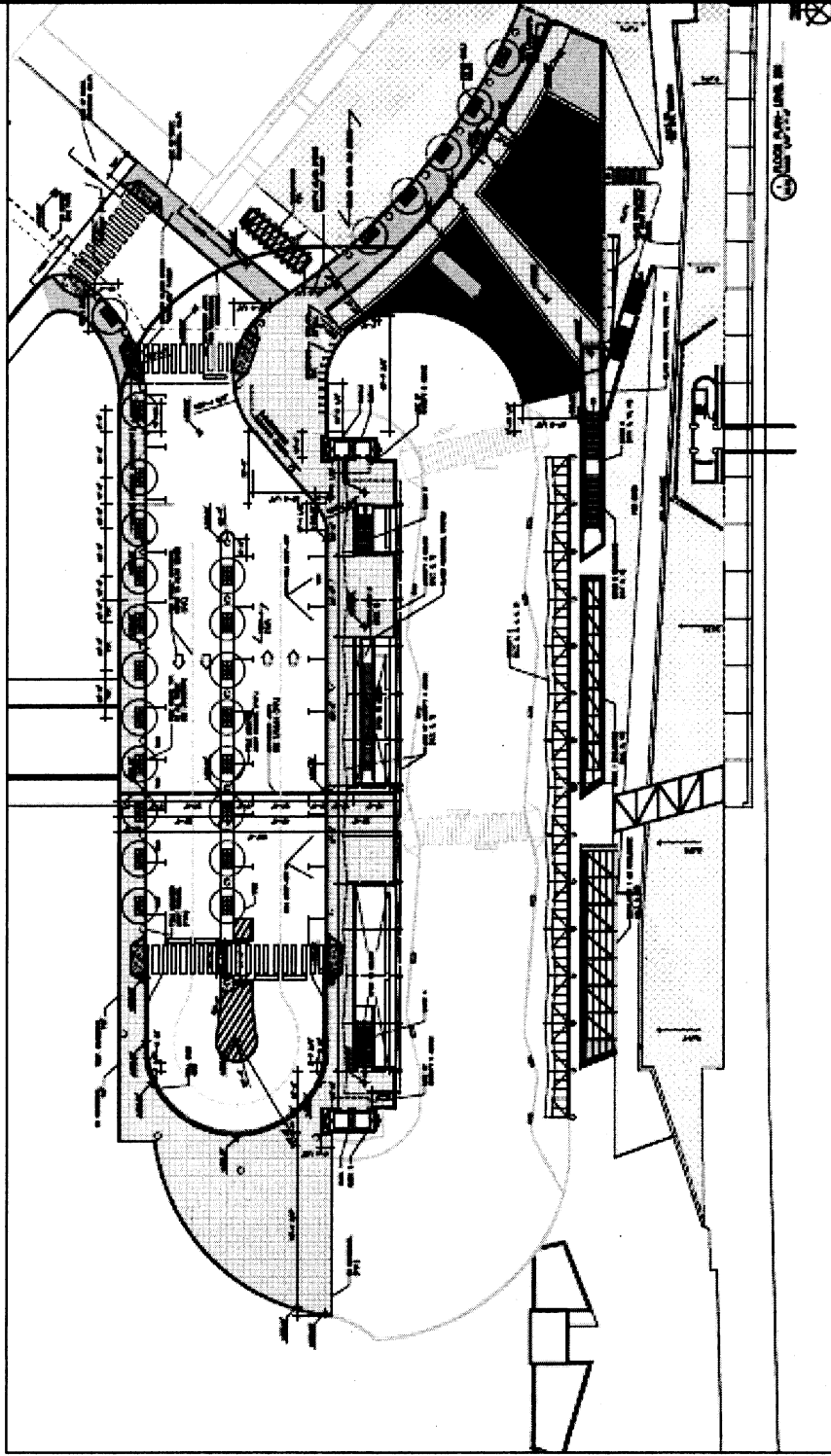




Exhibit 6 – Level Three Plan



## Replacement Parks

A critical component of the project is the replacement of the existing two-level urban park (see Exhibit 7). The current park is constructed on a surface easement conveyed to Maryland – National Capital Park and Planning Commission (M-NCPPC) under a 1977 agreement between WMATA and M-NCPPC. The easement will need to be vacated in order to construct the Transit Center. The agreement provides for the replacement of the park with a park of equal or greater area.

As of this writing, the Parks Department and WMATA have tentatively agreed to an approach that will establish replacement urban parks on surface easements in two different locations.

- “Metro Plaza Park”

This park is approximately 12,074 square feet in size and will feature a landscaped area of significant quality and dimension so that users of the Transit Center come to know it as a landmark and gateway to Silver Spring. A concept plan is shown in Exhibit 8. Key features of this park include a dozen mature trees, distinct paving defining the plaza area and providing passive directional guidance to and from the Transit Center and Metrorail entrance, as well as other amenities, such as seating and informational signing. It is also the terminus for the MBT.

- “Jughandle Park”

This park is approximately 11,590 square feet in size and will feature trees, water and benches in what will be an area of transition between the Transit Center and Georgia Avenue. A concept plan for this park is provided in Exhibit 9 and a perspective is shown as Exhibit 10. This park has also been identified as the potential location of a future bike station – given the park’s location at the point where the Metropolitan Branch Trail / Capital Crescent / and Silver Spring Green Trail converge (see Exhibit 11). The concept plan has been developed so that it could eventually accommodate a 1,500 square foot footprint of a potential bicycle station.

## Interim Operations Site (IOS)

One important aspect of Transit Center project involves the relocation of the existing bus stops adjacent to the Silver Spring Transit Center while the Transit Center is under construction. This relocation is currently scheduled to take place in late July. The bus stops will (for the most part) be located as on-street stops along Wayne Avenue, Dixon Avenue, and Bonifant Street. Exhibit 12 depicts the planned bus stop locations for the Interim Operations during the two-year construction period of the Transit Center. A summary of walk times and distances is provided below.

Walking Distance							
	Bonifant	Dixon	Wayne	2nd Ave	Metro S	Metro N	MARC
Bonifant		380'	640'	1,285'	1,005'	1,375'	780'
Dixon	380'		415'	1,300'	1,310'	1,395'	1,135'
Wayne	640'	415'		885'	895'	980'	1,215'
2nd Ave	1,285'	1,300'	885'		700'	435-595'	1,070'
Metro S	1,005'	1,310'	895'	700'			370'
Metro N	1,375'	1,395'	980'	460'			
MARC	780'	1,135'	1,215'	1,070'	370'		
Walking Time (2.5mph)							
	Bonifant	Dixon	Wayne	2nd Ave	Metro S	Metro N	MARC
Bonifant		1.7	2.9	5.8	4.6	6.3	3.5
Dixon	1.7		1.9	5.9	6.0	6.3	5.2
Wayne	2.9	1.9		4.0	4.1	4.5	5.5
2nd Ave	5.8	5.9	4.0		3.2	2.1	4.9
Metro S	4.6	6.0	4.1	3.2			1.7
Metro N	6.3	6.3	4.5	2.1	0.0		
MARC	3.5	5.2	5.5	4.9	1.7		

Exhibit 7 – Existing Urban Park



View from lower level,  
Metro entrance



View of stairs and park features



View from  
upper level

Exhibit 8 – Metro Plaza Park Concept Plan

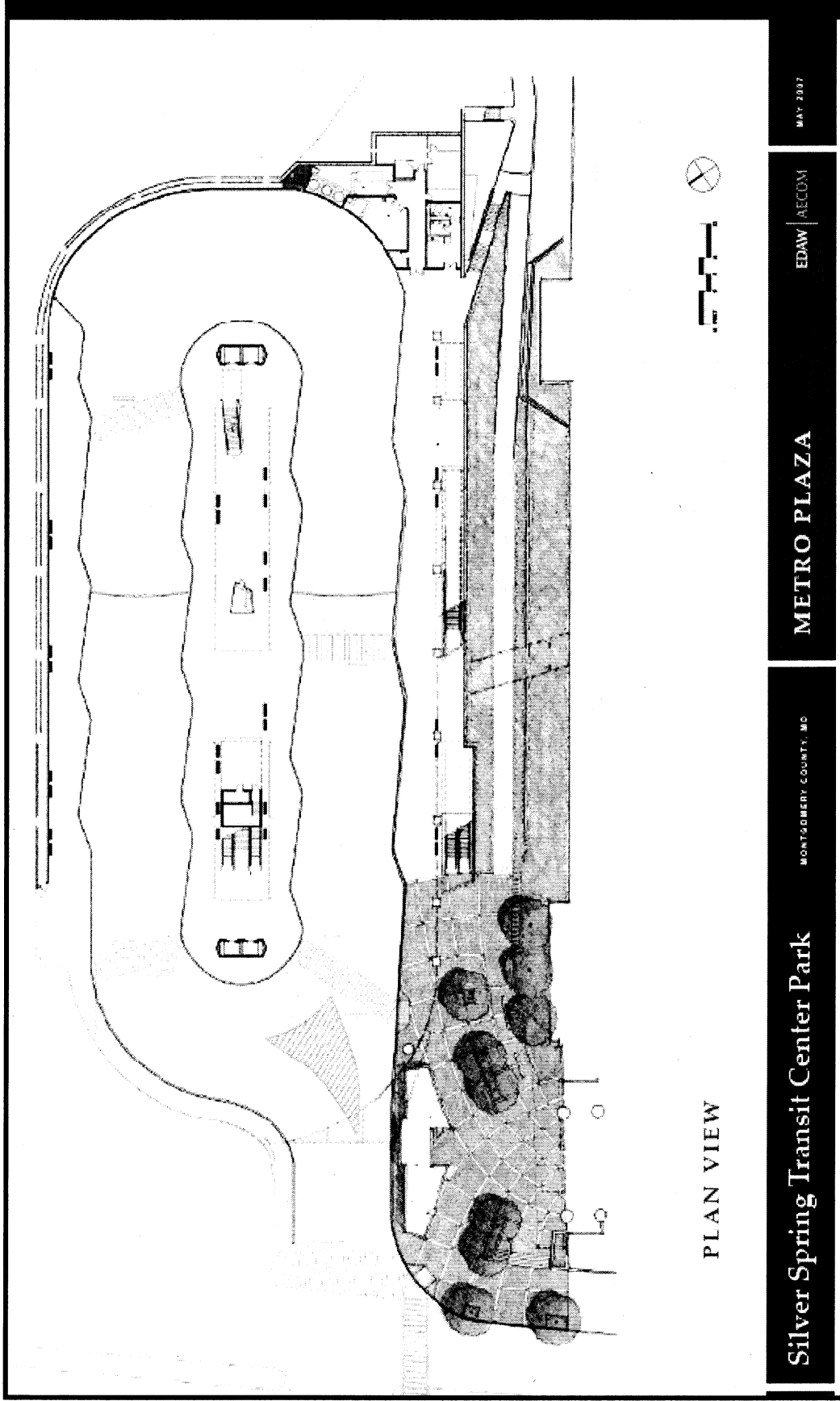


Exhibit 9 – Jughandle Park Concept

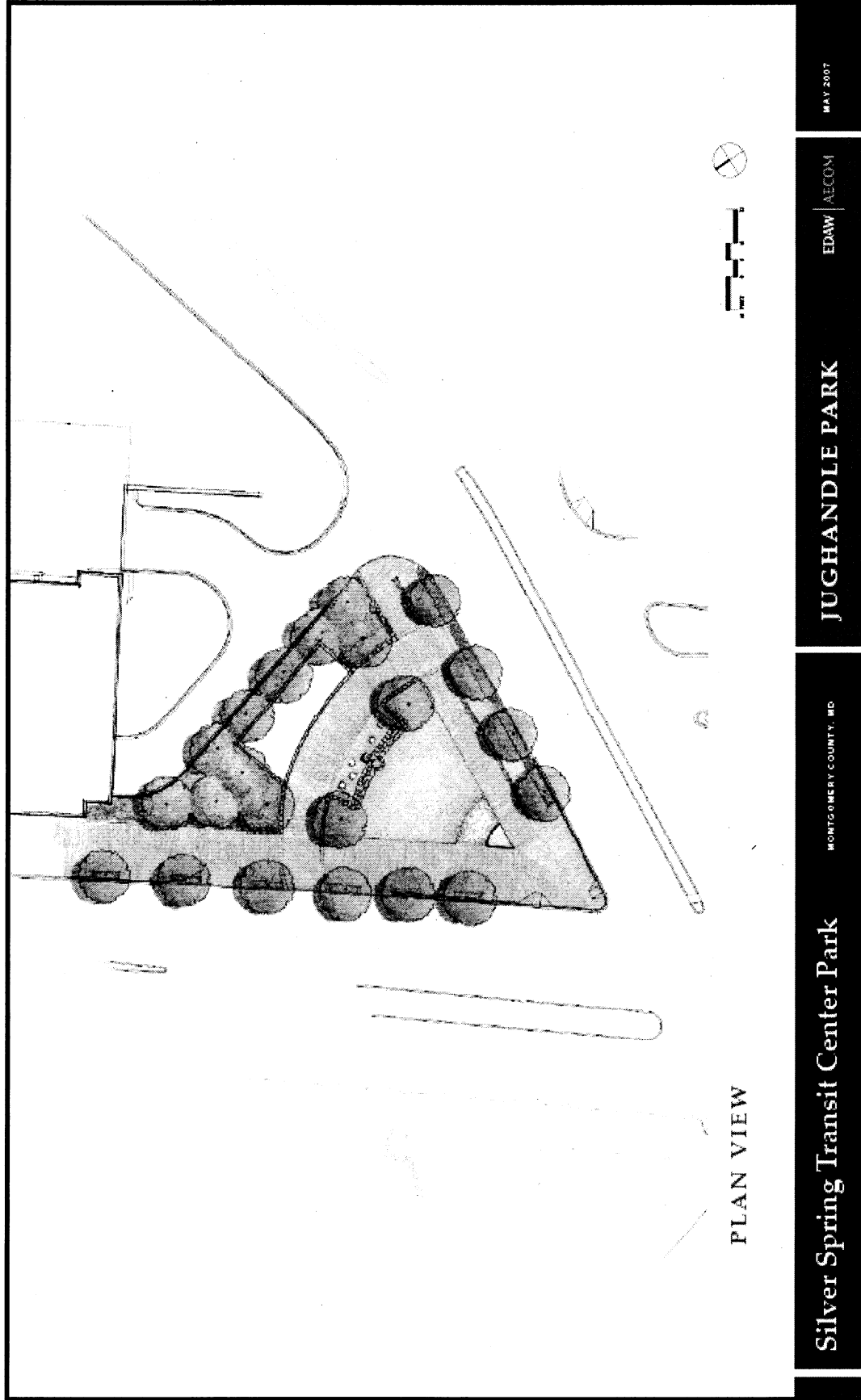
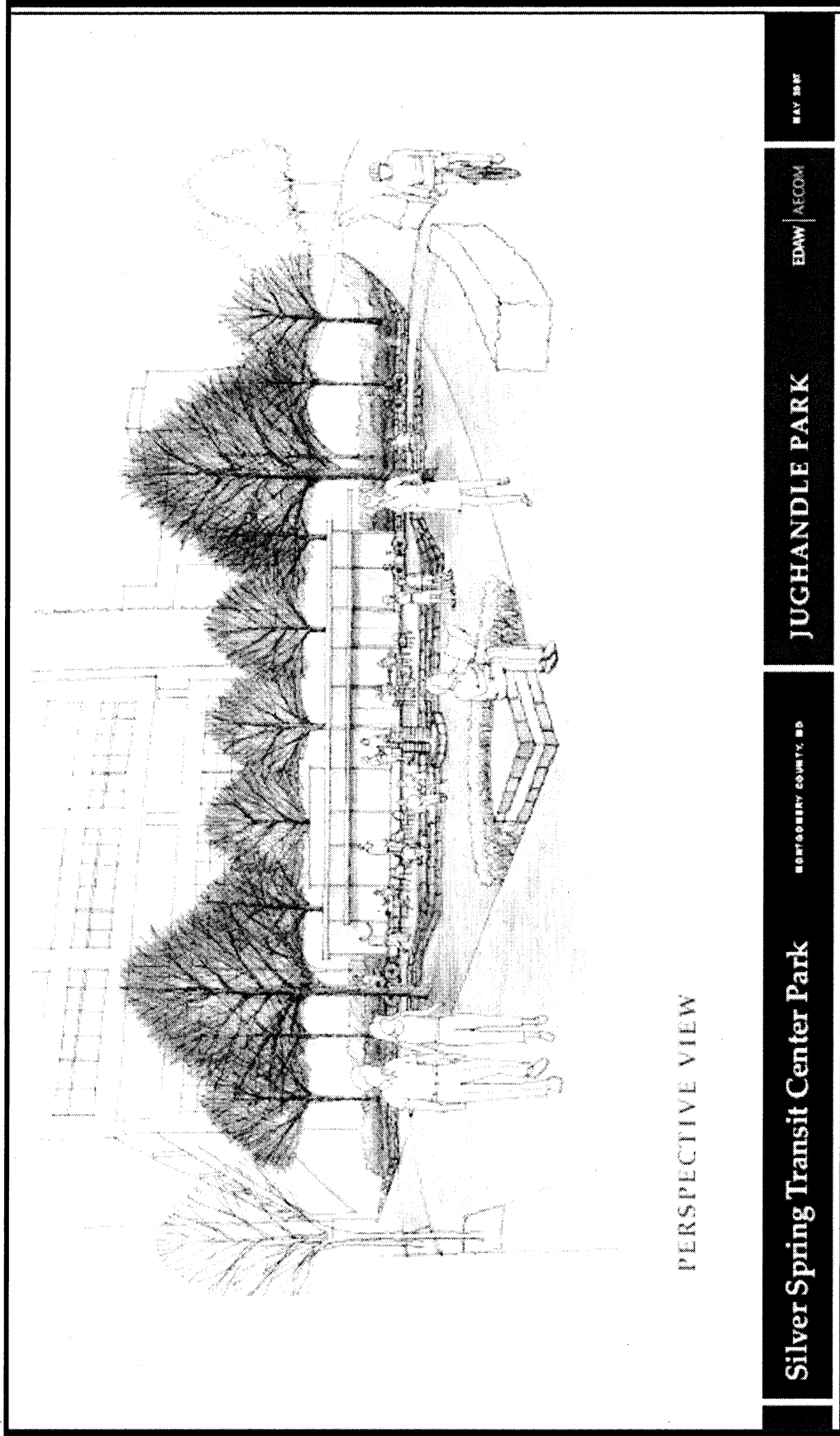


