

COORDINATION WITH OTHER INITIATIVES:

The Montgomery County Department of Public Works and Transportation is currently conducting a facility plan for the Ripley District infrastructure improvements (CIP 509337). The study will evaluate improvements to streets, sidewalks, bikeways and traffic operations. The study area includes portions of the proposed street improvements associated with the proposed development. Staff recommends that the applicant continue to coordinate with DPWT during the Phase I Facility Planning for the Ripley District regarding the street and bikeway designs for Ripley Street and Dixon Avenue.

COMMUNITY OUTREACH:

The applicant has met with various civic and business groups regarding this proposal. These groups include the Greater Silver Spring Chamber of Commerce, the Silver Spring Urban District Advisory Committee and the Silver Spring Citizens Advisory Board. These groups have been generally supportive of the proposal.

BASIS FOR CONSIDERATION OF ISSUES

Per Sec. 59-D-2.43, in making its decision on an application for an optional method project plan, the Planning Board must consider:

- (a) The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures, and its consistency with an urban renewal plan approved under Chapter 56.
- (b) Whether the open spaces, including developed open space, would serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are planned, designed and situated to function as necessary physical and aesthetic open areas among and between individuals structures and groups of structures, and whether the setbacks and related walkways are located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.
- (c) Whether the vehicular circulation system, including access and off-street and loading, is designed to provide an efficient, safe and convenient transportation system.
- (d) Whether the pedestrian circulation system is located, designed and of sufficient size to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.
- (e) The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, in relation to the type of use and neighborhood.
- (f) The adequacy of provisions for construction of moderately priced dwelling units in accordance with Chapter 25A if that Chapter applies.
- (g) The staging program and schedule of development.

- (h) The adequacy of forest conservation measures proposed to meet any requirements under Chapter 22A.
- (i) The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.

FINDINGS for Project Plan Review:

Section 59-D-2.42 of the Zoning Ordinance establishes the findings, which must be made by the Planning Board and form the basis for the Board’s consideration of approval. In accordance herewith, the staff makes the following findings:

- (a) *As conditioned, the proposal complies with all of the intents and requirements of the zone.*

CBD ZONES

- 59-C 6.21 Description, intent and general requirements in .211, .212, .213
- 59-C 6.22 Permitted Uses
- 59-C 6.23 Development Standards (see below)
- 59-C-18.20 Ripley/South Silver Spring Overlay Zone

- (a) *It would comply with all of the intents and requirements of the zone.*

Purpose Clause Section 59-C-6.212

The Montgomery County Zoning Ordinance states the purposes which the CBD zones are designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes:

- (1) *“to encourage development in accordance with an adopted and approved master or sector plan, or an urban renewal plan approved under Chapter 56 by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan or urban renewal plan and the site plan or combined urban renewal project plan is approved on review by the Planning Board.”*

The project is in conformance with the Sector Plan goal to encourage flexibility for commercial, residential high-rise or mixed-use redevelopment that invites revitalization. Further, the new dedicated rights-of-way, the Dixon Avenue improvement, the streetscape treatments, the public open spaces and parks, all address the Sector Plan recommendation to facilitate a new inter-connected street system and to upgrade the physical environment.

The Project Plan proposes to use the optional method of development and is in conformance with the Silver Spring Central Business District and Vicinity Sector Plan. The proposed development is a high-rise multi-family development with ground floor retail. High-density residential and retail uses are permitted in the CBD-2 Zone.

The building will be a maximum of 200 feet in height (20 floors), which is in conformance with the Montgomery County Zoning Ordinance under the Optional Method of development. The project is proposing 391,125 square feet of development, including 5,380 square feet of ground floor retail. The proposal reflects the maximum residential floor area ratio (FAR) of 5.0.

The Project Plan will accomplish important Sector Plan objectives by upgrading the physical environment and providing a pedestrian environment with local retail opportunities. The proposal improves the area by replacing an underutilized surface parking lot with a modern mixed-use residential high-rise building.

- (2) *“permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities in central business districts to meet the needs and requirements of workers, shoppers and residents.”*

The project is in conformance with the Sector Plan goal to encourage flexibility for commercial, residential high-rise or mixed-use redevelopment that invites revitalization. Further, the new dedicated rights-of-way, the Dixon Avenue improvement, the streetscape treatments, the public open spaces and parks, all address the Sector Plan recommendation to facilitate a new inter-connected street system and to upgrade the physical environment.

The project plan responds to the need for employment opportunities and retail services in Silver Spring and addresses the need for smart growth policies where infrastructure, community facilities and elements of an urban district already exist. The Sector Plan encourages commercial development and retail as an important component to the revitalization efforts in Silver Spring.

Under the optional method, this project encourages the development of active urban streets by providing public spaces along street edges and improves the quality of the pedestrian environment within the improved streetscapes. The improved streetscape, along with the amenities, addresses the need for public interaction and enhances the downtown Silver Spring area. The project supports the economic base in downtown Silver Spring and adds an economic infrastructure for commercial and retail businesses near the core area.

