

MEMORANDUM

DATE: May 21, 2004
TO: Montgomery County Planning Board
VIA: Rick Hawthorne, Chief
 Michael Ma, Supervisor *MA*
 Development Review Division
FROM: Robert A. Kronenberg, RLA *RAK*
 Planning Department Staff
 (301) 495-2187



REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 135 multi-family dwelling units, including 17 MPDUs, on approximately 0.46 acres.
PROJECT NAME: Williams and Willste Building
CASE #: 8-04028
REVIEW BASIS: Montgomery County Zoning Ordinance, Div. 59-D-3, Ripley/South Silver Spring Overlay Zone, Sec. 59-C-18.205 and Div. 59-C-18.24(f)
ZONE: Silver Spring CBD-1(C-2 Zoning standards per Div. 59-C-18.204(f)/Ripley/South Silver Spring Overlay Zone)
LOCATION: On Eastern Avenue, approximately 111 feet northwest of intersection with King Avenue in Silver Spring
MASTER PLAN: Silver Spring Central Business District and Ripley/South Silver Spring Overlay Zone
APPLICANT: RST Development
FILING DATE: March 23, 2004
HEARING DATE: May 27, 2004

STAFF RECOMMENDATION: The staff recommends approval of Site Plan #8-04028 for 135 multi-family dwelling units, of which 17 are MPDUs, in the CBD-1 Zone and Ripley/South Silver Spring Overlay Zone, with the following conditions:

1. Moderately Priced Dwelling Units
Applicant shall provide seventeen (17) Moderately Priced Dwelling Units (MPDUs) on-site.
2. Stormwater Management
The proposed development is exempt from stormwater management by letter dated April 22, 2004 from MCDPS. [Appendix A]

3. Eastern Avenue Streetscape
The applicant shall coordinate with the District of Columbia Public Works Department to provide the Silver Spring (Type B) streetscape along the frontage of Eastern Avenue in accordance with the 1992 Silver Spring Streetscape Plan Technical Manual, as amended.

4. Signature Set
Prior to signature set approval of the site/landscape plans the following revisions shall be made and/or information provided, subject to staff review and approval:

- a. Show all easements, Limits of Disturbance, Rights of Way, development inspection schedule, opinion, numbers and dates of approval on the drawing;
- b. Landscape Plan:
 - 1) Applicant shall comply with the criteria in the Recreation Guidelines for on-site supply.

5. Site Plan Enforcement Agreement

Submit a Site Plan Enforcement Agreement, including Development Program, Opinion and Homeowners Association Documents for review and approval prior to approval of the signature set as follows:

- a. Development Program to include a phasing schedule as follows:
 - 1) The interior courtyard and associated planting must progress as building is completed, but no later than 6 months after completion of the units and parking;
 - 2) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - 3) Phasing of dedications, sediment and erosion control, private use spaces or other features;
- b. No clearing or grading prior to M-NCPPC approval of signature set of plans.

SUMMARY

The applicant is proposing to retrofit an existing commercial property, the Williams and Willste building, from a commercial use to residential apartments. The building was constructed in the late 1950's, under the C-2 Zoning standards that were in place at the time of construction. The CBD-1 and Ripley/South Silver Spring Overlay Zone "Overlay Zone" has a grandfather provision that allows an existing building (which pre-dates approval of the Overlay Zone) to be altered repaired or reconstructed under the standards of the zone in effect at the time the building was constructed, subject to certain exemptions, which are not applicable to the proposed alterations to the subject building.

During the course of site plan review, staff and the applicant reviewed the proposed front entrance on Eastern Avenue, landscaping and lighting in the exterior courtyard and pedestrian circulation to and from the site.