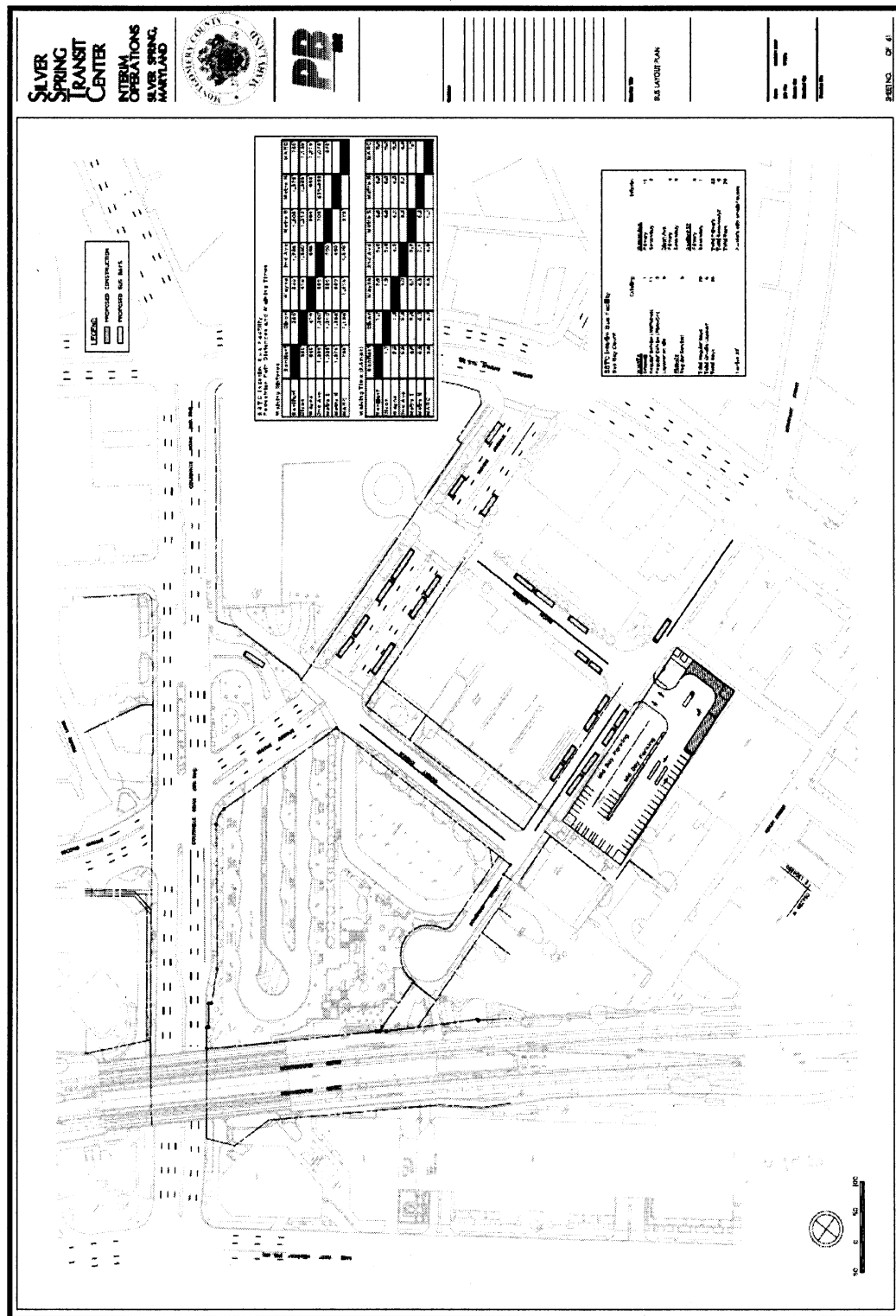


Exhibit 10 – Jughandle Park Perspective





## Exhibit 12 – Interim (Bus) Operations Site During Silver Spring Transit Center Construction



## **BACKGROUND**

The Silver Spring Transit Center was reviewed under the Planning Board's Uniform Standards for Mandatory Referral Review on March 10, 2005. The project was also the subject of a Public Hearing held by WMATA on April 24, 2006. There have been a number of modifications to the original scope due in part to the review and comments at both the first Mandatory Referral review and the subsequent WMATA public hearing.

### Items That Remain Unresolved

#### **The Replacement Park**

Originally, the replacement park was to be part of the private development, located on two levels within the project site and accessible from the corner of Wayne Avenue and Ramsey Avenue. The most recent plan calls for the replacement park area to include an area between the Transit Center and the entrance to the Metrorail Station and the area on the jughandle, on the north side of Wayne Avenue. As of this writing, the Parks Department, DPW&T, and WMATA are reviewing concept plans and finalizing a Memorandum of Understanding (MOU) that would provide for the abandonment of the surface easement of the existing park, establish the surface easements over the Plaza and Jughandle areas, and outline security, maintenance, and funding responsibilities, among other items. The Parks Department staff is also working with the applicant on the design of the replacement park areas.

**The Planning Board needs to be aware that the Transit Center project schedule could potentially be affected if an agreement on the Replacement Park(s) is not reached within the next 30 days.**

Bus stops will be relocated to the Interim Operations Site on July 29, 2007 so that passengers and operators can become familiar with this significant change in service and make operational adjustments before the start of school and changing traffic patterns and volumes. Once the buses are relocated, the public should expect to see construction activity on the site.

#### **Colesville Road Sidewalk Width**

The Planning Board recommended that the sidewalk width along Colesville Road adjacent to the site be 30 feet in order to accommodate pedestrians, bicyclists, and tree plantings. The original submittal called for a sidewalk width of 20 feet along this segment. The current plans include a sidewalk width of 20 feet at the time the Transit Center construction is completed (Fall 2009) with brick pavers to be installed after completion of the Transit Center construction.

**Staff believes that a 30-foot wide sidewalk at this location is a fundamental component of the Transit Center design as envisioned in the Sector Plan.**

#### **Pedestrian Safety and Wayfinding Signage During Construction**

The Planning Board recommended that the applicant provide a plan for ensuring pedestrian safety during construction of the project. The Interim Operations Site plan has been provided but the applicant has not provided the plans for the wayfinding signage that needs to be in place at the time that the buses are relocated. As noted above, the buses are to be relocated on July 29, 2007.

**Staff believes that plans for wayfinding need to be finalized and the outreach effort extended to provide informational material to current bus passengers within the next 30 days.**

## **Public Art**

The Planning Board recommended that the applicant provide specific details on the public art component of the project and that in developing those details, the applicant meet with the Silver Spring Arts Panel. **As of this writing, the applicant has not submitted a response on any specific aspect of the public art component of the project.**

## Items That Have Either Been Resolved, Progress Has Been Made or There Is Basis For Deferral

### **Silver Spring Metrorail Southern Entrance**

The applicant has moved forward with a funding initiative to open the southern entrance (East – West Highway side) of the Metrorail station. The WMATA Board of Directors approved the project scope on May 24, 2007. This important enhancement is expected to be complete this fall when the major construction activity on the Transit Center is underway.

### **Colesville Road Façade and Street Activation**

There was a considerable amount of concern at the first Mandatory Referral that the first floor of a planned office building on Colesville Road would not provide the type of uses necessary to establish, compliment and reinforce a pedestrian friendly environment in this area. While not part of this Mandatory Referral, the latest proposed plans include ground floor retail uses along Colesville Road and Wayne Avenue that are more consistent with the goals for the pedestrian environment in the area.

### **Bus Entrance On Colesville Road**

The Planning Board recommended that two outbound lanes and one inbound lane be provided at this entrance to the lower level of the Transit Center. This modification is now included in the plans.

### **Jughandle**

The Planning Board recommended that an alternate design to the jughandle be developed or the jughandle be eliminated as part of the design or functionality of the Transit Center. As previously noted, the jughandle is no longer part of the Transit Center but will be the location of a new Urban Park and may eventually also be the location of a bike station.

### **Connection Between Ripley Street and Bonifant Street**

The Planning Board requested that the applicant(s) coordinate to ensure that the connection between Bonifant Street and Ripley Street recommended in the Sector Plan is feasible and that the applicant dedicate the required right of way and construct the new road across County property south of Bonifant Street. The plans submitted to date (by DPW&T) indicate that the connection remains feasible. There is no apparent impact to the Lusk Building or the existing access to the building according to the concept plans that have been submitted.

The Maryland Mass Transit Administration (MTA) is currently examining the feasibility of a Purple Line alignment along Bonifant that could potentially require a modification in the planned connection of Ripley Street and Bonifant Street as envisioned in the Sector Plan and could also potentially impact the Lusk Building. **Staff will continue to monitor MTA consideration of Bonifant Street as a potential alignment for the Purple Line but does not feel the analysis of this alternative has proceeded to the point where it should preclude consideration of the connection between Ripley Street and Bonifant Street.**



### **Purple Line (Bi-County Transitway)**

The Planning Board recommended that the applicant dedicate the area at the Transit Center shown as reserved for what was then called the Bi-County Transitway. WMATA (a joint development applicant with DPWT for the Transit Center project) has taken the position that a reservation is preferable until more detail is known of the exact requirements for the Purple Line. **This issue has an added aspect with the recent decision to locate a surface easement for the replacement to Metro Urban Plaza Park in close proximity to area that may be required for the Purple Line. Staff recommends that the MOU address the issue of accommodating the Purple Line in the context of the surface easement for the Metro Plaza Park.**

### **Second Mandatory Referral**

The Planning Board requested that the applicants submit a second Mandatory Referral at the end of the design development stage (i.e., 35% design). This review constitutes that second submittal.

### **Transit Operations During Construction**

The Planning Board requested additional detail on how transit operations would be maintained during construction and the applicant provided plans for the relocated bus stops. The bus stops are scheduled to be relocated on July 29, 2007.

### **Metropolitan Branch Trail Connection With Transit Center**

There was a significant amount of concern about the connectivity of the trail. The current submittal includes a connection on the third level of the Transit Center at the southern end, an issue that was raised at both the initial Mandatory Referral and the WMATA Public Hearing. There is also a connection at the lower level of the Transit Center.

### **Summary**

Additional detail on the status of issues raised as part of the initial Mandatory Referral or the WMATA Public Hearing is presented in Attachment A (Summary of Issues) of this memo. A review of the status indicates that most of the initial issues raised through staff review or outreach efforts by the applicants have been addressed and are now essentially responsive to the initial request.

### **PROJECT PHASING AND FUNDING**

Key milestone dates remaining on the project schedule include the following:

**July 29, 2007** – Transfer of Bus Operations to Interim Operations Site

**September 17, 2007** – Award of Construction Contract For Transit Center Construction

**July 15, 2009** – Completion of Construction and Beginning of Testing and Activation

**September 27, 2009** – Transfer of Bus Operations Back To Transit Center

The funding of the Transit Center construction as shown in the current County Capital Improvement Program is shown in Exhibit 13.

# EXHIBIT 13 – PROJECT FUNDING PROFILE

## Silver Spring Transit Center -- No. 509974

Category: Transportation  
Agency: Public Works & Transportation  
Planning Area: Silver Spring  
Relocation Impact: None.

Date Last Modified: May 12, 2006  
Required Adequate Public Facility: NO

May 12, 2006  
NO

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	10,830	2,405	3,488	4,757	2,733	1,293	731	0	0	0	0
Land	8	8	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	16,326	0	0	16,326	7,082	9,082	162	0	0	0	0
Construction	41,291	2	0	41,289	1,798	24,524	14,967	0	0	0	0
Other	4,850	0	0	4,850	1,850	1,000	2,000	0	0	0	0
<b>Total</b>	<b>73,105</b>	<b>2,415</b>	<b>3,488</b>	<b>67,222</b>	<b>13,463</b>	<b>35,859</b>	<b>17,893</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### FUNDING SCHEDULE (\$000)

G.O. Bonds	1,716	0	0	1,716	0	0	1,716	0	0	0	0
Federal Aid	52,317	0	0	52,317	10,770	30,967	10,580	0	0	0	0
Impact Tax	2,000	0	0	2,000	0	1,802	198	0	0	0	0
Land Sale	3,000	0	0	3,000	0	0	3,000	0	0	0	0
Mass Transit Fund	63	0	0	63	0	0	93	0	0	0	0
State Aid	13,979	2,415	3,488	8,096	2,693	3,130	2,273	0	0	0	0

### ANNUAL OPERATING BUDGET IMPACT (\$000)

#### DESCRIPTION

This project replaces the existing 30 year old Silver Spring transit facility with a new 3-story, multi-modal transit center that serves as a vital part of the Silver Spring revitalization initiative. Phase I of this project, completed by the State, relocated the MARC facility near the transit center. In phase II, the eight acre site will be jointly developed to accommodate a transit center, an urban park and private development. The transit center consists of a pedestrian friendly complex supporting rail (Metrorail and MARC), bus traffic (Ride On and Metrobus, inter-city and various shuttles) and automobile traffic (taxis and kiss-and-ride). The current design allows coordinated and integrated transit-oriented private development adjacent to the transit center. Major features include increasing bus capacity by approximately 50% (from 23 bus bays to approximately 34), a 3,500 square foot inter-city bus facility, extensive provisions for safe pedestrian and vehicle movement in a weather protected structure. The project also includes a realignment of Colesville Road, a new traffic light at the transit center entrance, connections to MARC platforms, and enhancement of hiker/biker trails. The design allows sufficient space for the future bi-county transit system and for an interim hiker/biker trail that will be reconstructed as a permanent hiker/biker trail when the bi-county transit facility is built in the reserved area. The transit center will be accessible from all sides and on all three levels. The project includes Intelligent Transportation System (ITS) improvements including new signage and infrastructure to accommodate future Automatic Vehicle Locator (AVL) systems, real time bus schedule information, centralized bus dispatch, operational controls, and centralized traffic controls. The project will be constructed in two stages: stage one will start fall 2006 and will include road work and relocation of bus stops, stage two will be the construction of the new transit center and will begin summer 2007.