- (3) *“To encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas.”*

The proposed design, scale, façade, park and streetscaping of the Project provide a desirable identity for the project and the precedent and beginning of the redeveloped Ripley District connecting the Metro, the CBD core and the other districts comprising downtown Silver Spring. The positioning of the buildings, location of the Urban Park

and green spaces and attractive streetscape ensure a desirable relationship of the improvements and its surrounds. The provision of the new Dixon Avenue and the widening, enhancement and extension of Ripley Street with sidewalk improvements create the interconnected street system for improved vehicular and pedestrian circulation.

The design creates an effective relationship with adjacent uses and amenities and allows for a more interactive pedestrian and vehicular pattern.

- (4) *"To promote the effective use of transit facilities in the central business district and pedestrian access thereto."*

The project is accessible to the Silver Spring Metro station through the enhanced sidewalk and street system along the extended Dixon Avenue and the extended Ripley Street that will connect in the future to the Silver Spring Transit Center as envisioned in the Sector Plan. The enhanced sidewalk connections will encourage transit use by providing a safer, more efficient, and attractive pedestrian corridor to access the Metro Station. Additionally, the project is near two stops on the route of the "Van Go" loop bus system (Bonifant Street and Georgia Avenue at Ripley Street) that circulates throughout the Silver Spring CBD to connect the Metro station, MARC station, the commercial and retail areas and parking facilities throughout the CBD.

The proposed development is located within approximately 800 feet of the Silver Spring Metro Station. The proximity to transit facilities, as well as the downtown employment core, will reduce the dependency on vehicles for the retail and office patrons. The streetscape improvements along Ripley Street and Dixon Street facilitate the desire for pedestrian connectivity to the metro station and the areas of development within Silver Spring, and provide the vital connections to Georgia Avenue and Colesville Road.

The applicant will also enter into a traffic mitigation agreement (TMA) with the Planning Board to help Montgomery County achieve the non-driver commuting goal for development in the Silver Spring CBD. A draft agreement has been submitted for review by our transportation planning staff and will be finalized during the record plat phase.

- (5) *"To improve pedestrian and vehicular circulation."*

The improvements to vehicular and sidewalk connections in the Ripley District will improve the interconnected street and circulation system and access to transit. The sidewalk improvements and streetscaping will vastly enhance the current pedestrian circulation, and the enhancements such as street trees, lighting and benches will similarly promote the use of the pedestrian systems. Vehicular access to the underground parking garage on the Property for residents and visitors who do not utilize transit or one of the nearby public parking garages is provided off the new Dixon Avenue. The delivery and loading entrance on Ripley Street is separate from

the resident's entrance and is located to provide optimal service for the building and to avoid pedestrian and vehicular conflicts.

This project plan encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the enhancement to the streetscape as prescribed in the Silver Spring Streetscape Plan (April 1992) Technical Manual, as amended.

Vehicular circulation is enhanced with improved right-of-way along the north side of Ripley Street, directly along the frontage of the subject property and the 80 foot Public Use Easement dedication along Dixon Avenue extended. The full width dedication achieves a total right-of-way of 70 feet on Ripley Street and will ensure complete accommodation of the optional method streetscape treatment on the applicant's side of each street.

The entrance to the site is located off Ripley Street in the middle of the site. The driveway is 24-feet-wide to accommodate two-way vehicular circulation to the main entry and the structured parking facility. The driveway also provides ingress and egress to the 3-level, below grade parking structure for tenants and visitors of the retail space. The garage accommodates the total amount of required parking spaces for the housing and retail, in accordance with the Montgomery County Zoning Ordinance for parking. Signs indicating traffic circulation in and out of the garage will be provided to promote safety for pedestrian activity in the public use space.

The streetscape improvements along Ripley Street and Dixon Avenue (extended) facilitate the desire for pedestrian connectivity to the nearby businesses, the adjacent parking garage and metro station to the southwest. The streetscape improvements are being expanded along the north side of Ripley Street and both sides of Dixon Avenue from Ripley Street to Bonifant Street.

- (6) *"To assist in the development of adequate residential areas for people with a range of different incomes."*

The moderately priced housing objective of Montgomery County is to provide MPDU units in the CBD's where high-rise developments are located and the transit options are available. The Applicant is committed to providing the 40 MPDUs required by Chapter 25A on the property, provided the maximum residential density and the height proposed is achieved (making on-site MPDUs more economically feasible).

- (7) *"To encourage land assembly and most desirable use of land in accordance with a sector plan."*

The Sector Plan specifically intended to create an environment that invites land assembly and revitalization. Despite the Ripley District's central location and proximity to Metro, the only new development in the Ripley District over the past

decade had been limited to a small social service center and new fire station under construction to the south. The Project represents consolidation of lots currently under two separate ownership entities and specifically and dramatically addresses the objective to provide for an inter-connected street system, public spaces, organization and a sense of place. Because of the necessary coordination with the future Transit Center development, the Project has already created the “jump start” for development in the Ripley District.

