



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

Item #
MCPB 5/31/07

MEMORANDUM

DATE: May 16, 2007
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RdK*
Robert Kronenberg, Acting Supervisor
Development Review Division
FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *am*
Senior Planner
Development Review Division
(301) 495-2115



PROJECT NAME: 1050 Ripley Street
CASE #: 9-20070040
REVIEW TYPE: Project Plan

ZONE: CBD-2
APPLYING FOR: Approval for a mixed use development of up to 306,258 gross square feet, including 305 multi-family units with 46 MPDUs, 15% of the total units, and up to 3,068 gross square feet of non-residential/retail uses, on 1.16 acres

LOCATION: In the southwestern quadrant of the intersection of Ripley Street and Colonial Lane immediately adjacent to the CSX/Metro Right of Way

MASTER PLAN: Silver Spring CBD
REVIEW BASIS: Division 59-D-2.11

APPLICANT: Washington Property Company
FILING DATE: September 22, 2006
ACCEPTED: February 2, 2007
HEARING DATE: April 26, 2007
Deferred to May 31, 2007

Attached is the staff report for the proposed 1050 Ripley Street Project Plan. The Planning Board public hearing for this application is scheduled for May 31, 2007. The staff recommends **Approval** with conditions as delineated in the staff report.

TABLE OF CONTENTS

	Page
SUMMARY AND BACKGROUND	3
Issues.....	3
STAFF RECOMMENDATION	7
PROJECT DESCRIPTION	9
Surrounding Vicinity	9
Site Description	10
Project Description	12
Public Use Space, Amenities.....	14
PLANNING AND REGULATORY FRAMEWORK	16
Sector Plan.....	16
Prior Approvals.....	16
BASIS FOR CONSIDERATION OF ISSUES.....	16
REQUIRED FINDINGS	17
Compliance with the intents and requirements of the Zone	17
Project Plan Data Table	20
Amenities and Facilities Summary	21
Conformance to the approved and adopted Sector Plan	22
Compatibility with the general neighborhood	22
Adequacy of existing or programmed public services.....	23
More desirable than the standard method of development	23
Provision of moderately priced dwelling units	23
Requirement for forest conservation.....	24
Requirements for water quality resource protection	24
APPENDICES.....	25

SUMMARY AND BACKGROUND

On February 2, 2007, staff accepted the Applicant's submitted Project Plan application for this 306,258 gross-square-foot mixed-use building, with 305 multi-family units including 46 MPDUs, 15% of the total units, and up to 3,068 gross square feet of retail /non-residential use in a 17-story, 200-foot-tall building. The project's proposed amenity component includes on-site gathering and recreation areas, off-site streetscape improvements, and a financial contribution towards the construction of a Bike Station in the Silver Spring CBD. The Application was first brought before the Planning Board on April 26, 2007, to request an extension of the 90-day Project Plan review period. The Board approved the request and deferred the case until May 31, 2007.