#### Service Area

Silver Spring

#### JUSTIFICATION

With over 1,250 bus movements per day, the Silver Spring transit center has the highest bus volume in the Washington metro system. The Silver Spring transit center is a major contributor to the vitality of Silver Spring. There are various existing transit modes at this location although they are poorly organized. Patrons are exposed to weather and interconnectivity between various modes of transportation is poor. There is no provision for future growth and future transit modes. The current facility accommodates approximately 57,000 patrons daily, which is expected to increase by 70 percent to 97,000 by year 2024. The project enhancements will be an urban park and connections to hiker/biker trails. The benefits will be improved pedestrian circulation and safety in a covered facility, and reduced pedestrian conflicts with vehicle movements. All associated trails will be enhanced and new signage will be installed. The project will connect to completed phase I MARC project (relocation of two platforms, ADA improvements) and will include a permanent facility for MARC.

#### Plans and Studies

A pedestrian impact analysis has been completed for this project.

#### Cost Change

Increase due to scope change and cost escalation. Expenditures and funding previously included in the Silver Spring Transit Center ITS Component project.

#### STATUS

Design stage. The project schedule is adjusted to conform with current implementation expectations. Preliminary design is expected to be complete by Spring 2006.

#### FISCAL NOTE

Land sale proceeds are estimated

#### APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY96	(\$000)
Initial Cost Estimate		35,000
First Cost Estimate		
Current Scope	FY07	73,105
Last FY's Cost Estimate		39,883
Present Cost Estimate		73,105
Appropriation Request	FY07	62,198
Appropriation Request Est.	FY08	2,293
Supplemental Appropriation Request	FY06	0
Transfer		0
Cumulative Appropriation		5,883
Expenditures/Encumbrances		5,090
Unencumbered Balance		793
Partial Closeout Thru	FY04	0
New Partial Closeout	FY05	0
Total Partial Closeout		0

#### COORDINATION

CSX Railroad  
Federal Transit Administration  
Intersection Improvement Project  
Maryland Transit Administration  
State Highway Administration  
Maryland-National Capital Park and Planning Commission  
Department of Permitting Services  
WMATA  
The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

#### MAP

See Map on Next Page

## **DISCUSSION / REVIEW**

### **Conformance With Adopted Plans**

The proposed Transit Center is generally consistent with the goals of the Approved and Adopted Silver Spring CBD Sector Plan (February 2000). One of the six major themes in the Sector Plan is the creation of a Transit – Oriented Downtown. In order to be consistent with the goals of the Sector Plan, the proposed facility must also maximize pedestrian circulation and provide connections to the regional bike trails that traverse the CBD (i.e., the Capital Crescent/Metropolitan Branch Trail and the Silver Spring Green Trail). Additionally, the Approved and Adopted January 1990 Georgetown Branch Master Plan Amendment identifies the Silver Spring Transit Center as a terminal station on the Purple Line. Although the Silver Spring Transit Center is no longer anticipated to be the ultimate terminal station, the Transit Center must still provide for the future Purple Line.

### **Conditions of Approval Related To Replacement Park(s) – Community Based Planning**

The public spaces within the Transit Center continue to be a major concern. The design of these spaces is evolving. WMATA is obligated to by an existing agreement with M-NCPPC to replace the existing Metro Urban Park. The Planning Board has previously conveyed to the applicants that they have high expectations with regard to the design of the replacement parkland and the public spaces in general.

The Planning Board should reiterate that they will not vacate the existing park easement until the applicants (WMATA and DPW&T) have delineated acceptable boundaries for an equivalent replacement park; designed the replacement park to the Board's satisfaction; provided an acceptable phasing schedule for the implementation of the replacement park; and finalized an agreement for the maintenance and security at the replacement park. In the Planning Board's March 2005 Mandatory Referral comments, the Board requested site plan level drawings for the replacement parkland. Although the proposed location of the park has shifted, the level of certainty that the Board needs concerning this space has not changed.

### **Comments and Recommendations – Community Based Planning**

Recommendations of Community Based Planning staff after review of the submittal of the latest plans for the Transit Center include the following:

1. In accordance with the Planning Board's March 2005 Mandatory Referral comments, buildings on the Transit Center Site should be set back a minimum of 30 feet along Colesville Road in order to accommodate pedestrians, bicyclists, and street trees.
2. Certain elements (e.g., the glass canopies over the passenger queuing areas and stairs/escalators) should not be value engineered out of the design.
3. Public art should be provided as part of the project, subject to review by the art panel.
4. Pursuant to the Planning Board's previous Mandatory Referral comments, the applicants should pursue funding to open the western or southern (NOAA) entrance to the Metro Station; construct the extension of Ripley Street to Bonifant Street; and provide a bike station at (or adjoining) the Transit Center.
5. The applicants should ensure an architectural treatment along the Colesville Road and Wayne Avenue edges that enables the facility to look less like a bus garage, particularly since the anticipated private development along the edges may not occur or may not occur for some time. Hanging gardens could also soften the appearance of the bus terminal.

6. The applicants should provide the wayfinding/signage plan previously requested by the Planning Board.
7. The applicants should provide a formal CPTED analysis for the proposed facility.

The Community Based Planning staff memo is included as Attachment B.

#### Consistency With The Intent and The Requirements of The Zone

As noted in the March 2005 staff review, the subject property is zoned CBD-2 and the surrounding area is zoned CBD-2 and CBD-3. Publicly owned or operated uses are permitted within the CBD-2 Zone.

The March 2005 staff memo issued as part of the review of the first Mandatory Referral submittal also notes in part:

*"One of the intents of the CBD zones is to 'promote the effective use of transit facilities in the central business district and pedestrian access thereto'. (Section 59-C-6.212). The proposed Silver Spring Transit Center is clearly consistent with this goal, although pedestrian access to and from the facility would be improved if the jughandle – and the resulting vehicular/pedestrian conflicts are removed."*

In summary, the proposed project is consistent with the intent and standard of the CBD-2 Zone.

#### Compatibility of Proposed Site and Development With Surrounding Neighborhoods and Properties

The March 2005 staff report for the Mandatory Referral notes that the proposed Transit Center is compatible with the existing and planned uses in the vicinity.

The memo does address concerns related to the orientation of the Transit Center and especially the fact that at the time the Transit Center was located in a manner that resulted in significant encroachment upon the streetscape elements, shared use path, and sidewalk along Colesville Road. The current design provides an improvement in that there are no columns conflicting with the sidewalk and the concept of a multi-story residential building along Colesville Road has been protected. The width of the area along the Colesville Road edge for the shared use path and tree panels between the Colesville Road entrance to the Transit Center and Wayne Avenue remains a concern, however. The current plans call for a 20-foot sidewalk upon completion of the Transit Center. Very preliminary discussions with the applicant for the private development indicate there may be a way to provide for an offset of the lower (retail) level of the building along Colesville Road to provide a total of 26-28 feet between the curb and the building line. The staff continues to recommend that 30 feet be provided along this critical pedestrian path leading to and from the lower level of the Transit Center, the proposed Metro Plaza Park, and the Metrorail entrance.

#### Adequate, Safe, and Efficient Buildings, Structures, Open Spaces, Landscaping, Recreation Facilities, and Pedestrian and Vehicular Circulation Systems

The March 2005 staff memo highlighted a number of areas that required additional work and/or clarification. A summary of those items and the current status is presented below.

#### **Grade Differences Along Colesville Road**

The sidewalk grade under the CSX / WMATA bridge will be lowered approximately four feet so that the sidewalk is at the curb elevation adjacent to the travel lane on Colesville Road. A barrier railing will be provided.

## **Lower Level Entrance To Transit Center On Colesville Road**

The applicant's design now provides for two outbound movements and one inbound movement as recommended by the Planning Board staff at the initial Mandatory Referral. The applicant has obtained SHA approval for the traffic signal at this location for bus only traffic. The length of the drive lane or "throat" used by buses to enter and exit the lower level has been increased to facilitate the left turn required of buses entering the facility and turning left to begin a clockwise travel pattern around the lower level. Staff has reviewed the level one circulation plan and believes the applicant should review the proposed pavement marking at the entrance within the Transit Center that is intended to provide separation between entering and exiting buses. As currently designed, the pattern covers an area that would be crossed by buses exiting the lower level from the clockwise travel pattern. Staff believes the applicant should consider another approach that would more clearly define a space that a vehicle should not enter.

## **Two Way Bus Circulation**

While not specifically addressed in the initial Mandatory Referral, the two way bus circulation on the first two levels of the Transit Center will require constant supervisory oversight on the part of the staff of the WMATA, Ride-On and the inter-city carriers. The applicant has presented plans for well-marked pedestrian crossings of differing texture complemented by extensive interior lighting and signage. Nevertheless, the two-way circulation pattern is by WMATA's own standards not the preferred approach and is to be used only when site constraints and capacity requirements dictate. Staff would recommend that this aspect of the initial operations of the Transit Center be a focus of initial observation upon the opening of the Transit Center and that part of the outreach and publicity program for the Transit Center opening include information on the circulation pattern.

## **New Traffic Signals**

New traffic signals will be installed at the lower level Colesville Road entrance and at the Dixon Avenue and Wayne Avenue as a result of the project. As previously noted, SHA has approved the signal installation on Colesville Road and has recommended the installation of the signal at Dixon Avenue and Wayne Avenue. The SHA staff memo is included as Attachment C.

## **Connection of Bonifant Street and Ripley Street**

The staff memo for the initial Mandatory Referral included a recommendation that the applicant construct the roadway that would connect Bonifant Street and Ripley Street as recommended in the Silver Spring CBD Sector Plan. To date, the County has not programmed funds for this improvement. Another recently introduced variable related to this issue is the fact that the MTA is now considering an alignment for the Purple Line that would use Bonifant Street at grade to access Fenton Street and then Wayne Avenue. This eventual alignment for the Purple Line could result in a different consideration of how the connection between Bonifant Street and Ripley Street would be designed. **Staff will continue to monitor MTA consideration of Bonifant Street as a potential alignment for the Purple Line but does not feel the analysis of this alternative has proceeded to the point where it should preclude consideration of the connection between Ripley Street and Bonifant Street.**

## **Pedestrian Links**

The original submittal included a crosswalk on the eastern (or northern) side of the intersection at Colesville Road and the entrance to the Transit Center. Staff recommended that this crosswalk be eliminated and the applicant has concurred, redesigning the pedestrian flow at this intersection to more closely match the desire line between the Transit Center and the escalators leading to the arcade at Silver Spring Metro Plaza.



Crosswalks widths have not been modified to be consistent with the staff recommendations in the original staff memo (i.e., minimum of 15 feet across Colesville Road and a minimum of 20 feet across Wayne Avenue south of Colesville Road).

## **Parking**

The initial concept design included a total of 59 on-site spaces, comprised of the following:

- ADA or Handicapped Spaces – 3
- Driver Attended Waiting Only – 5
- Short Term Metered – 39
- Flexcar Use – 4
- Transit Supervisors – 5
- Motorcycle Spaces – 3

In addition, there were to be eight taxi spaces and one space for the MARC ticket agent in the Bonifant Street cul-de-sac designated to be abandoned as part of the project.

The most recent submittal includes significantly less parking and includes the following on the third level:

- ADA or Handicapped Spaces – 4
- Taxi – 4
- Driver Attended Waiting Only – 5

All other parking is to be located in the adjacent Public Garage. Staff believes the proposed parking to be adequate.

## **Purple Line**

The applicant's submittal includes area along the CSX right of way to be reserved for the eventual construction of the Purple Line. WMATA is not in agreement that this area should be dedicated at this time. As previously noted, part of this area is now under active consideration as part of the area to be conveyed to M-NCPPC as a surface easement to accommodate the construction of a Metro Plaza Park. Construction of the Purple Line could necessitate significant modifications to this replacement park area.

In addition to the alignment along the CSX right of way, the MTA also has under active consideration an alignment along Wayne Avenue for a Bus Rapid Transit (at-grade) alternative. The current design of the Transit Center does not preclude this option should the option eventually be selected as the Locally Preferred Alternative after the MTA completes the Draft Environmental Impact Statement / Alternative Analysis (DEIS/AA).

## **Shared Use Paths (Bike Trails)**

As was the case with the initial submittal, the Transit Center plans provide for the Metropolitan Branch Trail through the site adjacent to the CSX right of way, sloping down to meet the planned Metro Plaza Park. The latest submittal also includes a connection to the third level of the Transit Center at Bonifant Street, a feature that was not included in the original design.

Continuation of the Capital Crescent / Metropolitan Branch Trail along the Purple Line Master Plan alignment north and west of the Transit Center is included as part of the Purple Line DEIS/AA effort. Currently, the MTA Project Team is optimistic that they will be able to provide permanent trail access to the second or third level of the Transit Center over Colesville Road. This feature (i.e., the crossing of Colesville Road on an aerial structure) is part of the work that is

being conducted by the MTA on the Purple Line planning effort and is not part of the Transit Center scope of work.

Another issue raised in the initial Mandatory Referral concerned the pavement treatment and bike path delineation and marking along Colesville Road. It appears from the most recent submittal that the Colesville Road sidewalk will be 20 feet wide. The issue of whether this area (i.e., the area along Colesville Road in front of the Transit Center) should be signed to encourage bike users to dismount and walk is an issue that was raised at the WMATA Public Hearing. Staff continues to believe that the signing is necessary due to the expected high pedestrian volumes.

### **Bike Amenities**

The staff memo for the initial Mandatory Referral included a recommendation to consider locating a Bike Station on the jughandle if the "vehicular jughandle" is deleted. As previously noted, there is a concept plan under development to locate part of the replacement park area on the jughandle and to design the area in a manner that could eventually accommodate a bike station (see Exhibit 10 with potential bike station in background). A bike station could feature long-term bike parking, showers and lockers for changing, and a retail component that could provide bike repairs and/or supplies. A photo of a bike station in the Chicago area is included as Exhibit 14. Funding for the bike station construction and operation has not been identified at this point.

As of this writing, the number of bike lockers and spaces has not been provided as part of this second submittal for the Mandatory Referral.

### **Local Area Transportation Review (LATR)**

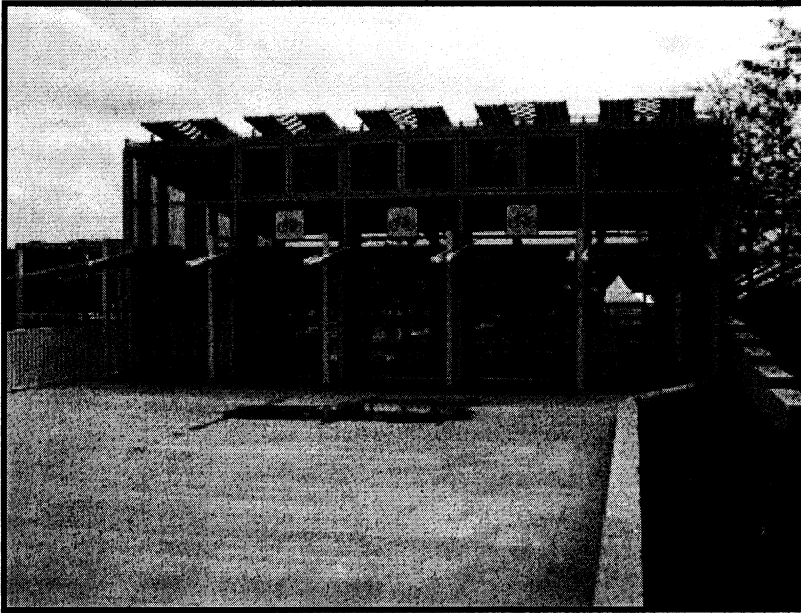
An updated traffic study was submitted in December 2007 to determine the impact on the local transportation network and was reviewed under the *Local Area Transportation Review (LATR) Guidelines*, adopted and approved July 1, 2004. The submitted traffic study for the joint development project shows the number of peak-hour vehicular trips generated by the proposed land uses during the weekday morning and evening peak periods, 6:30 to 9:30 A.M. and 4:00 to 7:00 P.M. as follows:

Proposed Land Uses	Proposed	Weekday Peak-Hour Trips	
		AM	PM
High-Rise Apartments 1	277	83	83
High-Rise Apartments 2	190	57	57
Hotel	196 Rooms	39	39
Additional Buses	81	162	162
Total Vehicular Trips Proposed:		341	341

The proposed development is expected to generate 341 additional peak-hour trips during the morning and evening weekday peak periods. Exhibit 15 shows the resulting critical lane volume (CLV) values for the existing, background, and the total future traffic conditions. The background traffic condition includes existing traffic plus traffic generated by approved developments.