The project plan, in conjunction with the preliminary plan will consolidate nine small lots into one lot for a combined high-rise development to achieve full density potential in the CBD.

The project plan responds to the balance for employment and retail activities in downtown Silver Spring and addresses the need for smart growth policies where infrastructure, community facilities and elements of an urban district already exist. The Sector Plan encourages employment as an important component to the revitalization efforts for downtown Silver Spring and recommends a zone where retail uses are permitted.

(8) "In the CBD-2 zone it is further the intent to promote the orderly development of the Central Business Districts of the county so that these areas will enhance the economic status of the county as well as providing an expanding source of employment and living opportunities for its citizens in a desirable environment."

The development of the high-rise residential development meets the need for more housing options in the CBD and it will lessen traffic congestion by providing opportunities for people to live near where they work or near transit facilities. Residential development within the CBD will also strengthen the economic status and patronage of the local restaurants, retail and service uses already existing in the area, and will assist in the emergence of the downtown core as a vibrant urban center. The living opportunities provided will enhance the quality of the community environment with the proposed streetscapes, park area, and landscaping that is integral to the project and to the successful redevelopment of the Silver Spring CBD. The Applicant will also explore opportunities to integrate the project into the Arts and Entertainment District theme, perhaps by providing art studios or live/work areas for artists in addition to potentially providing an art component for the public park.

(9) In the CBD-2 Zone it is further the purpose:

(1)to provide a density and intensity of development which will permit an peripheral areas within, and adjacent to the district; and

The property is located in the center of the CBD, approximately 800 feet from the Silver Spring Metro Station and future Transit Center and away from the periphery of the CBD boundary. This location demands that the full mixed-use CBD-2 optional method density be achieved as proposed with the project. The successful

redevelopment of the Ripley District is an integral part of the success of the Silver Spring core, and the project will provide the impetus for other surrounding properties to redevelop and contribute to the success of the downtown.

(2) to provide an incentive for the development to residential uses to meet the needs of those employed with the central business districts and those who will be able to use the district transit facilities to travel and from places of employment.

The primarily residential nature of the project, with 317 units including 40 MPDUs, provides a convenient housing option for the employees of the CBD and for those utilizing the adjacent Metro, Marc, or bus transit facilities.

Requirements of the CBD-2 Zone

The following table demonstrates the conformance of the Project Plan with the development standards under the Optional Method of Development.

See Appendix A for Project Data Table

Amenities and Facilities Summary

On-Site Improvements

Georgia Avenue and Urban Pocket Park

- Brick paved public plaza along majority of site frontage to complement streetscape improvements.
- Expand the existing streetscape improvements along Georgia Avenue to include specialty pavers.
- Public Art to highlight public's interest in the revitalization efforts of downtown Silver Spring. A public art program shall be developed to include opportunities for sculptural elements in the design and seating areas.
- Specialty lighting in the plaza and up lighting of the art elements will softly accentuate and visually activate the plaza at night.
- The paving in the plaza will be designed to include patterns that complement the artwork and the benches.
- Landscape beds and planters with irrigation and plant material to add seasonal accent and color
- Existing overhead utilities to be installed underground consistent with the Silver Spring Master Plan.
- Make available a space for public outdoor interaction and activities.
- Make available a space for entertainment, as needed in conjunction with the Silver Spring Urban District (SSUD).

Off-Site Improvements

Ripley Street Right-of-Way

- Modified Streetscape (Type B) on the north side of Ripley Street along the entire property frontage to include brick pavers, street trees and lighting consistent with Silver Spring Streetscape Plan Technical Manual.
- Existing overhead utilities to be installed underground consistent with the Silver Spring Master Plan.

Dixon Avenue (extended) Easement

- Streetscape (Type B) on both sides of Dixon Avenue from Ripley Street to Bonifant Street, to include street trees, brick pavers and street lights consistent with Silver Spring Streetscape Plan Technical Manual.
- Existing overhead utilities to be installed underground consistent with the Silver Spring Master Plan.

- (b) *As conditioned, the proposal conforms to the approved and adopted Master or Sector Plan or an Urban Renewal Plan approved under Chapter 56.*

Section 59-C-18.20 of the Zoning Ordinance states the purposes that the Ripley/South Silver Spring Overlay Zone is designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes:

- (1) *to facilitate the implementation of an organized and cohesive development pattern that is appropriate for an urban environment;*

The Project will address the objectives of the Sector Plan and the Overlay Zone to provide the planned interconnected streets, the circulation, organization and sense of place for this urban environment in the center of the CBD and adjacent to the future Transit Center.