ISSUES

1. "Purple Line" Potential Alignments and Public Use Space

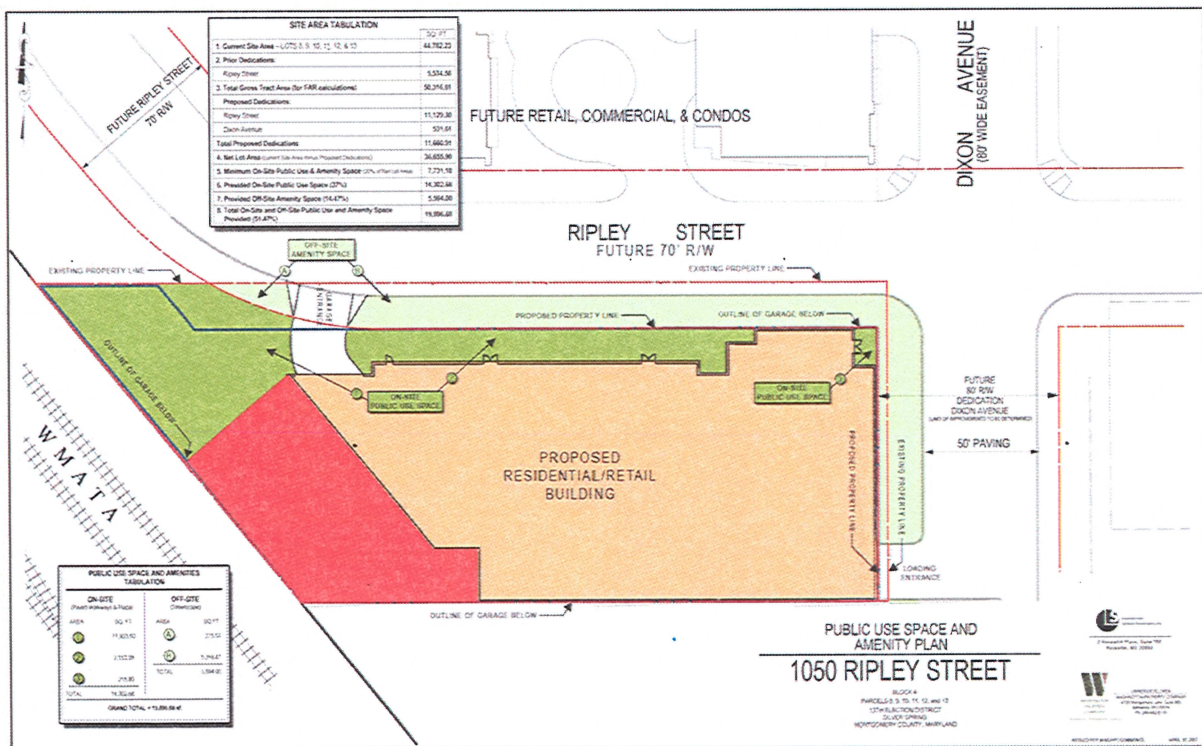
The subject site is located at the intersection of two possible alignments of the Purple line as it connects from the Silver Spring Transit Station to the east side of Georgia Avenue. The first would run down the middle of Ripley Street, requiring further right-of-way dedication from this project and the KCI project across Ripley Street (Project Plan #920040060 and 92004006A). MTA is currently deliberating the removal of this proposed alignment from its larger consideration due to its unfavorable relationship to other alignments east of Georgia Avenue. As of the writing of this report, a decision was not forthcoming.

The second potential alignment runs along the CSX railroad tracks on the western boundary of the site. This right of way is partially reserved by the Georgetown Branch Master Plan Amendment, approved and adopted in January 1990. In this Master Plan, the reserved right of way for what was then envisioned as a trolley line alignment was either 40 feet, for a single track with a hiker/biker trail, or 56 feet, for a double track and trail. The portion of the trolley line that ran south of Ripley Street was expected to be a "tail track", where trains ending at the Silver Spring station would be able to reverse for return trips. The tail track extended the full depth of the 1050 Ripley Street site along the CSX right of way. In 2000, the Board approved and adopted the Silver Spring CBD Sector Plan which, in its discussion of and recommendations for the Ripley District, did not specifically address the trolley alignment, neither reinforcing nor superceding it.

In the almost 20 intervening years since the Board approved the Georgetown Branch Master Plan, the County has turned its focus to the Purple Line, with a new set of potential alignments in Silver Spring. The Locally Preferred Alternative for the Purple Line alignment was expected to have come out of the Draft Environmental Impact Statement (DEIS) in 2006, but technical problems have delayed the selection until Spring 2008. Thus, short of what protections may be warranted by the Georgetown Branch Master Plan, the Applicant is not

prohibited by an approved or pending Master or Sector Plan from proposing a building within the potential alignment.¹

Rather than propose a building inside a potential alignment right of way, the applicant has set back their building footprint 60 feet from the CSX right of way, the width requested by MTA to accommodate a two-way rail track and a bike path. While this setback does not encumber the potential alignment, it does create approximately 6,700 square feet of open space (indicated in red below) situated between the railroad tracks and the side/rear of the building that is served only by a 20-foot-wide bike path right of way. When the bike path is unused (including the period before path construction) this space, roughly 17 percent of their proposed 37 percent on-site public use space, is remote from the street and generally unsupervised.