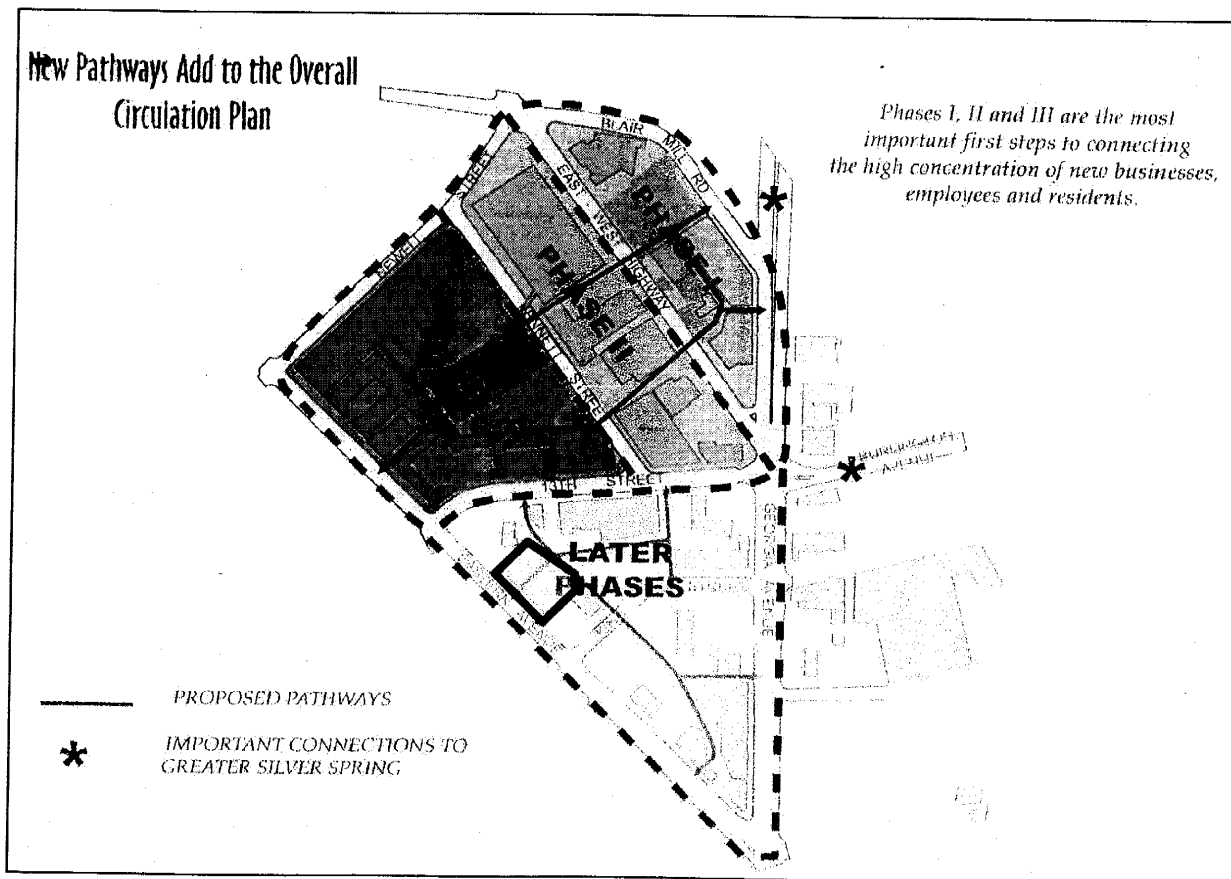
OUTSTANDING ISSUES PERTINENT TO SITE PLAN REVIEW:

Development Issues

1. Integrated Path System

The Montgomery County Department of Housing and Community Affairs (DHCA) has prepared a conceptual Pedestrian Pathways Plan for South Silver Spring. The Pedestrian Pathways Plan consists of a series of pedestrian-oriented linkages routed primarily through the larger blocks typical of South Silver Spring. The pathways most affected by this development proposal are identified as later phases of the plan. The conceptual circulation plan illustrates that a portion of the path runs parallel to the subject building and a connection is made through the building to Eastern Avenue.

The Department of Housing and Community Affairs documents has conveyed to staff that a connection through the building would not be appropriate given the proposal for the lobby and private courtyard. A future connection can be made on the northwest side of the building or from 13th Street or King Street with future development applications.