- (2) *to encourage attractive design and ensure compatibility with existing buildings and uses within and adjacent to the overlay zone;*

The Project will provide significant park areas and new, widened and enhanced right-of-ways that create attractive and meaningful amenity space to be enjoyed by the public and the residents of the building. The enhanced right-of-ways also provide significant light and air within the Ripley District. The proposed building design creates an urban street edge which is minimal in actual street frontage and avoids creating a potential “canyon” appearance. The openness of the Dixon Avenue right-of-way and the Urban Park counterbalance building height and configuration. The integration of the Dixon Avenue right-of way into the adjacent parking garage creates a functional compatibility to be made attractive by the integration of art work.

- (3) *to provide flexibility of development standards to encourage innovative design solutions;*

The applicant is utilizing the flexibility of the development standards for the project, including the recently approved increased building heights for mixed use buildings next to Metro station entrances and F.A.R. incentives for mixed use projects.

- (4) *to allow for the transfer of the public use space requirement to other properties within the Overlay District; and*

The project is providing more than the required public use space on the Property therefore, no transfer is necessary.

- (5) *to allow new uses.*

The project consists of uses permitted by right in the CBD-2 Zone (residential and non-residential (commercial/retail)) uses.

- (c) *As conditioned, because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.*

The Project Plan proposes to use the Optional Method of Development and is in conformance with the Silver Spring Central Business District, Vicinity Sector and Ripley/South Silver Spring Overlay Plans.

The building will be a maximum of 200 feet in height (20 stories) which is in conformance with the Montgomery County Zoning Ordinance under the Optional Method of Development. The project is proposing 385,767 gross square feet of development including 5,358 square feet of ground level retail space. The proposed development is compatible with the existing development in downtown Silver Spring and encourages redevelopment of the underutilized and vacant properties in the CBD. The building configuration, placement and architecture are in keeping with an urban environment where structures abut each other to maximize the development potential on the site.

All of the attributes of the proposed project are compatible with and beneficial to existing and proposed development. These include its location adjacent to the Silver Spring Metro Station and the underdeveloped Ripley Street, its height that makes full use of new zoning initiatives, the design of the building and the surrounding public spaces that create a new block face within an undefined area, and the operational characteristics that allow for service and residential uses to coincide without conflict and that create a new pedestrian and vehicular interconnection within the neighborhood.

- (d) *As conditioned, the proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

The project proposes high-density multi-family and ground floor retail space within the Silver Spring area. Parking for the proposed residential and retail space will occur on-site within a 3-level, below grade parking structure. The parking requirements for the proposed uses equals 369 spaces including 342 for the residents and 27 for the retail patrons. The project is receiving a 15 parking percent credit for its proximity to the Silver Spring Metro Station.

Local Area Transportation Review

A traffic study was submitted to determine the impact of the proposed development on the local area transportation network. Five intersections were evaluated in the study area. The trips generated from the site were added to existing and background traffic (trips from approved but unbuilt developments in the area) to estimate the total future traffic. The total future traffic was assigned to the local roadway network and the affected intersections were analyzed for their level of performance. All five intersections in the area were determined to operate within the congestion standard of 1800 Critical Lane Volume (CLV) for the Silver Spring CBD.

In addition, the improvements that are being made to the streetscape facilitate and encourage pedestrian accessibility to the metro and encourage the future residents and retail patrons to take advantage of existing vehicular traffic conditions.

In addition to the parking requirements, an Adequate Public Facilities Ordinance (APFO) analysis is under review with the preliminary plan of subdivision (#120060540). The proposed development also submitted a traffic study to evaluate the effect of this development on the area transportation system as part of their required Local Area Transportation Review. A total of five intersections were included in the study area. The site-generated trips were added to the existing and background traffic to form the total future traffic. All traffic was assigned to three intersections and the result shows that they are operating within the congestion standard of 1,800 Critical Lane Volume (CLV) for the Silver Spring Central Business District (CBD) Policy Area. Therefore, the proposed development will pass the LATR test.

The Applicant will enter into a Traffic Mitigation Agreement (TMA) with the Planning Board to help the Project achieve the non-driver commuting goal for development in the Silver Spring CBD.

The following table shows the results of the CLV analysis for intersections in the area.

INTERSECTIONS	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Colesville Road and Wayne Ave/2 nd Ave.	976	835	986	854	995	858
Georgia Avenue and Wayne Avenue	1,172	1,159	1,180	1,281	1,214	1,304
Georgia Ave. and Bonifant St./Thayer Ave.	966	1,022	981	1,055	994	1,069
Georgia Ave. and Ripley Street	724	768	738	799	859	855
Georgia Avenue and Sligo Avenue	828	1,022	859	1,138	866	1,151

Site Access and Circulation

The site will have one access to the underground garage from Dixon Avenue. The access will provide for safe and efficient movement of vehicular traffic. The single access point to the site minimizes the potential conflict between pedestrians and vehicular traffic. Due to the expected low traffic volume on Dixon Avenue, there is also minimal conflict between traffic entering and exiting the site and the traffic movement on Dixon Avenue.