Questionable On-Site Public Use Space

Having to address the impact of a potential rail alignment over a significant portion of the subject site has reduced the design options available to the applicant, in terms of both building footprint and height. Not providing the setback along the rail corridor would have allowed greater flexibility in the design of the building footprint. Instead of the 60-foot offset from the tracks, setting back only 20 feet could have facilitated the redistribution of Public Use space in favor of the intersection of Ripley Street and Dixon Avenue, where it might better serve the public. Similarly, a larger footprint may have afforded the same density being proposed, but in a building height of 143 feet, the maximum allowed in the zone without provision of

¹ Section 59-D-2.41 allows the Planning Board to defer action on a proposed project plan application if any part of the plan lies within the boundaries of and conflicts with the proposals of a pending plan or plan amendment, defined as a preliminary draft or final draft of a master plan or sector plan or master plan or sector plan amendment

“additional public facilities and amenities” required for the current proposed height of 200 feet.

While staff would not typically recommend the area between the building and the tracks as on-site Public Use space, Staff appreciates the Applicant’s predicament and has been working with them during the review process to prepare an overall approach to on- and off-site public amenities that would be beneficial to both the Applicant and the public. Staff recommends that the Applicant’s total amenity package include the improvements shown on the Project Plan as well as a financial contribution towards the development of a significant off-site public amenity. Three opportunities that staff has recommended to the Applicant include the extension of Ripley Street to Bonifant Street, the relocation of Progress Place, or contributions that facilitate the construction of a Bike Station.

In the event that MTA were to choose the alignment along the west side of the building, the project would still need to provide the minimum 20 percent on-site public use space. If the resulting land dedication to MTA would bring the project below that threshold, the Applicant would have to assess their options at that time, perhaps to provide additional off-site space, as allowed by the Ripley District Overlay Zone, or payment-in-lieu, if the Zoning Text Amendment introduced before the Board on May 10, 2007, was in force by then.

2. Increased Building Height

In the CBD-2 zone, the Optional Method of development allows by right a building height up to 143 feet. That height may be extended to 200 feet, provided that four criteria are met (59-C-6.235): the site must be within a revitalization area designated in the sector plan and be located within 800 feet of an entrance to a metro station; the additional height should be consistent with the guidelines of the Sector Plan; the project must be compatible with surrounding development; and the project must provide additional public facilities and amenities beyond what could otherwise have been provided if the excess height were not approved.