DPWT is proposing to make several changes to the operational layout of roadways near the transit center to amplify bus transit hub functions. The transit center will have an entrance on Colesville Road between the intersections of Wayne Avenue and East-West Highway. This full movement intersection will be limited to buses only. Modifications include creating a bus-only lane on westbound Colesville Road, as it approaches the site. The lane will begin north of the intersection with Wayne Avenue, and continue past that intersection to the new entrance. This dedicated lane would save considerable time for busses entering and exiting the site via either bus entrance. The receiving lane south of Wayne Avenue would shift the median further south, eliminating the left turn lane at the intersection. As a result, left-turning vehicles would be rerouted to other

**Exhibit 14 – Bike Station In Chicago Area**



### Exhibit 15 – Results of Intersection Capacity Analysis

Intersection	Weekday Peak-Hour	Traffic Condition		
		Existing	Background	Total
1. 16 <sup>th</sup> Street (MD390) & East-West Hwy (MD410)	AM	1,625	1,669	1,684
	With Modifications Proposed by DPWT			1,693
	PM	1,669	1,818	1,831**
	With Modifications Proposed by DPWT			1,866**
2. Colesville Road (MD384) & East-West Hwy (MD410)	AM	1,101	1,223	1,256
	With Modifications Proposed by DPWT			1,250
	PM	1,460	1,571	1,620
	With Modifications Proposed by DPWT			1,589
3. Colesville Road (MD384) & Wayne Ave/Second Ave	AM	862	935	970
	With Modifications Proposed by DPWT			970
	PM	925	967	1,000
	With Modifications Proposed by DPWT			1,000
4. Colesville Road (US29) & Fenton Street	AM	1,038	1,143	1,158
	PM	1,016	1,409	1,437
5. Colesville Road (US29) & Spring Street	AM	1,272	1,358	1,386
	PM	1,370	1,450	1,468
6. East-West Hwy (MD410) & Blair Mill Rd/Newell Street	AM	659	1,056	1,071
	PM	992	1,360	1,370
7. East-West Hwy (MD410) & Blair Park Plaza/NOAA	AM	489	536	536
	PM	541	651	651
8. Georgia Avenue (US29) & Bonifant Street	AM	949	1,033	1,046
	PM	972	1,056	1,061
9. Colesville Road (US29) & Georgia Avenue (MD97/US29)	AM	1,593	1,637	1,654
	PM	1,177	1,241	1,255
10. Georgia Avenue (US29) & East-West Hwy (MD410)/13 <sup>th</sup> St.	AM	1,471	1,763	1,792
	PM	1,190	1,445	1,475
11. Colesville Road (US29) & Wayne Avenue	AM	778	862	888
	PM	913	1,067	1,088
12. Colesville Road (US29) & Sligo Avenue	AM	810	863	911
	PM	855	936	945
13. Georgia Avenue and Wayne Avenue	AM	1,124	1,223	1,288
	PM	1,301	1,675	1,702
14. Second Avenue & Cameron Street/Apple Avenue	AM	468	489	503
	PM	476	494	526
15. Wayne Avenue & Fenton Street	AM	1,047	1,155	1,178
	PM	1,470	1,536	1,569
16. Wayne Avenue & Ramsey Street/Discovery Garage	AM	387	417	424
	PM	857	883	927
17. Second Avenue & Spring Street	AM	777	885	910
	With Modifications Proposed by DPWT			1,047
	PM	1,270	1,354	1,409
	With Modifications Proposed by DPWT			1,520
18. Georgia Avenue (MD97) & Spring Street	AM	1,175	1,249	1,287
	PM	1,079	1,193	1,206
19. Wayne Avenue & Dixon Avenue/Discovery Place Circle	AM	541	586	625
	PM	525	551	563
20. Bonifant Street & Dixon Avenue/Public Garage	AM	348	348	348
	PM	421	421	421

\* Total Traffic Conditions include operational modifications proposed by DPWT to support the Transit operations.

\*\* Total Traffic Condition for the 16<sup>th</sup> Street/East-West Highway intersection does not pass the policy area standard of 1,800 for the PM peak period, but does meet a queuing analysis shown in Table 3.

intersections to make that movement, as described in the traffic study. The impact of these modifications to intersection CLV is also reflected in the table below. Additionally, a new traffic light will be installed at the intersection of Wayne Avenue and Dixon Avenue to help with interim operations. After completion of the transit center this new light will remain.

As noted in the exhibit, the weekday peak-hour Critical Lane Volume analysis concludes that total traffic conditions CLV at all but one of the study intersections are below the Silver Spring CBD Policy Area congestion standard of 1,800. The traffic study shows the 16<sup>th</sup> Street (MD390) and East-West Hwy (MD410) intersection is projected to not pass the policy area congestion standard in the background or total traffic conditions in the PM peak period. The intersection would, however, pass a queuing analysis, and therefore meet LATR standards.

In the prior public hearing for the transit center action, the Board requested the removal of the jughandle movement at the Colesville Road/Wayne Avenue intersection to reduce curb cuts in this heavily pedestrian area, and facilitate a more urban design. Elimination of the left turn movement will require vehicles to be rerouted through the 16<sup>th</sup> Street (MD390) and East-West Hwy (MD410) intersection, resulting in further increase of the CLV in the PM peak. But, even with the increase from the re-routing of traffic, the intersection continues to pass a queuing analysis shown in the following table, with no queues expected to block other intersections. Therefore, the projections meet LATR guidelines for congestion in a metro policy area

#### PM Queue Analysis, With Rerouting

Intersection	Approach/ Movement	Lane Group Volume	Increase from No-Build	Segment Distance (feet)	Average Queue (feet)	% of Segment	Queue below LATR Limits?
1. 16 <sup>th</sup> Street (MD390)/ East-West Hwy (MD410)	NB - Left	223	0%	650	430	66%	Yes
	SB - Left	350	56%	650	513	79%	Yes
	EB - Left	289	9%	1800	589	33%	Yes
	WB - Left	49	0%	1125	260	23%	Yes

The study also shows available pedestrian crossing time for almost all intersections in the study area to meet Planning Board approved guidelines. The intersection of Colesville Road and Wayne Avenue / Second Avenue, however, does not meet the guideline of providing a pedestrian enough time to cross the road at a speed of 3.0 feet per second, due to the long length (130 feet) of the southern crossing leg. To do so currently requires crossing the road in two separate phases, waiting in the median refuge while the light goes through a cycle. This results in an unsatisfactory condition that is not conducive to pedestrian mobility. The pedestrian's instinct may be to continue to cross after the cycle phase is through, resulting in an unsafe movement. We recommend that the signal phase time allowed for pedestrian movement be extended to allow pedestrians to cross the street in a single movement. Signal phasing in the County is set by SHA but the phase length is set by DPW&T.

#### State Highway Administration (SHA) Review

The SHA review letter of March 9, 2007 is included as Attachment C. The letter confirms the finding of the Local Area Transportation Review noted above and offers the following additional comments and/or recommendations:

- The eastbound MD 384 (Colesville Road) left turn lane at the MD 384 at Wayne/Second Avenue intersection is proposed to be removed (to provide room for the westbound MD 384 left turn lane at the MD 384 at Lower Level Access Driveway

intersection). The existing eastbound MD 384 left turn movements are assumed to be diverted to MD 410, 16<sup>th</sup> Street and Spring Street to access Second Avenue.

- Widen existing northbound Wayne Avenue through/right lane to accommodate bus right turn movements.
- Widen northbound Dixon Avenue approach to Wayne Avenue from existing one left/through/right lane to one left/through lane and one right turn lane.
- Signalize the Wayne Avenue at Dixon Avenue intersection.
- Dixon Avenue will be re-stripped to provide two lanes in each direction between Wayne Avenue and Bonifant Street.
- M-NCPPC should require that the applicant prepare and submit an updated VISSIM analyses so that SHA can determine appropriate signal phasing and cycle lengths to best serve the surrounding roadway network

### **Replacement Park**

As previously noted, the current project scope includes the construction of parks on the jughandle and in the plaza area of the Transit Center. These parks are to be established on surface easements granted by WMATA, similar in concept to the arrangement that provides for the existing Metro Urban Park.

One of the conditions included in the staff memo for the original Mandatory Referral (and reiterated in the Community Based Planning memorandum for this second submittal) was that the area for the replacement park be no less than the area (.8116 acres or 35,353 square feet) of the existing Metro Urban Park. The estimated area of the Jughandle Park is 11,590 square feet and the estimated area of the Metro Plaza Park is 12,074 square, a total of 23,664 square feet. As of this writing, the Parks Department has indicated that it would be willing to **consider** less area in replacement if (a) additional appropriate park area cannot be identified; and (b) it can be assured that the design and overall quality of the parks would accomplish the objectives and design guidelines outlined in the staff memorandum at the review of the first Mandatory Referral submittal without the need for additional future enhancements by private developers. Those objectives and guidelines included the following

- Easily accessible adequate gathering space for both large and small events appropriately distributed and located on the site.
- High quality site amenities and details, including (but not limited to) significant water features, public art, extensive landscape planting, lighting, a variety of areas and options for seating.
- Utility service to support program activity
- Carefully designed, attractive retaining walls, stairways, and ramps that sensitively accommodate grade changes within the park.
- A minimum soil depth of at least four feet to accommodate the planting of large-scale trees. All planters must be designed with adequate drainage and irrigation.

In addition and as previously noted, the provision of the park easement, along with details related to the delineation of the park easements, park security and maintenance, implementation schedule, and other issues are to be outlined in a Memorandum of Understanding (MOU) between M-NCPPC and WMATA. As of this writing, the MOU has not been completed and signed. It is staff's recommendation that the easement over the existing Metro Urban Park not be vacated until an agreement is reached with respect to all of the issues related to the replacement parks, including a signed MOU. The staff memorandum from the Development Review Division and the Park Development Division is included as Attachment D.

#### Forest Conservation Law Compliance

The Planning Board approved the Preliminary Forest Conservation Plan on March 10, 2005 for the Silver Spring Transit Center. The plan is under review as part of the combined Project Plan and Preliminary Plan review process. The Final Forest Conservation Plan will reflect any changes made to the site plan during that process. The memorandum from Environmental Planning staff related to Forest Conservation is included as Attachment E.

#### Stormwater Management

The applicant has submitted the stormwater concept plan as well as an approval letter of April 4, 2007 from the Department of Permitting Services (see Attachment F)

#### Water Quality and Special Protection Area Applicability

The site is not located within a Special Protection Area.

#### Surplus School Site

This application does not involve any surplus school property.

#### Mitigation Measures Considered By Applicant

No mitigation measures have been considered other than the provision of the replacement parks as previously described.

#### Leadership in Energy and Environmental Design (LEED) Certification

The project is not seeking LEED certification. The project team has conducted a LEED analysis and is estimating a total of 16-27 LEED credits based upon a February 2005 analysis submitted as part of the application.

#### Public Outreach and Response

The public notice for this second Mandatory Referral was mailed the week of May 14, 2007 to civic associations on record and located within the immediate Silver Spring area. Notices were also sent out to adjacent property owners that same week. As of this writing, there have been no responses or comments forwarded to the staff contact. As previously noted, an initial Mandatory Referral Hearing was held on March 10 2005 and a WMATA Compact Hearing was held on April 4, 2006. Documentation of the issues raised as part of the initial Mandatory Referral and the WMATA Hearing is provided in Attachment A.

#### Attachments

- A - Summary of Issues – Silver Spring Transit Center
- B - Community Based Planning Division Staff Memorandum
- C – State Highway Administration Memorandum
- D – Development Review Division / Park Development Division Staff Memorandum
- E – Environmental Planning Division Staff Memorandum
- F – Department of Permitting Services Memorandum – Stormwater Management Concept

# ATTACHMENT A

## ATTACHMENT A - SUMMARY OF ISSUES – SILVER SPRING TRANSIT CENTER (PUBLIC SECTOR COMPONENT ONLY) – MAY 2007

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Urban Park Replacement and Size – See page 13 of this summary for additional notes.	Replace with equivalent size (.8116 acres)	Replace with a park with an approximate area of 0.8 acres	No related comment at public hearing	Two replacement parks envisioned at this point. Total area may be slightly less than the existing urban park
Urban Park Delineation and Design	Obtain Planning Board approval before M-NCPPC vacates existing park	Will provide design of "base park" (temporary replacement park) if there is delay in private development	No related comment at public hearing	Replacement park will be located in two areas – one in the Transit Center plaza and another where the current jughandle is located. Design concepts have been reviewed but not agreed upon.
Urban Park MOU	Finalize MOU that is to address maintenance, security, liability, and programming before M- NCPPC vacates existing park	County will "conclude the MOU to address maintenance, security, liability and programming."	No related comment at public hearing	Currently being negotiated. This is a MOU between WMATA, M-NCPPC, and DPWT.
Bus Circulation and Bay Area	Reconfigure, reduce or move to allow for street activating uses along Colesville Road	Changes include bus circulation area being moved towards Ramsey Street, Hotel replacing Office use, and retail space provided along Colesville Road as part of private sector component. Number of bus bays is based upon minimum 20 year period and upon WMATA and DPWT Transit Services input taking into consideration ITS efficiencies	See related response below on Colesville sidewalk width	Current concept provides for ground floor retail along Colesville Road – an improvement over the design reviewed at the March 2005 Mandatory Referral. Pavement marking in Transit Center intended to guide buses entering and exiting at Colesville Road needs further review.



ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Building Setback Along Colesville Road	Maintain 30 foot setback	Twenty foot wide sidewalk is adequate given that 20 feet is adequate in higher volume areas in DC that have been studied and the multiple pedestrian access points in this project	The Colesville Road sidewalk is one of several pedestrian approaches to the station. If the sidewalk becomes too congested, pedestrian traffic will redistribute itself. Project engineers will evaluate two potential design solutions to widening the sidewalk – setting the first floor of the hotel back several feet and investigating the elimination or shortening of the proposed right turn lane on northbound Colesville Road south of Wayne Avenue (the latter option subject to SHA and DPWT concurrence).	DPWT believes that 20' sidewalk is sufficient. Staff has reviewed issue with applicant submitting project plan that indicates that 26-28 foot setback may be possible. DPWT has no objections to such solution, as long as the right turn lane is maintained as designed and approved by SHA. This issue is perhaps single most representative example of the benefit of reviewing all aspects of a joint development project of this magnitude under Chapter 59 – as opposed to part of the project under Mandatory Referral.
Bus Entrance On Colesville Road	Modify to accommodate two outbound movements and one inbound movement. Lengthening the driveway should also be considered.	The changes to provide for the recommended directional flow and longer driveway have been made.	The issue of the configuration of the bus entrance did not come up in the public hearing	This change is reflected in the current plans submitted by the applicant
Colesville Road	Address any concern expressed by SHA regarding new intersection (Transit Center entrance). Close opening to jughandle. Provide sight distance calculations to the SHA for the new bus entrance on Colesville Rd.	SHA officials have been contacted and work is being coordinated with SHA. Existing median opening to jug handle will not be needed and will be closed.	There was no discussion of access to and from Colesville Road although there was discussion about the Colesville sidewalk width (see above comments under the issue "Building Setback Along Colesville Rd.")	SHA has approved the installation of a traffic signal at this location. This access/egress to the Transit Center is for bus traffic only. See SHA letter of 03/09/07

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Pedestrian Experience Along Colesville Road	Provide a building façade along Colesville Road that improves the pedestrian experience	Incorporating the hotel and ground floor retail, accomplishes this request.	The issue of the pedestrian experience along Colesville Road came was raised only in the context of the sidewalk width (see discussion above)	The grade under the bridge will be lowered approximately four feet so that the sidewalk is at the curb elevation adjacent to the travel lane on Colesville Road. A barrier railing will be provided.
Connection between Bonifant Street and Ripley Street	Coordinate with KSI to ensure that the connection between Bonifant Street and Ripley Street recommended in the Sector Plan is feasible in terms of the horizontal and vertical alignments. <sup>1</sup> Dedicate the required right of way and construct the new road across County owned property south of Bonifant Street (i.e., between the Kiss and Ride and the boundary of the KSI project).	The County and KSI have submitted profiles to indicate that the vertical and horizontal alignments are feasible. The right of way will be preserved. The construction of the road from the Kiss and Ride to KSI property is not part of this project.	The issue of the connection between Bonifant Street and Ripley Street was not raised in the WMATA public hearing.	DPWT noted that the vertical and horizontal alignment for future connection between Bonifant and Ripley is still maintained and that the Lusk building will not be impacted because of this alignment. The MTA Purple Line Project Team is examining the feasibility of accessing the Transit Center to/from points east via either Bonifant Street (preferred) or Ripley Street (less preferred) and is incorporating the Transit Center design in their analysis.
Jughandle	Identify a feasible alternative to the proposed jughandle at Colesville Road / Wayne Avenue in order to reduce pedestrian / vehicular conflicts	The jug handle has been deleted from the project.	There was no discussion of the jughandle at the WMATA public hearing	Part of the replacement park would be located on the jughandle area. The park is being designed so that it could accommodate a bike station in the future.