The applicant has agreed to fund and construct the extension of Dixon Avenue from Ripley Street to Bonifant Street, including the Sector Plan retrofit of the County's Bonifant Street parking garage. This will create a business district street that was envisioned in the Sector Plan. The entire length of Dixon Lane will be provided with a 15-foot sidewalk on the east side and a 25-foot combined sidewalk/bikeway on the west side to accommodate pedestrian and vehicle traffic to and from the site. These improvements will provide a vital connection from the Ripley District to the Silver Spring CBD core.

Pedestrian Impact Analysis

The traffic study evaluated the pedestrian activities in the area. Construction of wide sidewalks along Ripley Street and Dixon Avenue will enhance pedestrian safety and movements. There will be sidewalks to the Metro station. A well-designed pedestrian and bikeway system in the vicinity of the site connects to existing facilities throughout the CBD.

Policy Area Review/Staging Ceiling Analysis

The site is located within the Silver Spring CBD Policy Area, which has a remaining capacity of 2,860 jobs, and 4,448 housing units as of June 30, 2004.

- (e) *The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.*

The utilization of the full 5 FAR density permitted for mixed-use optional method projects creates opportunities for a project that will provide a full allocation of Moderately Priced Dwelling Units, on a site that is within the CBD and adjacent to mass transit and employment opportunities. The development maximizes the density and also allows this applicant to implement the Dixon Avenue connection from Ripley Street to Bonifant Street that provides a community-wide benefit and effects a Sector Plan recommended circulation pattern.

The Optional Method of Development permits a more efficient and desirable product than using the standard method of development. The Project Plan proposes to use the optional method of development and is in conformance with the goals and objectives of the Silver Spring Sector Plan. The proposed development maximizes its gross floor area of 391,125 square feet and a Floor Area Ratio (FAR) of 5.0. The permitted gross floor area for a standard method project is 114,555 square feet or an FAR of 3.0. The site takes full advantage of the development potential for a currently underutilized site.

The project will include two significant new public use spaces and an art amenity on the site. The primary public use space will be an interactive pedestrian plaza in the eastern perimeter of the site and adjacent to the driveway to garage #5. The project is providing over 56% of new on and off-site public use space, which would not have been possible through the standard method of development. Additionally, the streetscape improvements associated with this proposal greatly enhance the pedestrian connections along Ripley Street and complete a section of Dixon Avenue from the intersection of Bonifant Street to Ripley Street.

- (f) *The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.*

As mentioned above, the project will provide the full number of MPDUs as required and they will all be provided on site.

- (g) *When a Project Plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities, within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C 6.2351 or 59-C 6.2352 (whichever is applicable), the Project Plan may be approved by the Planning Board based on the following findings:*

- (1) The project will implement an urban renewal plan adopted pursuant to Chapter 56 of the Montgomery County Code; and/o
- (2) The project will result in an overall land use configuration that is significantly superior to that which could otherwise be achieved.

This section does not apply.

(h) As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.

This project will satisfy the applicable forest conservation requirements to be reviewed in conjunction with the Preliminary and Site Plan reviews.

(i) As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.

This project will include the applicable water quality resources protection requirements and they will be reviewed in conjunction with the Preliminary and Site Plan reviews.