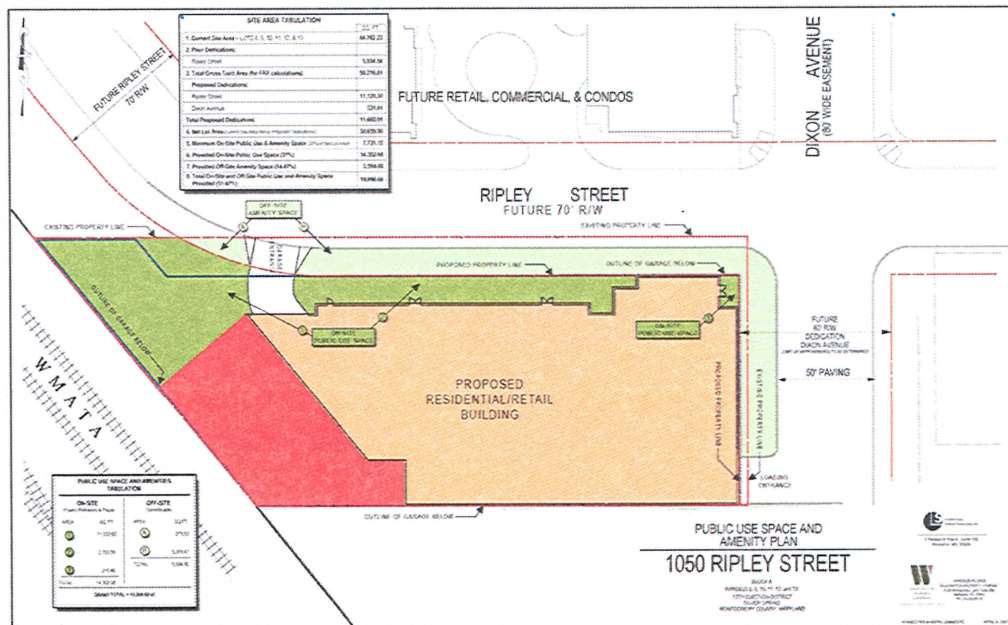
Staff finds that the project meets these requirements, as discussed in this report, but would clarify the second point regarding conformance with the Sector Plan. The Sector Plan recommends that the building step back at a 2:1 ratio from a maximum street-front height of 80 feet to a maximum total building height of 143 feet. The proposed building rises approximately 140 feet at the street wall, setting back about 10 feet for the remaining height, up to a maximum of 200 feet. Staff has reviewed the issue and determined the proposal to be in general conformance with the Silver Spring CBD Sector Plan, as discussed in Community-Based Planning’s letter of May 10, 2007. The relative shallowness of the site, the voluntary setback for the potential Purple Line alignment, and a proposed building face to building face distance of roughly 100 feet (30 feet greater than the Right of Way) across Ripley Street to the 200-foot high Midtown project lead staff to believe it infeasible to require that the building be stepped back further to accomplish the Sector Plan guidance more fully.

3. Calculation of the Proposed Off-Site Public Amenity Contribution Amount

As discussed above, staff has serious concerns about the quality of a portion of the space being proposed for Public Use Space and is taking a more holistic “Total Amenity Package” approach to the issue. Staff has suggested, and the Applicant has agreed in concept, to a financial contribution to one of the larger civic projects planned for the Silver Spring CBD, including extending Ripley Street north to Bonifant, relocating Progress Place, and constructing a Bike Station near the Transit Center.

In order to determine the recommended amount of the financial contribution, staff looked at the public amenities provided by the Applicant to meet two height-related criteria: the requirements to qualify for the Optional Method of Development; and the requirements for the maximum height allowed in the zone, 200 feet.

Section 59-C-6.215 requires that for the Optional Method, certain public facilities and amenities must be provided by the developer to make possible the creation of an environment capable of supporting the greater densities allowed. While the zoning requires a base minimum of 20 percent on-site public use space, staff recommends and the Planning Board has approved projects closer to the 45-50% range. The Applicant is proposing an amount of on-site public use space equivalent to over 37 percent of the net lot area. A fair proportion of this space, however, is located essentially behind the building (shown below in red), away from the street and public supervision. Staff recommends that the applicant provide a financial contribution proportionate to the amount of this space not occupied by the 20-foot-wide Metropolitan Branch Trail right of way, at a rate of \$35 per square foot, the approximate cost of a square foot of streetscape for a 15-foot-deep sidewalk. Staff estimates this area to include about 4,430 square feet, yielding a financial contribution of approximately \$155,000. The Applicant is encouraged to provide a more accurate measurement for the area, so that a more accurate contribution amount may be determined.