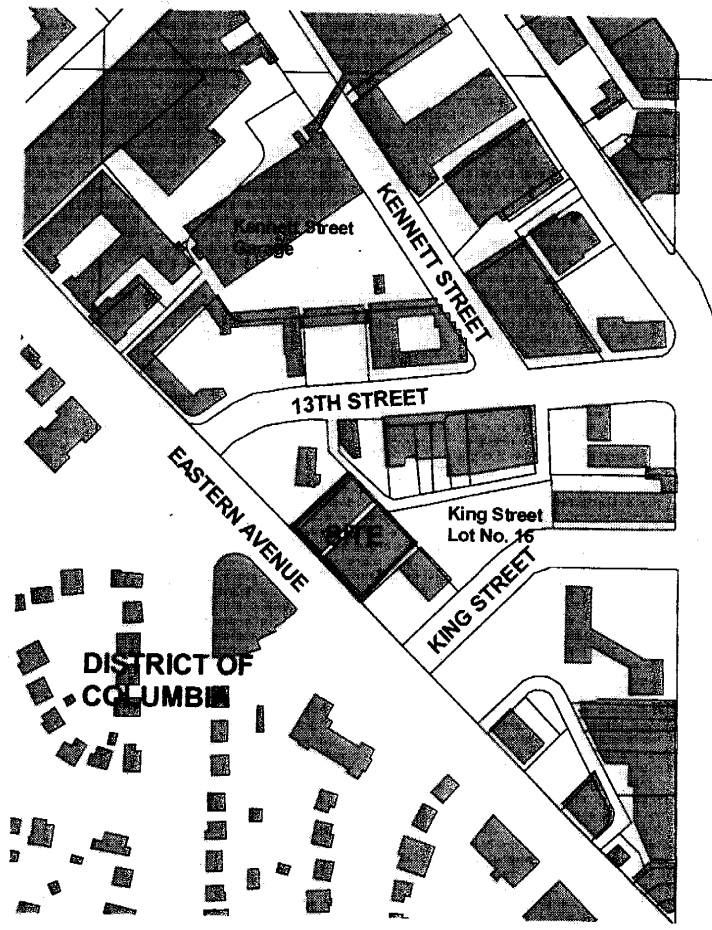
2. Community Outreach

The applicant has presented the proposed development to various civic groups and adjacent property owners including The Gateway Coalition and the Shepherd Park community. The civic groups have voiced their support for the renovation of the dilapidated office building to a multi-family housing development and overall improvement in South Silver Spring. Their primary concern is over the amount of parking that is needed for new residential units, but understand that the applicant is working with the county to provide additional spaces. The project is within the Silver Spring Parking District and spaces are not required.

PROJECT DESCRIPTION: Surrounding Vicinity

The Williams and Willste building development is within the CBD-1 Zone and the Ripley/South Silver Spring Overlay Zone. The building is surrounded by CBD-1 Zoned properties with the exception of the properties across Eastern Avenue, to the south in the District of Columbia. Located to the north and east is the county parking facility (King Street Lot #16). Directly adjacent to the subject property is the gas and vehicle repair station (Parcel N165) and the Travel Lodge and Days Inn motels (Parcel N110) on the opposite side of 13th Street. A series of commercial/retail shops front onto 13th Street and consist of a variety of uses with service to the buildings from an alley in the rear. The alley abuts the subject property and parking facility to the north.

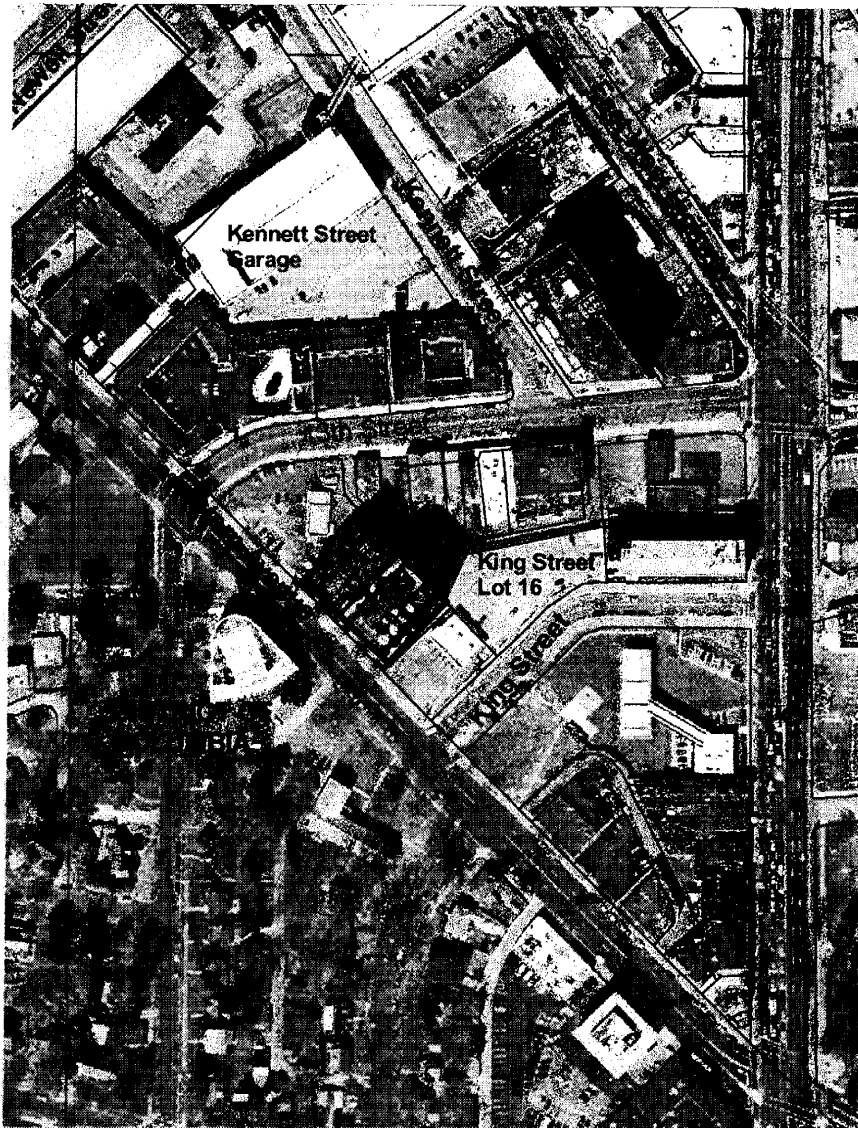
The adjacent building to the south and east of the site is the Independence Federal Savings Bank and has surface parking in the front along Eastern Avenue. Directly across from the site is the Evangelical Ethiopian Church. The Shepherd Park Christian Church and St. Mary's Baptist Church are situated on either side of the Ethiopian Church, both fronting Eastern Avenue. The community of Shepherd Park, consisting of one-family detached units is located behind the churches and along Eastern Avenue.