<sup>1</sup> See Silver Spring CBD Sector Plan, Feb. 2000, pages 46 and 110.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Bi-County Transitway (BCT) or Purple Line and Metropolitan Branch Trail (MBT)	Dedicate the area reserved for future construction of the BCT and Metropolitan Branch Trail	There is sufficient space for the BCT and we will ask that WMATA dedicate the right of way.	The BCT is part of a separate project being administered by the Maryland Transit Administration (MTA). The SSTC design reserves a right of way for the BCT. As for the MBT, the project architects have been directed to study the feasibility of making a bicycle path connection between the MBT south of the transit center and the uppermost level of the SSTC. This alignment would allow a connection onto the Bonifant Street Trail, which is part of the planned bicycle path network in the Silver Spring CBD. The SSTC will incorporate this bicycle path connection if it is feasible.	WMATA 's position is that the corridor for the Purple Line should be reserved and not dedicated until there are more specific details on the timing of Purple Line construction. This issue has an added aspect since the first Mandatory Referral and the WMATA Public Hearing – i.e., the Plaza Park and the related surface easement may include area that could potentially be needed at some point for Purple Line construction. The latest design for the Met Branch Trail connection includes a connection on the third level of the Transit Center.
Second Mandatory Referral	Submit a second Mandatory Referral at the end of the design development stage. Engage the staff during the development phase prior to submitting the Mandatory Referral.	M-NCPPC staff has been consulted throughout the design process. We are submitting the Design Development level drawings for your review and comment. We do not believe that a second hearing is necessary.	The issue of a second Mandatory Referral did not come up in the public hearing	This review represents the "Second Mandatory Referral".

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Pedestrian Safety During Construction	Provide a plan for ensuring pedestrian safety during construction of the project. Coordinate with the Silver Spring Regional Center, the Silver Spring Urban District, and SHA.	Will comply.	<p>Pedestrian routes on the (IOF) plan have been selected to avoid conflicts with the construction activities while minimizing walking distances. Although walking distances technically fit within established guidelines, staff and the A/E team will continue to pursue methods of improving pedestrian access to the Metrorail station. Following the Compact Hearing, the A/E team identified a shorter ADA accessible route from Bonifant Street to the Metrorail station entrance. A staff recommendation included in the hearing report notes "WMATA staff must cooperate fully with other public and private entities in devising plans to address construction, maintenance, safety, and security issues during the construction and operation of the SSTC."</p>	<p>Wayfinding plans are nearing completion.</p> <p>It is also anticipated that the southern entrance to the Silver Spring Metrorail Station will be opened in advance of major construction activities taking place on the Transit Center Site (estimated to be September 2007). This will enable some users to access the Metrorail Station without having to walk along Colesville Road entering the Metrorail Station adjacent to the construction site.</p> <p>Latest data on "Mode of Access" To SSTC<sup>2</sup>:</p> <p>Walk – 52% Metrobuses – 17% Ride-On – 12% Drove Car and Parked – 11% Dropped Off – 5%</p>

<sup>2</sup> WMATA 2002 Passenger Survey – depicts percentage of a total of 12,484 Metrorail riders (typical weekday) boarding Metrorail at the SSTC. The project team has indicated in work sessions on the IOF that there are about the same amount (12,000) of bus-to-bus transfers at the SSTC on a typical weekday. The high volume of bus transfers is one reason that the IOF is to be located in an area that maintains some degree of convenience for passengers transferring from one bus to another.

A-5

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Transit Operations During Construction	Explain how transit operations will be maintained during construction	An Interim Operations Facility (IOF) will be created in the block surrounded by Wayne, Dixon, Bonifant, and Ramsey. We have been in contact with M-NCPPC staff and have provided drawings of the IOF plans.	See note above related to pedestrian safety. Staff examined the feasibility of establishing bus stops on Second Avenue and rejected it because of steep grade, noise related to acceleration of buses near residential area, and general lack of space. Passageways will be sheltered from construction activities and well lighted. Pedestrian routes have been selected to avoid pedestrian conflicts with construction activity while minimizing walking distances. Staff and the design team are developing a signage package that will direct customers from bus to bus, bus to rail, and rail to bus. Metro Transit Police, the Montgomery County Police Department, and the Silver Spring Urban District will formulate a plan to minimize loitering and enhance security at the sites. DPWT has initiated a series of monthly meetings with Discovery to keep Discovery abreast of the current activities and to resolve issues as they arise.	Current schedule calls for buses to be relocated on Sunday, July 29, 2007. Both Metrobus and Ride-On are in favor of a move in the summer months so that there is time for the users and service providers to address any major service or operational issues prior to the fall, start of school, and changing traffic patterns and volumes. Major construction activity on the Transit Center is expected to begin in September 2007.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Architectural Drawings	Provide architectural details for all pedestrian and vehicular entrances, the proposed canopy over the central core, and elevations for the façade of the Transit Center that faces the new park.	Please see the attached drawings and renderings.	Architectural renderings have focused on function, and further work will describe appearance in greater detail. Among the appearance items to be stressed are a design that reflects the importance and unique character of the transit center and lighting.	Drawings have been submitted for all aspects of the project except for the park. Concept design plans for both park areas are now under review.
Public Art	Provide specific details on the public art component. Meet with the Silver Spring Arts Panel regarding the proposed public art.	Will comply. We have communicated the request with the Public Arts Committee. We are at a point now that we can engage the artist.	The issue of a Public Art did not come up in the public hearing	DPWT has not submitted a response on any specific aspect of the public art component of the Transit Center.
Internal and External Wayfinding	Provide the location, size, and design, for all internal and external wayfinding signage.	This will be developed in the next phase of design and will be submitted later.	Pedestrian safety is a paramount concern. The current concept plans do depict the SSTC in sufficient detail to show pedestrian safety attributes. Forthcoming plans will show features such as barriers, signage, crosswalk markings, generous sight lines, and enhanced lighting, stop signs, and coordinated traffic signals. The project architect, under its contract with Montgomery County, must specify pedestrian safety features, enhanced interior illumination, and IOF signage in the SSTC Design Development package.	DPWT has submitted signage plans for the Transit Center as part of the Permit Set. DPWT has not submitted signage related to the IOF except for one sign depicting the (relocated) bus stop locations.  As noted above under "Bus Circulation and Bay Area", the pavement marking at the entrance to the lower level needs review. We would recommend considering directional marking adjacent to the crosswalk that does not cover a payment area that a bus will have to cross.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Shared Use Path Along Colesville Road	Revise the design for the shared use path along the Colesville Road frontage. Utilize special paving and signage to indicate a mixed use (i.e., pedestrians and bicycles) and to encourage bicyclists to walk their bikes until past the Transit Center.	Will provide the requested design.	With respect to the sidewalk width, see response noted above under the issue "Building Setback Along Colesville Road".	One comment at the WMATA public hearing went beyond the issue of the sidewalk width: "The sidewalk width should be widened to 30 feet to provide for an eight foot wide bicycle trail <b>separate from the pedestrian way.</b> " <sup>3</sup> There was also concern expressed at the WMATA hearing that "The proposed connection between the Wayne Avenue Green Trail and the East West Highway trail would cause cyclists to dismount and walk." Sidewalk width along Colesville Road at completion of Transit Center (excluding private development) will be 18 feet.
Metropolitan Branch Trail (MBT)	Provide the design for the future Metropolitan Branch Trail. Demonstrate how the trail traverses the Transit Center horizontally and vertically and connects to the current DPWT Metropolitan Branch Trail project at grade south of the Transit Center.	The trail is an interim trail. Details of connection to the MBT are being worked out in IOF phase of work and will be shared with your staff.	The project architects have been directed to study the feasibility of a bicycle path connection between the MBT south of the transit center and the third level of the SSTC. This alignment would connect to the Bonifant St. Trail, part of the planned bike path network in the CBD. The SSTC will incorporate this bicycle path if it is feasible.	Bike Path connection to Level Three of the Transit Center is now included in plans.

<sup>3</sup> WMATA Public Hearing Staff Report, Page 11.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Bi-County Transitway (BCT) Or Purple Line	<p>Show a right of way designation for the BCT along the railroad tracks and master plan roadways rights of way.</p> <p>Show how the BCT alternative alignment along Wayne Avenue (and the Silver Spring Green Trail) would be accommodated (e.g., the location of platforms, pedestrian connections from the BCT platforms through the Transit Center to Metro), unless the State's BCT study has ruled out this alignment.</p>	<p>There is sufficient space reserved for the BCT and we will ask that WMATA dedicate the right of way. As we understand that the Bi-County Transitway alternative alignment (Wayne Avenue) will be either elevated or at grade along Wayne Avenue and Jug Handle area will be used for escalators, bus stops, etc. No direct connection to the Transit Center or the Plaza is envisioned at this time from the Wayne Avenue alignment alternative location.</p>	<p>The Bi-County Transitway is part of a separate project being administered by MTA. The SSTC design reserves a right of way, which may be used by the Bi-County Transitway.</p>	<p>More recently, the LRT alignment for the Purple Line along 2<sup>nd</sup> Ave and Wayne west of Georgia Avenue has been dropped from further consideration.</p> <p>As noted above under "Bi-County Transitway or Purple Line and Met Branch Trail", WMATA remains opposed to dedication at this time.</p>
Landscape, Hardscape, and Lighting Plans	<p>Provide (1) streetscape design details for all public streets, including medians and crosswalks, (2) design of the interim replacement park, (3) design of the ultimate replacement park unless this has already been addressed through regulatory approvals for the joint development, (4) final design for the jughandle open space, (5) design details for the fountain, art, lighting, site furnishings, signage, paving, irrigation, and other site amenities, (6) location of all proposed wayfinding signs per the Silver Spring CBD Wayfinding Master Plan, (7) screening for all generators, transformers, and dumpsters in public view.</p>	<p>Will comply. For wayfinding signs refer to response for item 10g (noted above under the issue/item "Internal and External Wayfinding").</p>	<p>Design elements to be included in the Design Development drawings and specifications, such as reflective ceiling treatments and enhanced interior lighting, will augment natural daylight and improve visibility at night. Also, see response above under the issue/item "Internal and External Wayfinding".</p>	<p>Concept designs for the parks (including one park on the jughandle area) are under review. Wayfinding signage outside of the Transit Center related to either the permanent Transit Center or the IOF has not been submitted for review. All other referenced material related to this issue/item in the March 2005 Mandatory Referral has been submitted.</p>

A-9



ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Demolition Plan	Provide a demolition plan (including the existing Metro Urban Park), and a staging plan (including the location of construction materials and use of the future replacement park for staging).	Will be developed during the construction document phase.	The issue of a demolition plan did not come up at the WMATA public hearing.	Phasing Plan is included although it does not reflect the park on two different sites.
ITS Equipment Room and Bike Amenities (Exclusive of Trail Connections)	Identify a location and size for the Intelligent Transportation System equipment room and the proposed bike station, subject to future funding. Identify locations for bike racks and lockers on all levels of the facility.	Will comply.	There is no mention of the ITS Equipment Room in the public hearing report. With respect to the bike amenities, the staff recommendations include: (1) WMATA staff must continue to cooperate with public and private entities to: (a) investigate the feasibility of obtaining bicycle station space in the Joint Development project, other commercial space proximate to the transit center, or other areas within the SSTC site; (b) investigate the availability of sources of funding outside of the SSTC budget; and (c) identify potential bicycle station operators; (2) the project architect, under its contract with Montgomery County, must study the feasibility of establishing additional, and better located, bicycle storage facilities; and (3) the project architect, under its contract with Montgomery County, must evaluate the feasibility of incorporating bicycle troughs into the interior stairway system of the SSTC	The ITS Equipment Room has been identified. The location of bike amenities has been included in the Design Development and Permit Set drawings. There is ongoing discussion between DPWT and Parks Department about the feasibility of incorporating an area on the triangle on the north side of Wayne in the urban park in order to accommodate an eventual bike station that could be potentially located there.
Separation of Bus Loop and Private Development	Widen the space between the bus loop and the building core for the private development (preferably at least 15 feet) to accommodate transit patrons more comfortably.	Design has been changed to eliminate this situation. The office building is changed to hotel and is no longer situated on top of the Transit Center.	This issue did not come up at the WMATA public hearing.	This issue has been addressed with redesign and different scope of the private development.

A-10

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Ripley Street / Bonifant Street Connection (See page 3 for related discussion).	Demonstrate how the horizontal and vertical alignments for the new road between Bonifant Street and Ripley Street have been coordinated with the approved plans for the KSI development on Ripley Street.	We had submitted detailed vertical profile prior to the Mandatory Referral Hearing. Please refer to drawing L1.00 and area denoted as "Total seeded area". This provides for longer future road. We have checked the slope and it is less than 5%.	This issue did not come up at the WMATA public hearing.	The Midtown Silver Spring Preliminary Plan (1- 20060540) includes a conceptual drawing of the connection that includes the encroachment of an adjacent sidewalk onto the Lusk Building property just west of the existing crosswalk on Bonifant Street. There is no conflict with the building in concept drawings submitted to date. The MTA continues to review potential conflicts that might be created with any potential Purple Line alignment on Bonifant.
Jughandle	Design the selected alternative to the proposed jughandle at Colesville Road/Wayne Avenue. Design the jughandle if no alternative is determined to be feasible.	Will comply. This work is being done by the private developer.	This issue did not come up at the WMATA public hearing	The jughandle will function as a bus only right turn lane and shelter location area during the IOS operation and as a new urban park after the completion of the SSTC. The work is being done by DPWT. The Jughandle Park is one of two parks (the other is the "Metro Plaza Park") that will replace the existing urban park.
Master Plan Right of Way Related To Project	Show dedications: Colesville Rd (60 ft from centerline), Wayne Ave (120 ft total), Ramsey Ave (35 ft from centerline), Bonifant St (35 ft from centerline), & Ripley St connection to Bonifant (70 ft)	Will comply.	This issue did not come up at the WMATA public hearing	There are no dedications.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Colesville Road and SHA Approval	Document approval from SHA for all improvements to Colesville Road including curb cuts, new driveways and traffic signal installations	Will comply.	This issue did not come up at the WMATA public hearing.	SHA has submitted a letter of 03/09/07 that approves the access points and signal installations but also calls for improvement (right turn lanes) to northbound Wayne Avenue and northbound Dixon Avenue. SHA is also requesting an update VISSIM analysis.
Colesville Road Entrance and Grade Differences	Provide the engineering details to demonstrate how the grade differences have been resolved between the street and sidewalk level along Colesville Road and the new bus entrance and crosswalks at the new Colesville Road intersection.	A grading plan, characterized as a “proof of concept”, was shared as part of the additional materials provided for the Mandatory Referral submittal. Additional engineering details are shown on IOF drawings.	This issue did not come up at the WMATA public hearing.	The grade under the bridge will be lowered approximately four feet so that the sidewalk is at the curb elevation adjacent to the travel lane on Colesville Road. A barrier railing will be provided.
Ventilation	Provide a detailed plan for mechanical ventilation, including the proposed locations for air intakes and exhausts.	Please see attached drawings.	The present design is open on the southwest and northeast sides, the long sides of the floor plan, allowing light and air to penetrate from the sides of the structure. The top level of the transit center covers slightly less than half of the middle level, and the design incorporates a light and air well between the middle and lowest levels.	This additional information as been provided. As noted in the WMATA staff report, the top level now covers less than one –half of the second or middle level of the Transit Center.
Parking	Delineate the long and short- term parking spaces, the Kiss and Ride spaces, and the taxi spaces on the parking tabulation.	Please see the attached drawings.	This issue did not come up at the WMATA public hearing	Level Three is shown with four ADA drop-off spaces and four taxi spaces, along with circulation for Kiss & Ride.