APPENDICES

- A. Project Data Table
- B. Memoranda from Agencies
- C. Project Plan Checklist

APPENDIX A

Project Data Table

PROJECT DATA TABLE FOR CBD-2 ZONE - OPTIONAL METHOD

	Zoning Ordinance Development Standards	July 28, 2004 Approved Project Plan 9-04006	Project Plan Amendment 9-2004006A Proposed For Approval	Change
Gross Tract Area (For Density Purposes):				
Lot Area (SF)	22,000	69,750	69,750	
Add Prior Dedications (Ripley St. + Alley)		8,475	8,475	
Gross Tract Area=		78,225	78,225	
Net Lot Area (SF):				
Gross Tract Area (SF)		78,225	78,225	
Less Prior Dedications (Ripley + Alley)		8,475	8,475	
Less New Street Dedication (Ripley St.)		10,319	10,319	
Less New Street Dedication (Dixon Ave.)		12,000	0	-12,000
Net Lot Area (SF)=		47,431	59,431	12,000
Maximum Density Calculation:				
Floor Area Ratio (FAR)=	5.0	5.0	5.0	
Gross Floor Area (GFA):				
Residential GFA (FAR)		385,179 SF (4.92 FAR)	385,767 SF (4.93 FAR)	588 SF (0.01 FAR)
Non-Residential (Retail) GFA (FAR)		5,946 SF (0.08 FAR)	5,380 SF (0.07 FAR)	-566 SF (0.01 FAR)
Total Development GFA=	391,125	391,125 SF (5.0 FAR)	391,125 SF (5.0 FAR)	
Number of Dwelling Units (DU):				
Market Rate DU		294	277	-17
Moderately Priced (MPDU) (12.5%)		42	40	-2
Total Number of Dwelling Units=		336	317	-19
Maximum Building Height (FT):				
	200	190	200	10
Number of Floors:				
	Not Specified	Not Specified	20	20
Minimum Building Setbacks (FT):				
Front South (Ripley St.)	Not Specified	Not Specified	0	0
East Side (Dixon Ave.)	Not Specified	Not Specified	0	0
West Side (Metro Rail/Ripley St.)	Not Specified	Not Specified	59	59
Rear North (Garage 5)	Not Specified	Not Specified	0	0
Parking:				
Residential Uses:				
Studio Units	@1.00 Spaces/Unit	16@1.00 Spaces/Unit=16	22@1.00 Spaces/Unit=22	
One Bedroom Units	@1.25 Spaces/Unit	170@1.25 Spaces/Unit=213	127@1.25 Spaces/Unit=159	
Two Bedroom Units	@1.50 Spaces/Unit	150@1.50 Spaces/Unit=225	168@1.50 Spaces/Unit=252	
Sub-Total Residential Spaces		454	433	-21
Non-Residential (Retail) Spaces:				
Retail	@5 Spaces/1,000 GSF	5,946@5 Spaces/1,000 GSF	5,358@5 Spaces/1,000 GSF	
Sub-Total Non-Residential Spaces		30	27	-3
Sub-Total Required Parking Spaces				
Less MPDU Credit	0.5 Space	27	27	0
Less CBD/Metro Credit (Commercial)	15% of Required Retail Spaces	Not Specified	64	64
Total Parking Spaces		457	369	-88
Public Use Space:				
Minimum On-Site (Percent of Net Lot Area)	20%	24.30%	39.20%	14.90%
Area (SF)		11,524	23,300	11,776
Off-Site Public Use Space	Not Specified	27.80%	17.20%	-10.6%
Area (SF)		13,171	10,200	-2,971
Tot On and Off Site Public Use Space				
Percent of Net Lot Area	Not Specified	52.10%	56.40%	4.30%
Area (SF)		24,695	33,500	8,805

APPENDIX B
Agency Comments



FIRE MARSHAL COMMENTS

DATE: 2-6-06 REVISION REVIEWED AND APPROVED 2-14-06 SEE COMMENTS BELOW
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240.777.2436
RE: APPROVAL OF ~ MIDTOWN SILVER SPRING #1-20060540/92004006A (FORMERLY 9-04006A)

1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted 2-6-06. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

Reminder: Make sure Fire Department access roads (Main entrance and Dixon Ave) that are shown atop underground parking can support the weight of fire trucks. Also, vertical clearance must be unobstructed and not less than 13ft 6in.

2-14-06 Revision received by the Office of the Fire Marshal 2-14-06 and approved as submitted. Loiederman (Amy Quant) request that date of 2-21-06 as the approval date for this revision. Above reminder comments still applicable.



February 24, 2006

Mr. Derick P. Berlage,
Chairman
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Ripley Street Development

Dear Mr. Berlage:

I am writing to express the support of the Greater Silver Spring Chamber of Commerce for the changes to Ripley Street mixed-use project proposed by KSI. Representatives of the developer briefed the Board this week on changes to the original project design (which we supported in July of 2004). They explained the reorientation of the building and improved layout of the public space, as well as improved views for the residents that can be achieved with a minimal increase in building height. We support these changes.

The Ripley District is sorely in need of revitalization and we believe this project and its integration with the plans for the new Silver Spring Transit Center will provide the impetus for other redevelopment in this area. Further, we believe that, when completed and sold, this project will provide many new patrons for the restaurants, retail establishments and entertainment venues throughout the Silver Spring central business district.

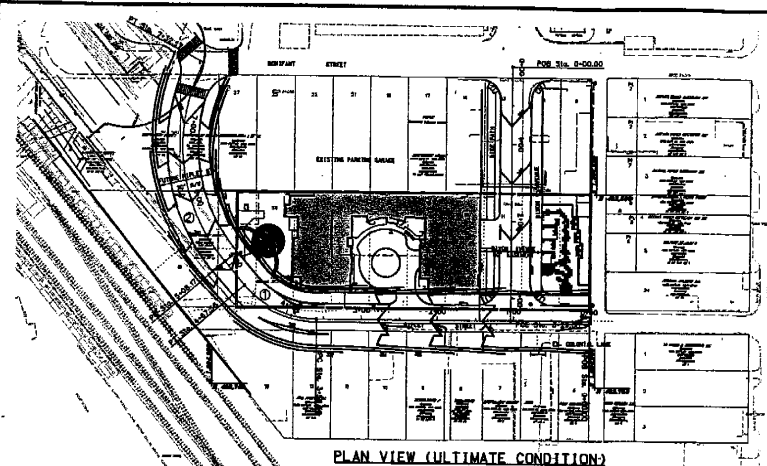
The Chamber supports the changes to the KSI project and urges the Planning Board's approval.