PROJECT DESCRIPTION: Site Description

The property includes an existing building with two wings: the northwest wing is eight-stories tall and the southeast wing is eleven-stories tall. The eight-story wing is closest to 13th Street. The building operated as a commercial office building since it was constructed. The building encompasses the entire property, with an 11-foot gap between the two wings. The property fronts onto Eastern Avenue, which is controlled and maintained by the District of Columbia public works department. There are street trees in pits and concrete sidewalk along the entire frontage.

The topography on the property slopes from the southwest to the north and northwest by approximately 5 feet. There is no vegetation on the property with the exception of the street trees along Eastern Avenue.



PROJECT DESCRIPTION: Prior Approvals

The proposed development site is zoned CBD-1 (Central Business District 1.0). The subject property (lot 10) was subdivided in November 1989 (Plat Book 163, Page 18392) and Preliminary Plan (#1-89113). Prior to the plan of subdivision, the combined properties consisted of lot 7 (Plat Book 175, page 25), recorded in April 1960 and lot 9 (Plat Book 182, page 32), recorded in May 1962. The property was zoned C-2 and contained the existing building which directly abuts the property lines. Both of these properties were part of the original plat (V-26 titled 13th Street) recorded in July 1946.

PROJECT DESCRIPTION: Proposal

The RST Development proposes to convert approximately 276,000 square feet of commercial gross floor area to 135 multi-family residential units, of which 17 will be MPDUs. The site is located within the CBD-1 Zone and the Ripley/South Silver Spring Overlay Zone, which allows an existing building [59-C-18.204] to be altered, repaired or reconstructed under the standards of the zoning that was in effect at the time as long as the building permit was issued prior to approval of the Ripley/South Silver Spring Overlay Zone Sectional Map Amendment. According to information provided by the applicant, the building was constructed in the late 1950's and the zone at that time was the C-2 Zone, making the existing building a conforming use. The proposed structural changes are in conformance with the C-2 development standards for height and setbacks.

The existing 11-foot gap between the two wings of the building will be increased to 30 feet to allow for the required separation for units with windows. An entire structural bay (12 floors) will be removed from the southeastern wing of the building (Willste) to provide for the 30-foot separation and two floors will be added to the northwestern wing of the building (Williams). A lobby and entrance is proposed to connect the wings at the front of the property on Eastern Avenue. An exterior courtyard with landscaping and seating is proposed within the 30-foot-wide space behind the lobby area to the rear of the building.

Vehicular access for the residents will consist of on street parking on Eastern Avenue and in the nearby county parking facilities at King Street (lot 16) and Kennett Street (Garage no. 9). Parking spaces are not required because the site is within the Silver Spring Parking District.

The applicant is coordinating with the District of Columbia Public Works Department to deviate from the standard District streetscape to the Silver Spring standard (Type B) streetscape along the frontage of the property. The identity of the site is both prominent to the District and South Silver Spring residents and will complement the proposed streetscape improvements scheduled for 13th Street to the north and west. The streetscape improvements will engage and encourage pedestrian circulation to the retail in the surrounding neighborhood and for residents walking to the Silver Spring Metro Station.

Additionally, the Montgomery County Department of Housing and Community Affairs (DHCA) has prepared a conceptual Pedestrian Pathways Plan for South Silver Spring. The Pedestrian Pathways Plan consists of a series of pedestrian-oriented linkages routed primarily through the larger blocks typical of South Silver Spring. The illustrative plan indicates the area surrounding 13th Street and King Street as a future phase with proposed pedestrian between the two wings of the Williams and Willste building, connecting Eastern Avenue and parallel to the rear of the building within the alley for a possible connection from 13th Street to King Street. DHCA has decided that the link between the wings is not feasible given that the proposed lobby and courtyard, which are private spaces, will be located in the space between the wings.

The applicant is proposing an exterior courtyard behind the alley that will span the distance between the two wings to the rear of the property. The courtyard will contain landscaping, specialty lighting and seating areas for the residents with an entry through the lobby area. The

front of the site will contain street trees on Eastern Avenue, foundation planting along the base of the building and accent planting at the entrance to the lobby. An indoor fitness facility and community room is being provided within the building and seating in the courtyard area and near the entrance to satisfy the recreation requirements for site plan.