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Replacement Park	<p>Provide site plan level drawings for the replacement park per item J above. Plan for technical review of the park design at the second Mandatory Referral and reserve time in the project schedule for the park permit process (which takes several months at a minimum).</p>	<p>As per our agreement with M-NCPPC, we will provide the base park design if it appears that there will be a significant delay in the private transit oriented development project. Because the base park would be ripped out by the private developer and replaced with the full build park including any amenity features, our understanding with M-NCPPC and the private developer has been that final park with all amenities is part of the private transit oriented development project. Again, though if there is delay in that moving forward we will provide a more detailed design of the base open space park area.</p>	<p>This issue did not come up at the WMATA public hearing</p>	<p>Issues identified in letter to DPWT include: (1) no net loss of parkland, (2) design of interim and final parks coordinated with the Parks Dept., (3) design should provide an attractive gateway to Silver Spring, (4) utilities should be provided with M-NCPC retaining programming and naming rights, (5) permitting for demolition and construction is needed, (6) vacating of surface easement subject to certain conditions – including design approval, MOU, record plat, and conveyance of new easement, and (7) satisfactory phasing of design and construction of both interim and replacement park.<sup>4</sup> These items are still under review and include consideration of two parks – one on the jughandle and one in the Transit Center plaza area.</p>

<sup>4</sup> Letter of 10/17/06 from Faroll Hamer to Art Holmes

A-13

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Lusk Building	Address any encroachment on the northwest corner of the Lusk Building property at Bonifant Street / Ramsey Avenue	Will comply.	This issue did not come up at the WMATA public hearing	See notes above (page 15) under Issue/Item "Ripley Street / Bonifant Street Connection".
Stormwater Concept Plan	Provide a letter to document approval of the Stormwater Concept Plan	Will comply.	This issue did not come up at the WMATA public hearing	To be provided.
Metrorail Station Western Entrance	Provide for modifications to the existing Metrorail Station that will open the western entrance to the station (i.e., the NOAA side).	Because of complex Federal Regulations and funding deadlines, these modifications are not part of this project. No changes to the existing Metro train services are envisioned in this project. The modifications you asked for involves changes to the train operations and is part of WMATA's work.	The Southwest Entrance is not part of the SSTC project but is worthy of consideration as an independent project. Federal, state, and local officials are working to secure additional funding for this improvement. This funding will continue to be pursued independently of the SSTC project.	County Council has approved using \$400,000 in G.O. Bonds to fund this improvement in advance of major construction starting. The Council approval noted if the Planning Board applies funds to this improvement then the G.O. Bond obligation should be reduced by that same amount.
Bonifant Street Within The SSTC Footprint	Take all necessary steps to relocate the western portion of Bonifant Street.	Will comply.	This issue did not come up at the WMATA public hearing	The Planning Board has recommended the abandonment of Bonifant Street west of Ramsey Avenue - Abandonment Case 688 – Planning Board date of 11/09/06.

A-14

ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Site Constraints	This specific issue was not addressed in the 03/10/05 letter.	No response requested	Primary objectives of the transit center are to achieve expanded capacity while consolidating the facility. Consolidating the transit center into a multi-level structure enhances the pedestrian environment by reducing walking distances for bus to rail and bus-to-bus transfers and by minimizing exposure to adverse weather conditions. The architects have designed the joint development project within the constraints imposed by the size and shape of the parcel and the area required by the transit center.	The WMATA staff response acknowledges the interdependent nature of function and design between the two components
Wayne Avenue Trees	This specific issue was not addressed in the 03/10/05 letter – it is related only to the IOF.	No response requested	In response to a concern that the temporary relocation of bus stops to an area adjacent to Discovery would result in increased maintenance costs for Discovery, WMATA noted that DPWT has initiated a series of monthly meetings with Discovery to keep Discovery abreast of current activities and to resolve issues as they arise.	The IOF plans submitted 10/06/06 (along with a Building Permit Application for the IOF Bus Shelters) includes a response from DPWT that notes: "The wood platform previously specified is now shown as a concrete sidewalk...After the exploratory air spade work, we found the roots of the trees to be much deeper...A concrete sidewalk is therefore acceptable." <sup>7</sup> Staff reviewed the specs for the care of the Wayne Ave trees as forwarded by DPWT. <sup>8</sup>

<sup>7</sup> October 6, 2006 letter from Shri Gondhalekar to Tom Autrey.

<sup>8</sup> See 10/16/06 e-mail from K. Nelson identifying recommendations from Care of Trees, Inc. not incorporated into the specs in the IOF plan.

A-17

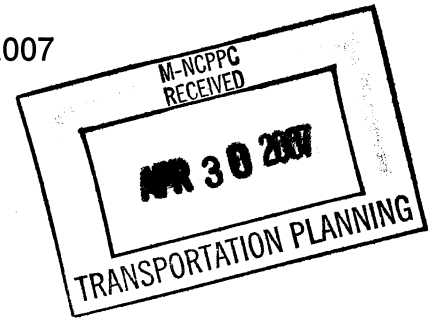
ISSUE/ITEM	PARK/PLANNING RECOMMENDATION @ MANDATORY REFERRAL OF 03/10/05	DPWT RESPONSE IN 09/28/06 LETTER	WMATA STAFF RESPONSE IN PUBLIC HEARING REPORT – HEARING OF 04/24/06	STATUS WITH CURRENT SUBMITTAL
Bonifant Street Garage	This specific issue was not addressed in the 03/10/05 letter – it is related only to the IOF.	No response requested	This issue did not come up at the WMATA public hearing	In response to a concern expressed about cut-through pedestrian traffic to/from the Metrorail Station and relocated bus stops, DPWT notes in its 10/06/06 response that additional funds have been budgeted for SSRC security and maintenance staff. Staff has also noted that the sidewalk at the garage entrance needs to be leveled if the entrance is closed. This recommendation has been forwarded to DPWT for consideration

# ATTACHMENT B

## MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

April 30, 2007



### MEMORANDUM

TO: Tom Autrey, Supervisor, Transportation Planning  
Countywide Planning Division

VIA: John Carter, Chief *JC*  
Community-Based Planning Division

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

SUBJECT: Silver Spring Transit Center Mandatory Referral #04106-DPW&T-1

The Community-Based Planning Division has reviewed the current plans for the proposed Silver Spring Transit Center. We recommend that the Planning Board APPROVE the subject Mandatory Referral and transmit to WMATA and DPWT the following *comments* regarding the proposed transit facility and *conditions of approval* relating to Metro Urban Park.

#### Master Plan Consistency

The proposed public facility is generally consistent with the goals of the *Approved and Adopted February 2000 Silver Spring CBD Sector Plan*. One of the six major themes in the Sector Plan is the creation of a Transit-Oriented Downtown. In order to be consistent with the goals of the Sector Plan, the proposed facility must also maximize pedestrian circulation and provide connections to the regional bike trails that traverse the CBD (i.e., the Capital Crescent/Metropolitan Branch Trail and the Silver Spring Green Trail). Additionally, the *Approved and Adopted January 1990 Georgetown Branch Master Plan Amendment* identifies the Silver Spring Transit Center as a terminal station on the Purple Line. Although the Silver Spring Transit Center is no longer anticipated to be a terminal station, the Transit Center project must still provide for the future Purple Line.

#### Conditions of Approval

The public spaces within the Transit Center continue to be a major concern. Our understanding is that the design of these spaces is evolving. WMATA is obligated by an existing agreement with M-NCPPC to replace the existing Metro Urban Park. The Planning Board has previously conveyed to the applicants that they have high expectations with regard to the design of the replacement parkland and the public spaces in general.

*(B-1)*



The Planning Board should reiterate that they will not vacate the existing park easement until the applicants (WMATA and MCDPW&T) have delineated acceptable boundaries for an equivalent replacement park; designed the replacement park to the Board's satisfaction; provided an acceptable phasing schedule for implementation of the replacement park; and finalized an agreement for the maintenance and security at the replacement park. In the Planning Board's March 2005 Mandatory Referral comments, the Board requested site plan level drawings for the replacement parkland. Although the proposed location of the park has shifted, the level of certainty that the Board needs concerning this space has not changed.

- a. If the **plaza** located outside the Metro entrance is to be counted as replacement parkland, it must be more than a barren and windswept area paved in concrete through which people pass on their way to the Metro station. This area is the first thing that many transit riders will see when they arrive in Silver Spring. As the key gateway feature for transit riders, it is critical that the plaza be an attractive and welcoming portal to Silver Spring. We recommend the inclusion of vertical elements to break up the space and the use of landscaping and public art to make the plaza more attractive. Although special pavers are desirable, a concrete surface with a distinctive pattern (e.g., varied color and/or texture) may be acceptable; however, it must be something that cannot be deleted as part of the value engineering process.
- b. If the current **jughandle** area is to be part of a bifurcated park, it should be well landscaped unless it is to be used as the location for a bike station. The applicants must provide sidewalks along Colesville Road and Wayne Avenue constructed according to the Silver Spring Type B streetscape standards. The sidewalk along Colesville Road should be the same width as the sidewalk along Discovery headquarters in the next block. The applicants must provide the Silver Spring Green Trail along the Wayne Avenue frontage.

#### Comments and Recommendations

1. In accordance with the Planning Board's March 2005 Mandatory Referral comments, buildings on the Transit Center site should be set back a minimum of 30' along Colesville Road in order to accommodate pedestrians, bicyclists and street trees.
2. Certain elements (e.g., the glass canopies over the passenger queuing areas and stairs/escalators) should not be value engineered out of the design.
3. Public art should be provided as part of the project, subject to review by the art panel.
4. Pursuant to the Planning Board's previous Mandatory Referral comments, the applicants should pursue funding to open the western (NOAA) entrance to the Metro station; construct the extension of Ripley Street to Bonifant Street; and provide a bike station at (or adjoining) the Transit Center.
5. The applicants should ensure an architectural treatment along the Colesville Road and Wayne Avenue edges that enables the facility to look less like a bus garage, particularly since the anticipated private development along the edges may not occur or may not occur for some time. Hanging gardens could also soften the appearance of the bus terminal.

B-2

6. The applicants should provide the wayfinding/signage plan previously requested by the Planning Board.
7. The applicants should provide a formal CPTED analysis for the proposed facility.

GRK:ha: j:\cbp disc2\kreger\SSTC MR referral

# ATTACHMENT C

Martin O'Malley, *Governor*  
Anthony Brown, *Lt. Governor*



John D. Porcari, *Secretary*  
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

March 9, 2007

Re: Montgomery County  
MD 384  
Silver Spring Transit Center

Mr. Shahriar Etemadi  
Transportation Coordinator  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Dear Mr. Etemadi:

Thank you for the opportunity to review the Revised Traffic Impact Study Report by Parsons Brinckerhoff, Inc. dated December 2006 (received by the EAPD on February 5, 2007) that was prepared for the proposed Silver Spring Transit Center Development in Montgomery County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the Transit Center that will include 467 High-Rise Apartment Units, a 196-Room Hotel, and a Bus Station was proposed from one (1) full movement access driveway on MD 384 (Colesville Road), one (1) right-in/right-out driveway on Wayne Avenue, one (1) right-in/left-out driveway and one (1) right-in/straight-in/straight-out driveway on Ramsey Avenue. The Lower Level Bus Oval was proposed from one (1) full movement access driveway on MD 384. The Second Level Bus Oval was proposed from the right-in/left-out driveway on Ramsey Avenue. The Third Level was proposed to service the Kiss & Ride Parking and was proposed from the right-in/straight-in/straight-out driveway on Ramsey Avenue. The 196-room Hotel Parking was proposed from the right-in/right-out driveway on Wayne Avenue.

A traffic signal was proposed at the MD 384 at Lower Level Access Driveway intersection for Bus Only traffic. The District 3 Office and the Office of Traffic & Safety have agreed to permit a traffic signal at this location for Bus Traffic only.

M-NCPPC  
RECEIVED

MAR 23 2007

TRANSPORTATION PLANNING

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0900 • [www.marylandroads.com](http://www.marylandroads.com)

C-1

- The eastbound MD 384 left turn lane at the MD 384 at Wayne Avenue/Second Avenue intersection is proposed to be removed (to provide room for the westbound MD 384 left turn lane at the MD 384 at Lower Level Access Driveway intersection). The existing eastbound MD 384 left turn movements are assumed to be diverted to MD 410, 16<sup>th</sup> Street and Spring Street to access Second Avenue.
- The traffic consultant determined that the proposed development would negatively impact the MD 384 at Wayne Avenue/Second Avenue, and Wayne Avenue at Dixon Avenue intersections. Therefore, the traffic consultant recommended the following roadway improvements:
  - MD 384 at Wayne Avenue/Second Avenue – Widen existing northbound Wayne Avenue through/right lane to accommodate bus right turn movements. The existing jughandle at this intersection will also be removed.
  - Wayne Avenue at Dixon Avenue – Widen northbound Dixon Avenue approach from existing 1 left/through/right lane –to- 1 left/through lane and 1 right turn lane. Signalize intersection. Dixon Avenue will also be re-stripped to provide 2 lanes in each direction between Wayne Avenue and Bonifant Street.
- The traffic consultant determined that the proposed development would not cause any other studied intersection to exceed the congestion standard established by the M-NCPPC for the Silver Spring Central Business District (CBD) Policy Area (CLV less than or equal to 1,800).
- VISSIM analyses were previously prepared for the study network for the old site development plan. However, updated VISSIM analyses were not prepared with the new site plan. The VISSIM analyses provide needed information to make operational decisions on signal phasing sequences and cycle lengths.

SHA concurs with the improvement recommendations described above. In addition, SHA concurs that the proposed development will not cause any other studied intersection to exceed the Silver Spring CBD Policy Area congestion standard threshold as established by the M-NCPPC. The SHA policy regarding intersection level of service requires that all intersections function at a level of service "D" or better in the design year with full build-out of the given project. Given that the Montgomery County policy differs from that of SHA regarding the need for mitigation at off-site intersections, the SHA will defer to the local criteria.

Mr. Shahriar Etemadi  
Page 3 of 3

However, any proposed mitigating roadway improvements impacting a State-controlled roadway must be reviewed and approved by the SHA. 50-scale or better roadway improvement plans for the proposed full-movement MD 384 entrance must be submitted to SHA for review and comment.