Thank you for your consideration.

Sincerely,

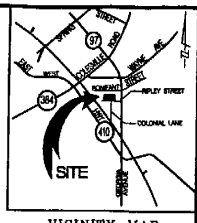
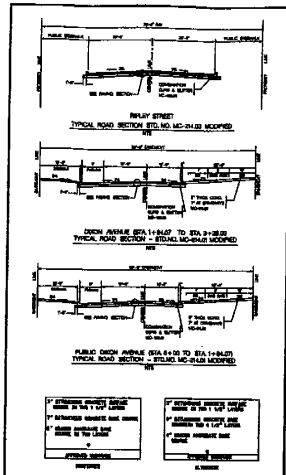
Jane Redicker
President

cc: Douglas Johnsen



PLAN VIEW (ULTIMATE CONDITION)
SCALE: 1"=40'

CURVE NO.	POINT OF CURVATURE	POINT OF TANGENCY	RADIUS	ARC	DELTA ANGLE	TAN.
1	Sta. 3+59.55	Sta. 4+67.56	125'	107.97'	49°29'19"	57.81'
2	Sta. 5+08.17	Sta. 7+32.57	230.72'	274.40'	68°08'29"	186.04'



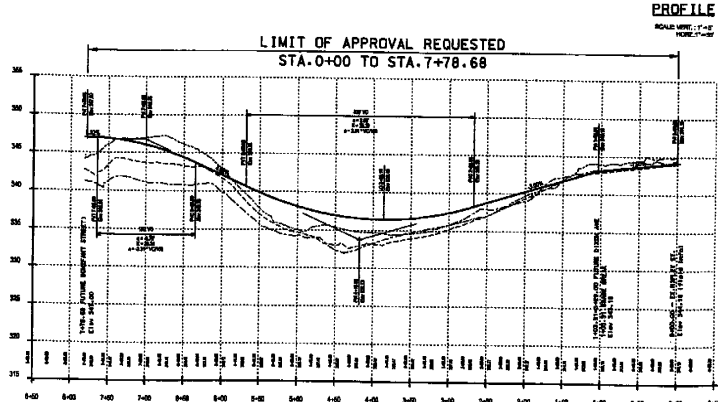
VICINITY MAP

- GENERAL NOTES**
- REFER TO HANDBOOK STATE HIGHWAY ADMINISTRATION SPECIFICATIONS FOR MATERIALS AND METHODS OF CONSTRUCTION.
 - TOP OF CURB ELEVATION (RIPLEY ST.) - CENTERLINE ELEVATION - 63.0'
 - TOP OF LEFT CURB ELEVATION (DIXON AVE.) - CENTERLINE ELEVATION - 63.0'
 - TOP OF RIGHT CURB ELEVATION (DIXON AVE.) - CENTERLINE ELEVATION - 63.0'
 - 1% GRADE STANDARD WIDTH SIDEWALK ROAD

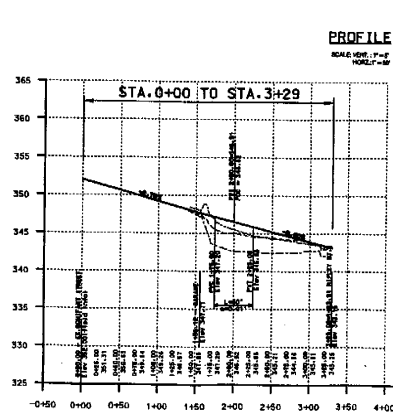
ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT:
 (1) THE INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM AERIAL SURVEYS.
 (2) THERE IS SUFFICIENT FILING UNDER OR WITHIN THE LIMIT OF MAP.
 (3) NO PORTION OF THE RIGHT OF WAY LIES WITHIN THE RIGHT OF WAY OF AN EXISTING OR PROPOSED STATE ROAD.
 (4) THE DESIGN CONFORMS TO THE MONTGOMERY COUNTY ROAD CODE REQUIREMENTS FOR PAVED STREETS (PARAGRAPHS 4 & 5) THROUGH 4-14

DATE: _____ SIGNATURE: JAMES S. FLOYD
 MD P.E. No. 1773



RIPLEY STREET TO BONIFANT STREET (TERTIARY)
LIMIT OF APPROVAL REQUESTED
STA. 0+00 TO STA. 7+78.68



DIXON AVENUE TO BONIFANT STREET

LEGEND

PROPOSED G.L. ————
 EXISTING G.L. - - - - -
 1% GRADE - - - - -
 2% GRADE - - - - -

PRELIMINARY PLAN NO. 1-2006054

URS
 3000 KENNEDY AVENUE
 SUITE 100
 ROCKVILLE, MD 20850
 TEL: 301.948.2100 FAX: 301.948.2967

Project No.	1-2006054
Sheet No.	1 of 1
Date	10/10/06
Scale	AS SHOWN
Author	J.S.F.
Checker	J.S.F.
Engineer	J.S.F.