Also, SHA recommends that the M-NCPPC require the applicant to prepare and submit updated VISSIM analyses so that SHA can determine appropriate signal phasing and cycle lengths to best serve the surrounding roadway network.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact Raymond Burns at (410) 545-5592 or [rburns1@sha.state.md.us](mailto:rburns1@sha.state.md.us). If you have any questions or comments regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Very truly yours,



Steven D. Foster, Chief  
Engineering Access Permits Division

cc: Mr. Raymond Burns, SHA EAPD  
Mr. Robert French, SHA Office of Traffic & Safety  
Mr. Larry Green, Daniel Consultants, Inc.  
Mr. Jerry Jannetti, Parsons Brinckerhoff, Inc.  
Mr. Ki Kim, M-NCPPC Montgomery County  
Mr. Morteza Tadayon, SHA Travel Forecasting Section  
Mr. Errol Stoute, SHA Traffic Development & Support Division  
Mr. Jeff Wentz, SHA District 3 Office

C-3

# ATTACHMENT D

## MONTGOMERY COUNTY PLANNING DEPARTMENT MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 31, 2007

### MEMORANDUM

TO: Tom Autrey, Supervisor  
Transportation Planning Division

VIA: Rose Krasnow, Chief *RK*  
Robert Kronenberg, Acting Supervisor *RAK*  
Development Review Division

Mike Riley, Chief  
Doug Alexander, Supervisor *DA*  
Park Development Division

FROM: Linda Komes, Project Manager *LK*  
Park Development Division  
Coordinator (Temporary Assignment), Development Review Division

SUBJECT: Silver Spring Transit Center Mandatory Referral #04106-DPW&T-1

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### STAFF RECOMMENDATION

Staff from the Development Review Division and the Park Development Division has reviewed the current plans for the proposed Silver Spring Transit Center. Staff recommends that the Planning Board APPROVE the Mandatory Referral and transmit to WMATA and DPWT the following comments and Conditions of Approval.

### PROJECT DESCRIPTION

The Silver Spring Transit Center will be located on the site of the existing Silver Spring Metro Station. The approximate five-acre site is bordered by Colesville Road on the north, Ramsey Avenue on the east, an undeveloped tract of County-owned land to the south, and railroad tracks to the west. Surrounding land uses are comprised primarily of office buildings, including the Discovery Communications Headquarters, NOAA, and the Silver Spring Metro Plaza building.

The Silver Spring Metro Station is currently the busiest Metrorail station in the State of Maryland and the second busiest in the entire system, second only to Metro Center. The Silver Spring Station currently accommodates almost 59,000 passengers daily and 145 buses per peak hour. The Washington Metropolitan Transit Authority (WMATA) owns the majority of the property, with Montgomery County owning about one-third. Montgomery County has filed the Mandatory Referral application for the Transit Center as the authorized agency representative for WMATA. Montgomery County's Department of Public Works and Transportation is also providing project management services during construction of the Center on behalf of WMATA.

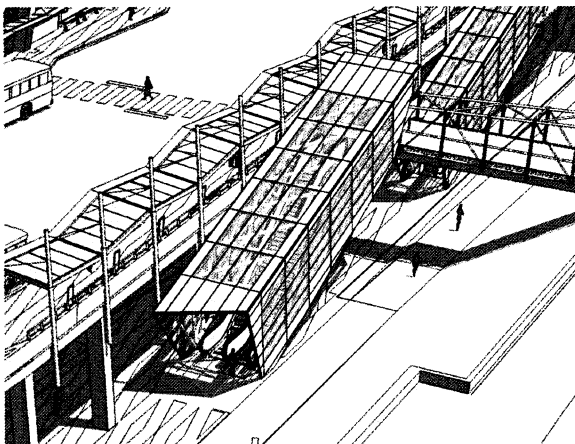
The site is being developed as a joint development project with a three-acre, public development portion (the Transit Center), and the remaining two-acre private development portion, divided along what is referred to as "the bright line". A project Plan was filed by Silver Spring Metro, LLC, a partnership of Foulger Pratt and Mid City Urban on October 16, 2006. The Project Plan is on temporary hold, presumably, until issues involving the Transit Center are resolved.

### The Proposed Transit Center

The Paul S. Sarbanes Transit Center is proposed as a three-level multi-modal transit facility, designed to meet existing and future transit needs, allow for the safe and convenient transfer from one mode of travel to another, and accommodate joint development opportunities that would support and contribute to the revitalization of Silver Spring. The Project includes the following components: bus bays for WMATA and Montgomery County buses, an intercity bus terminal with ticketing facilities and bus bays, kiss-and-ride spaces, taxi spaces, pedestrian and bicycle facilities, an open space park and pedestrian plaza, and infrastructure necessary for road improvements and utility connections.

The first two levels of the structure will contain bus loops for WMATA, County and intercity buses. Access to the lowest level will be from Colesville Road. A new entrance road from Ramsey Avenue will provide access to the second level. The top deck will be accessed off of Bonifant Street and will provide Kiss and Ride parking, a taxi stand, access to the Marc bridges, and entrances to the proposed hotel and one of the residential buildings, proposed as part of the private development. The project architect states that careful consideration has been given to the placement of the support columns and to the floor to ceiling height ratio within the Transit Center to facilitate the penetration of natural light and for better air circulation.

The dominant architectural design vocabulary for the transit center is the repeated use of the rhomboid shape. A rhomboid is defined as an angular, four-sided shape, a shape that expresses the edge of the shape, or a shape that comes together at angles other than at 90 degrees. The use of this unusual shape has "guided the development of the design", and can be seen throughout the Center. It is most prominently seen in the shape of the Transit Store/Transit Police Station, in the elevator enclosures, supervisor's kiosks, in the escalator and stair enclosures, and in the canopies in the bus waiting areas. It is the use of this distinctive shape and the proposed use of fritted glass that gives the Transit Center its architectural character and separates it from being just an enormous, utilitarian, bus-parking garage, located at the gateway to Silver Spring.



Staff is very concerned that these elements, many of which are included as alternates in the bid documents, will be eliminated during the bidding process due to cost overruns or value engineering efforts. In order to ensure that this does not occur, staff has included

these character-adding elements in Exhibit D, which will be attached to the MOU entered into between WMATA and the Commission, and which will become binding on WMATA. In the event that these elements need to be deleted, the MOU requires that the changes be presented to the Planning Board and the MOU amended.

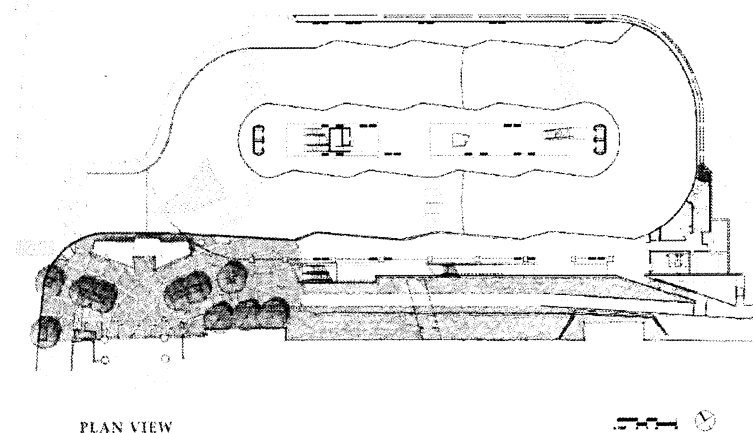
### The Park

A small M-NCPPC park, known as Metro Urban Park, currently exists on the property and will be displaced by construction of the Transit Center. The park, consisting of 35,354 square feet was created by a perpetual easement granted by WMATA to the Commission in 1977 to compensate for land owned by the Commission at Jesup Blair Park in South Silver Spring. WMATA needed the property at Jesup Blair Park for construction of the Red Line Metrorail line. (See Attachment A, Deed of Easement for Open Space).

Initially, the Mandatory Referral Plan for the Transit Center and the Project Plan for the private development proposed that the replacement park be located on the private side of the "bright line". The Project Plan proposed that the replacement park area also be used to meet the public use space requirements of the CBD zone, and that the developer be permitted to use the three-acre, public portion of the project where the Transit Center will be constructed, in computing its density. After much discussion, Staff informed the developer that they would not be permitted to include the area of the Transit Center in their density calculations unless the Transit Center was brought before the Planning Board and reviewed under the CBD-2 zone requirements. Staff also said that the area encumbered by the replacement park easement could not be counted as meeting the public use space requirements of the CBD-2 zone.

Subsequently, staff urged WMATA to consider locating the replacement park on the public portion of the project. A decision was made to "bifurcate" the replacement park into two very prominent public areas on and in the vicinity of the Transit Center site. In order to ensure that the two park replacement areas are designed as high quality, vibrant urban spaces, staff urged DPWT to hire an experienced landscape architecture firm to help in the redesign of the gateway park at the metro entrance and the jug handle park. DPWT hired EDAW, an internationally recognized landscape architectural design

firm, whose expertise includes placemaking and the design of urban parks.



The first of the two park replacement areas is at the main entrance to the Transit Center and the Metrorail station. This area, consisting of approximately 11,624 sf, is physically and symbolically the gateway to Downtown Silver Spring. The original design of this area, as included in the Mandatory Referral

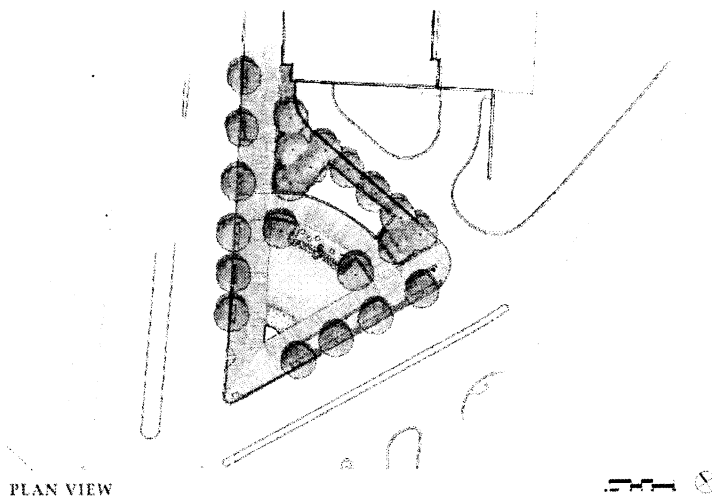
submission, supported its function of accommodating large volumes of pedestrians



quickly, but did not recognize or exploit its inherent role as a major gateway to Silver Spring and Montgomery County.

The proposed design features the use of the Silver Spring Streetscape standard, with fields of Belden brick separated by broad bands of granite or a color-contrasting brick paver. At the point where the bands intersect an accent paver featuring recycled glass is proposed. The location and form of the broad bands reinforces the pedestrian desire lines into and out of the station, and the rhomboid-shaped transit store. Large shade trees in raised planters help soften and cool the space. The area is punctuated by the ribbon of fritted glass canopy at the existing metro entrance.

The second area is known as the “jughandle” or the “WMATA tip”. This triangular-shaped parcel consists of approximately 11,590 sf, and is currently unused public road right-of-way dedicated to Montgomery County. The area was landscaped by Discovery as part of their site plan approval. DPWT has since partially removed this amenity and installed an interim bus stop on the jug handle. After the Transit Center is complete, DPWT will remove the existing bus lanes and will rebuild the park in accordance with the approved park plans, including the extension of the Silver Spring Greenway Trail across the Wayne Avenue frontage. The future vision for this park include the addition of a 1,500 sf bike station. Bike Stations are being constructed in urban areas all over the country and worldwide. They are always located near public transportation and provide safe and secure bicycle parking, and frequently include other services such as bike rental, repairs, information, restroom/changing areas, refreshments, etc. At this time funding for construction of the bike station as well as its operation and maintenance has not been determined.



Combined, the two park replacement areas total 23,214 sf. The Department of Parks has stated that they would consider accepting less area in the replacement parks, if the quality of the two replacement parks was of the highest quality, and if WMATA agreed to a larger share of the maintenance responsibility for the two areas. This would be a major concession given M-

NCPPC's historic “no net loss of parkland” policy, something that must be justified through the provision of superior parkland.

WMATA agreed to the use of higher quality, non-standard WMATA materials in these areas, provided that its personnel would not be required to maintain these areas, other than to remove snow. It is intended that the Silver Spring Urban District will maintain these areas, with fees shared by the Commission and WMATA. A Memorandum of Understanding (MOU), is being developed at the time of this writing, and will be agreed to and executed by all parties prior to the Commission's release of the existing Deed of Easement for Open Space. The MOU will establish maintenance responsibility and

material standards, set forth timing for park construction and the vacation of the existing easement, and include a list of binding elements which must be included in the Transit Center Project and can not be eliminated as a result of cost over runs or value engineering. At the time of this writing, staff is working with DPWT, WMATA, and EDAW on finalizing the design of the park replacement areas, and the language in the MOU.

**RECOMMENDATION:** Approval of Mandatory Referral #04106-DPW&T-1 for the Silver Spring Transit Center subject to the following conditions:

1. The Transit Center shall be constructed in substantial conformance with the Permit Set Package, dated February 19, 2007, and as amended herein. A complete, revised Permit Set package, including the specifications, shall be provided to the Commission prior to bidding which incorporates the following revisions:
  - a. Construction documents and specifications for the park shall be added to the Permit Set package or shall be included as an addendum. The Planning Board shall review and approve the construction documents for the park replacement areas prior to vacating the current park easement.
  - b. A paving pattern shall be implemented throughout the passenger portions of the station based on the paving pattern used in Park Area #1. The pattern shall consist of intersecting bands with accent nodes. Alternates shall be developed to obtain costs to implement the pattern. The paving pattern shall be constructed concurrent with construction of the station. Special design emphasis and higher quality materials shall be used at all entrances to the Transit Center, including around all escalators and elevators.
  - c. The streetscape treatment along the public road frontage at the Metro station entrance at Colesville Road, under the bridge and in front of the south entrance shall incorporate the new paving pattern as indicated on EDAW's most current plan submitted May 21, 2007.
  - d. The Silver Spring Streetscape treatment shall be provided in all of the pedestrian areas of level 350 of the Transit Center. The center island, as well as the large striped island at the northwest terminus of the island, shall also be paved with The Silver Spring standard Belden brick.
  - e. Specially paved crosswalks shall be installed across Wayne Avenue, Ramsey Avenue and Colesville Road. A construction detail for these crosswalks shall be reviewed and approved by staff.
  - f. The Silver Spring Streetscape treatment shall be used along the public sidewalk along both sides of the new road providing access to the Transit Center from Ramsey Avenue to level 330 of the transit center structure.
  - g. Demonstrate that each shade tree planted over structure has a minimum of 250 cubic feet of soil to sustain and encourage healthy growth, and that all planters have been designed with proper drainage. The top level of the transit center deck shall include a minimum of 25 shade trees as shown on sheet A2.02.
  - h. The curved planter at the second floor (el. 330) level that faces Colesville Road shall be redesigned as a hanging garden similar to the very successful planters at National Airport. The metal trusses for future signage can be scaled to fit within the planting or be relocated to another

- equally prominent location.
- i. The plan for Park #2 shall be further developed to ensure that the proposed park area is significantly enhanced to justify the reduction in overall replacement parkland. The plan may include public art, a water feature, drinking fountains, a high quality paving treatment similar to that in Area #1, benches, signage, bike racks, extensive plantings, lighting, etc.
  2. The south entrance to the Metro Station shall be opened to the public upon, or before, completion of the Transit Center construction.

Attachment  
'A'

1978 DEC 2

DEED OF EASEMENT FOR OPEN SPACE

THIS DEED made and entered into this 22<sup>nd</sup> day of January, 1978, by and between the Washington Metropolitan Area Transit Authority, a body corporate and politic, its successors or assigns, hereinafter referred to as "WMATA", and the Maryland National Capital Park and Planning Commission, a public corporation, organized and existing under the laws of the State of Maryland, hereinafter called "The Commission".

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid by the Commission and other good and valuable consideration hereby acknowledged, said WMATA does hereby grant and convey unto the Commission, its successors and assigns, the easement hereinafter described for the construction, reconstruction, maintenance and operation of an open space park facility within said easement, but limited so as not to interfere in any matter with WMATA's operations; the said easement being as described on plat No. 12175, book 106, recorded on November 16, 1978 in the Land Records of Montgomery County, Maryland.

IT IS FURTHER UNDERSTOOD that both WMATA and the Commission agree to abide by all conditions contained in Agreement dated July 18, 1977, between WMATA and the Commission attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have caused this Deed to be signed by their respective authorized representatives, their corporate seal to be hereto affixed and attested by their respective authorized representative, all as of the day and year first above written.