OWNER/DEVELOPER
 RIPLEY STREET, LLC
 c/o K S I
 8081 WOLFTRAP ROAD
 VIENNA, VIRGINIA 22182
 703-641-9090

HOW UTILITY BENE
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES ARE NOT GUARANTEED BY THIS PLAN.

PRELIMINARY GRADE ESTABLISHMENT

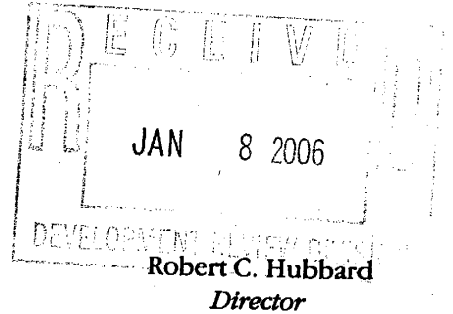
MIDTOWN SILVER SPRING
 (FORMERLY RIPLEY STREET RESIDENTIAL)

BLOCK 3
 PARCELS 10, 12, 14, 16, 18, 20, 22, 24, 26, AND 28
 15TH ELECTION DISTRICT
 SILVER SPRING
 MONTGOMERY COUNTY, MARYLAND

10/10/06



904006A



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

October 5, 2005

Ms. Amy Quant
Loiederman Soltesz Associates, Inc.
1390 Piccard Drive, Suite 100
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Ripley Street
Preliminary Plan #: Pending
SM File #: 211248
Tract Size/Zone: 1.6 Ac./CBD-2
Total Concept Area: 1.6
Lots/Block: 10,12,14,16,18,20,22,24,26,28/3
Watershed: Lower Rock Creek

Dear Ms Quant:

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 water quality control via a 'StormFilter' and green roof. Onsite recharge is not required since this is redevelopment. Channel protection volume is waived based on the Stormwater Management Policy for Central Business Districts.

The following **conditions** 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. The offsite drainage area from Dixon Avenue will need to be redirected through a parallel pipe as shown on plans, or redirected onto Bonifant Street to either Georgia Avenue or to Ripley Street.
6. If green roof is not provided then the StormFilter will be resized accordingly.
7. The StormFilter will be sized as a flow based structure.
8. Green Roof materials, design and specifications must be submitted to the New Products Committee for acceptance. Please contact Boyd Church, the Chairman of the committee, at 240-777-7760.



9. All covered parking must drain to WSSC. Provide Mechanical drawings to verify that roof drains go to the stormwater management structure and that garage drains go to WSSC.

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 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

cc: C. Conlon
S. Federline
SM File # 211248

QN - Waived; Acres: 1.6
QL - Onsite; Acres: 1.7
Recharge is not provided

APPENDIX C

Project Plan Checklist



CHECKLIST Site Plan / Project Plan Review

Plan # 9200A006A Name: MIDTOWN SILVER SPRING
 Zone: CBD-2 Tract Area: 78,225 SF Proposed Use: HIGH-RISE RESIDENTIAL
 Number of Units: 317 Square Footage: 391,125
 Development Method: OPTIONAL Other: 5,380 RETAIL

Referral Comments:

M-NCPPC	Staff	Date	Other Agencies	Staff	Date
Transportation	<u>SJ</u>	<u>3/14/06</u>	SHA	<u>N/A</u>	
Environmental	<u>AL</u>	<u>2/6/06</u>	DPS (SWM)	<u>DK</u>	<u>10/05/05</u>
Community Planning	<u>CK</u>	<u>2/6/06</u>	DPS (Traffic)	<u>SN</u>	<u>2/6/06</u>
Historic Planning	<u>N/A</u>		Public School	<u>N/A</u>	
Park Planning	<u>N/A</u>		Utility		
Research/Housing	<u>N/A</u>		Fire & Rescue	<u>JF</u>	<u>2/14/06</u>
			DPW & T/MTA	<u>DR</u>	<u>3/6/06</u>

Development Standards / Requirements

- Zoning Requirements
- Development Data Table
- Recreation Calculation
- MPDU Calculation
- TDR Calculation
- Timing/Phasing Conditions
- Building Restriction Lines
- Building Height
- Master Plan Conformance

Prior Approvals

- ~~Development~~ ^{PROJECT} Plan 9200A0060
- Preliminary Plan
- Prior Site Plan Approvals
- Record Plat

Community Input

- Civic Association GREATER SILVER SPRING CHAMBER
- Individuals

Supervisor Review 3-17-06 RAK
 Chief Review 3-17-06 RAK