WASHINGTON METROPOLITAN AREA  
TRANSIT AUTHORITY

[CORPORATE SEAL]

ATTEST:

BY: *Delmer Ison*  
Delmer Ison  
Secretary-Treasurer

BY: *Joseph J. Muldoon*  
Joseph J. Muldoon  
Director  
Office of Real Estate

MARYLAND-NATIONAL CAPITAL PARK  
AND PLANNING COMMISSION

[CORPORATE SEAL]

ATTEST:

BY: *Donald E. German*  
ASSISTANT SECRETARY-TREASURER

BY: *Thomas H. Countee, Jr.*

REC-28-78 PAID 2092 CLK.CT.M.D. HSC-BCK

WASHINGTON, D.C.

TO WIT:

On this the 21<sup>st</sup> day of December, 1978, before me,  
JUDITH M. PATRICK, the undersigned Notary Public, personally  
 appeared DELMER TSON, of the Washington Metropolitan  
 Area Transit Authority, a body corporate and politic, and that he, as such  
SECRETARY-TREASURER, being authorized so to do, executed the foregoing  
 instrument for the purposes therein contained, by signing the name of the  
 corporate body by himself as SECRETARY-TREASURER.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Judith M. Patrick  
 Notary Public

My Commission Expires October 14, 1983

STATE OF MARYLAND

COUNTY OF

TO WIT:

On this the 22<sup>nd</sup> day of Dec, 1978, before me,  
Wanda L. Wells, the undersigned Notary Public, personally  
 appeared Thomas H. Countee, Jr., who acknowledged himself to be  
 the Executive Director of The Md. Natl. Cap. Park & Plan. Comm.,  
 a corporation, and that he, as such Executive Director,  
 being authorized so to do, executed the foregoing instrument for the purposes  
 therein contained, by signing the name of the corporation by himself as  
Executive Director.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Wanda L. Wells  
 Notary Public

My Commission expires:

July 1, 1982

[SEAL]

MARYLAND ATTORNEY'S CERTIFICATION

I hereby certify that this deed was prepared under my direction.

Richard H. McBurrows  
 Attorney-at-Law  
 Richard H. McBurrows  
 Date 12-21-78

AGREEMENT

THIS AGREEMENT entered into this 18th day of July, 1977, by and between THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, a public Corporation, organized and existing under the laws of the State of Maryland, hereinafter called "the COMMISSION", and WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, a body corporate and politic, hereinafter called "WMATA".

## WITNESSETH:

WHEREAS: The Commission is authorized and empowered to provide parks and recreation facilities for the inhabitants of the Maryland-Washington Metropolitan District, and

WHEREAS, the Silver Spring Metro Station Site consists of a total of 4.0 acres, more or less, of which .77 acre, more or less, of this total acreage shall be designated and hereinafter referred to as "Open Amenity Space". The remaining 3.23 acres, more or less, shall hereinafter be referred to as the "Silver Spring Station Access Area", and

WHEREAS, the exact description of the Open Amenity Space shall be governed by an independent survey by a registered surveyor as hereinafter provided.

NOW, THEREFORE WITNESSETH, In consideration of the premises and mutual promises of the parties herein, it is hereby agreed by and between the parties as follows:

1. WMATA agrees to grant without cost to the Commission a permanent surface easement containing .77 acre, more or less, with perpetual skylight for the purpose of constructing and maintaining a public park for Open Amenity Space purposes by the Commission within the area described as follows:

Part of the tract of land known as Silver Spring Metro Station Site, containing 4.00 acres, more or less, of which .77 acre, more or less, shall be designated for Open Amenity Space for public park purposes. Said Open Amenity Space area is outlined on the attached plat.

2. The Commission shall design a park facility for the Open Amenity Space in a manner which will not interfere with construction and operation of the Metro Silver Spring Station and related transit facilities nor any future air rights development of or on any part of the Silver Spring Metro Station site. Said design plans must be approved in writing by WMATA prior to any actual construction. In addition the Commission must provide WMATA with a detailed development feasibility study showing the physical adaptability of the Silver Spring Metro Station Site for accommodating a commercial building having a minimum gross floor area of approximately 1,000,000 square feet.

3. WMATA, its successors or assigns, shall reserve the right to enter upon the Park Open Amenity Space for the purpose of future air rights development of the Silver Spring Metro Station Site and the Open Amenity Space and if required by a future development design, reserves the right to modify the layout of the park facility in the Park Open Amenity Space to accommodate such a development. WMATA will to the extent possible restore the said park facility area to its pre-existing condition. If exact restoration is not possible, the modification of the park facility shall be accomplished in such a manner as to preserve the general integrity or overall purpose of the facility.

4. WMATA, its successors or assigns, agrees that any air rights development conducted by it, its successors or assigns, that occur on the Silver Spring Metro Station Site shall be submitted to the Commission and subject to the site plan review procedures of the CBD-3 Zone of the Montgomery County Maryland Zoning Ordinance.

5. WMATA agrees to explore the possibility of co-development of air rights on the Silver Spring Metro Station Site with the Commission and Montgomery County.

6. WMATA shall notify the Commission ~~within~~ 60 days in advance of the preparation of the final disposal plan recommendations relative to the sale, lease or disposal of the air rights on or over the Silver Spring Metro Station Site.

7. WMATA shall record the entire 4.00 acre Silver Spring Metro Station Site as one lot with the .77 acre Open Amenity Space recorded as a perpetual open space easement in the Land Records of Montgomery County, Maryland. The Commission accordingly will permit the entire parcel (4.00 acres) to be considered in the calculation of the density permitted and the Open Amenity Space requirements necessary to conform with the CBD-3 zone.

8. The Commission shall have the right to review and approve development plans drafted by WMATA, its successors or assigns, for air rights development on or over the Silver Spring Metro Site, relative to the access to the park facility.

9. The invalidity or illegality of any provision of this Agreement shall not affect the remainder of this Agreement or any other provisions of this Agreement.

10. This Agreement shall be construed, interpreted and enforced according to the Laws of Maryland.

11. If for any reason the Commission fails to proceed in accordance with the terms of this Agreement by not completing the construction of the park facility within 24 months from execution of this Agreement, WMATA at its sole discretion may declare this Agreement null and void. In addition, no construction will be permitted by WMATA for the park facility until the Commission complies with all provisions of this Agreement.

If the Commission decides not to proceed under the terms of this Agreement prior to the commencement of construction of the park facility, they shall retain the right to do so upon written notice to WMATA at least ninety (90) days prior to the effective date of said termination. No termination by the Commission shall take place without prior consultation with WMATA and the Montgomery County Planning Board.

12. WMATA retains the right of review and approval of all plans for construction of improvements within the Open Amenity Space to ensure that said improvements will not interfere with abutting Metro facilities and that the improvements will be aesthetically compatible with the Silver Spring Metro Station.

13. The proposed park facility will be constructed at no cost to WMATA and the Commission agrees to accept sole responsibility for all expenses associated with its maintenance. If for any reason the Commission fails to properly maintain the park facility and if in WMATA's judgement said lack of maintenance adversely affects abutting Metro facilities, WMATA may at its sole



discretion after written notice to the Commission perform the necessary maintenance. If the Commission refuses to reimburse WMATA for the Incurred maintenance costs or refuses to provide the necessary maintenance, the Commission's rights under the terms of this Agreement may be declared null and void by WMATA and all right, title and interest to the Open Amenity Space and Improvements thereon shall revert to WMATA.

14. The Commission agrees to save and hold harmless and indemnify WMATA against any and all liability claims, and costs of whatever kind and nature arising or alleged to arise for injury, including personal injury or death to any person or persons, and for loss or damage to any property, occurring in connection with or in any way incident to or arising out of the occupancy, presence, use, service and operations of said premises and its facilities by the Commission, resulting in whole or in part from the negligent acts, errors or omissions of the Commission, its principals or agents.

The Commission during the entire term of this Agreement shall procure and maintain, at its own cost and expense, the following type of Insurance: General Liability - a standard (10/66 Edition) General Liability Insurance policy or policies or its equivalent issued to and covering the liability of the Commission in accordance with the provisions hereof and all obligations assumed by the Commission under this Agreement.

THE COVERAGE under such policy or policies should have not less than a combined single limit of \$500,000.00, Bodily Injury and Property Damage Liability, each occurrence.

15. This Agreement shall survive the execution and delivery of the Deed of Easement contemplated herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be properly executed the day and year first above written.

THE MARYLAND-NATIONAL CAPITAL PARK  
AND PLANNING COMMISSION

BY: Don E. Spicer  
Don E. Spicer, Executive Director

ATTEST: Ram [Signature]

BY: [Signature]  
Executive Director  
via chairman

WASHINGTON METROPOLITAN AREA  
TRANSIT AUTHORITY

ATTEST: [Signature]

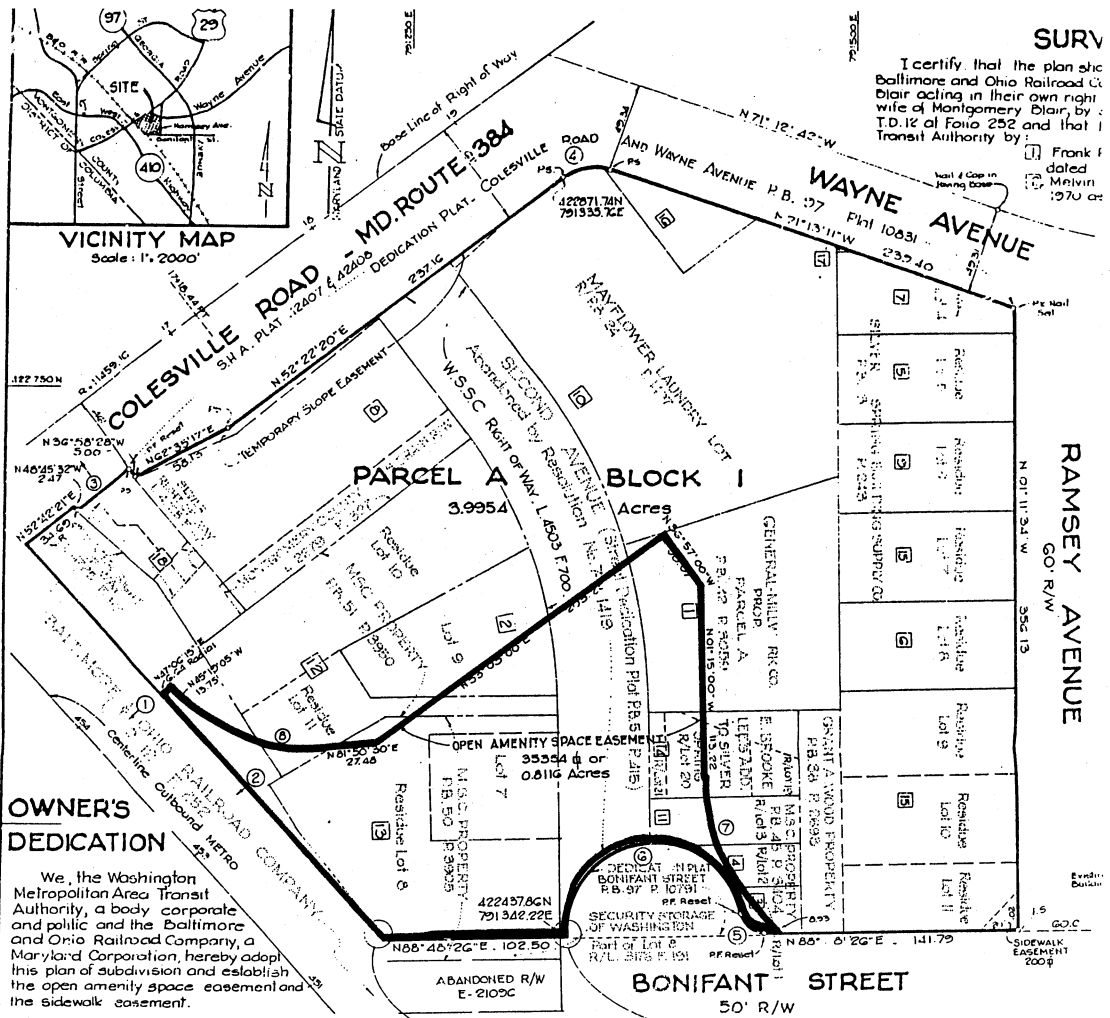
BY: [Signature]  
General Manager



APPROVED AS TO SUFFICIENCY LEGAL FORM.		
DATE	Mo.	Day
7	1	77
W. G. [Signature] (Sig.) ASS'Y. SEC'Y. - OP. & ADMIN. COUNCIL		

SURV

I certify that the plan and Baltimore and Ohio Railroad Co. Blair acting in their own right wife of Montgomery Blair, by T.D. K. of Folio 252 and that Transit Authority by: Frank dated Minn 1970



RAMSEY AVENUE  
60' R/W  
N 01° 11' 34" W 356.13'

PARC  
SILVER SPR  
GLENM  
THIRTEENTI  
MONTGOMER  
SCALE: 1" = 50'  
JOHN  
CIVIL ENGINEE  
2311 UNIVERSITY

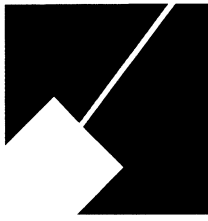
MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION  
MONTGOMERY COUNTY PLANNING BOARD  
APPROVED: OCTOBER 26, 1978  
*Ray Peterson*  
Chairman  
Secretary-Treasurer  
M.N.C.P.C. RECORD FILE No. 525-64

MONTGOMERY COUNTY, MARYLAND  
DEPARTMENT OF TRANSPORTATION  
APPROVED: 1 NOVEMBER 1978  
by *Quintus L. Kany*  
Deputy Director

210NW1

# ATTACHMENT E

M-NCPPC



## MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING


THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION


8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, [www.mncppc.org](http://www.mncppc.org)

### MEMORANDUM

DATE: January 25, 2007

TO: Tom Autry, Countywide Planning Division, Transportation

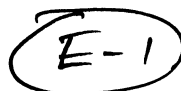
VIA: Mary Dolan, Countywide Planning Division, Environmental 

FROM: Marion Clark, Countywide Planning Division, Environmental 

SUBJECT: Mandatory Referral No. MR 04106-MC-1  
Silver Spring Transit Center

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The Planning Board approved the Preliminary Forest Conservation Plan on March 10, 2005. This plan is under review as part of the combined Project Plan and Preliminary Plan review process. The Final Forest Conservation Plan will reflect any changes made to the site layout during this process.





RECEIVED

APR 05 07  
4:10P

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

April 4, 2007

Carla Reid Joyner  
Director

Mr. Ghassan Khouri, P.E.  
Vika, Inc.  
20251 Century Boulevard, Suite 400  
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request  
for Silver Spring Transit Center  
Preliminary Plan #: 1-05053  
SM File #: 215184  
Tract Size/Zone: 5.67 Ac./CBD-2 & CBD-3  
Total Concept Area: 5.7 Ac.  
Lots/Block: 29, 30, 31, 32/1 & 3  
Parcel(s): A  
Watershed: Lower Rock Creek

Dear Mr. Ghassan:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via two underground vaults and on-site water quality control via eight volume based proprietary filtration structures. Onsite recharge is not required since this is redevelopment. A waiver of channel protection and water quality is granted 0.13 acres due to site constraints.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Pretreatment for water quality will not be required for structures with drainage areas that are 100% rooftop.
6. The top of underground stormwater management structures cannot be located more than four feet below proposed grade. Please refer to MCDPS Water Resources Technical Policy for access requirements for underground structures.
7. Please consider the use of green roofs. This will help reduce the size of your stormwater structures.

(F-1)

8. Design all flow splitters to work off water quality volume elevation.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm CN215184 Silver Spring Transit Center.DWK

cc: C. Conlon  
S. Federline  
SM File # 215184

QN - Onsite/Waived; Acres: 5.57/0.13  
QL - Onsite/Waived; Acres: 5.57/0.13  
Recharge is not provided