Questionable On-Site Public Use Space

For the second criterion, the “additional public facilities and amenities” required for the 200-foot building height, staff reviewed the approved Project Plans for other projects in the Silver Spring CBD. While there have not been many, two recent approvals begin to suggest an appropriate range for more-or-less comparable projects. The first, the Adele (Project Plan # 9-20050030 and Site Plan #8-20060020) with 96 dwelling units, approximately 15,000 square feet of retail and 18,000 square feet of commercial, provided 20 percent on-site public use space, 23.7 percent off-site, approximately 130 linear feet of streetscape in front of adjacent buildings (equivalent to approximately \$4,500), public art, and a \$70,000 contribution to acquisition and maintenance of Public Use space in the CBD. This project did not exceed the maximum 90-foot height allowed by the zone. A second, more comparable site directly across Ripley Street, the Metropolitan was approved for the 200-foot height, 336 dwelling units, and 5,950 square feet of retail. It will provide 39.2 percent on-site and 17.2 percent off-site public use space, a quarter-acre urban park with public art, and will extend Dixon Avenue from Bonifant, through the structured parking garage south to Ripley Street.

For approval of the 200-foot building height, staff is proposing to increase the contribution amount of \$155,000 to an amount comparable to the road construction cost of extending Dixon Avenue through the parking garage to the Midtown site. Based on staff discussions with other Montgomery County agencies, staff recommends a total contribution amount of \$500,000 towards the construction of a bike station in the Silver Spring CBD. While the actual cost of the Midtown improvements was significantly greater than this amount, staff recommends this amount as an appropriate addition to the overall amenity package to be provided by the Applicant.

4. Building Access Across County-Owned Parcel 7

The Project Plan proposes access to the loading area from Dixon Avenue, across a County-owned piece of land, Parcel 7. In order for the proposed plan to be able to provide that access, DPWT has agreed to allow access across the parcel. The final details of the accommodation will be determined at Preliminary and Site Plan.

STAFF RECOMMENDATION

Approval of Project Plan 920070050 for up to 306,258 gross square feet, with 305 multi-family units including 46 MPDUs, 15% of the total units, and up to 3,068 gross square feet of non-residential/retail uses on 1.16 acres, with the following conditions:

1. Development Ceiling

The proposed development shall be limited to a maximum of 306,258 total gross square feet, 305 multi-family units and 3,068 square feet of retail /non-residential uses.

2. Building Height/Mass

The height of the proposed building shall not exceed the maximum height of 200 feet.

3. Transportation Improvements

- a. At the time of Preliminary Plan, the applicant shall dedicate an additional 6,126.33 square feet of right-of-way on the south side of Ripley Street to provide for a total of 70 feet of right of way for Ripley Street.
- b. Extend Dixon Avenue, including streetscape improvements on both sides, from Ripley Street south to Parcel 3, Progress Place.
- c. Improve the south half of Ripley Street along property line per the DPWT typical section.

4. Moderately Priced Dwelling Units (MPDUs)

- a. The applicant shall provide 15% of the final number of units on site, up to a maximum of 46 MPDUs out of 305 total units, consistent with the requirements of Chapter 25A. The applicant is receiving a 22% residential density bonus for providing MPDUs on the site. The location and distribution of MPDUs will be determined at Site Plan.

5. Public Use Space and Off-Site Amenities

- a. The applicant shall provide at least 37 percent of the net site area as on -site public use space and at least 14 percent as off-site public amenity space. The final design and details of the on-site public space will be determined at Site Plan.
- b. The proposed public use space must be easily and readily accessible to the general public and used for public enjoyment.
- c. The applicant shall contribute \$500,000 towards the construction of a bike station within the Silver Spring CBD. The final location and design of the bike station will be determined through the Site Plan process at a future date. If the final location and design have not been approved by M-NCPPC staff before 10 years from the date of the resolution approving this Project Plan, the funds will be transferred to M-NCPPC for use in acquiring and maintaining parkland in the Silver Spring CBD. The applicant has stated a preference that, should the money be used for this latter purpose, it be used within the Ripley District to more directly benefit the residents of 1050 Ripley Street.

6. Streetscape

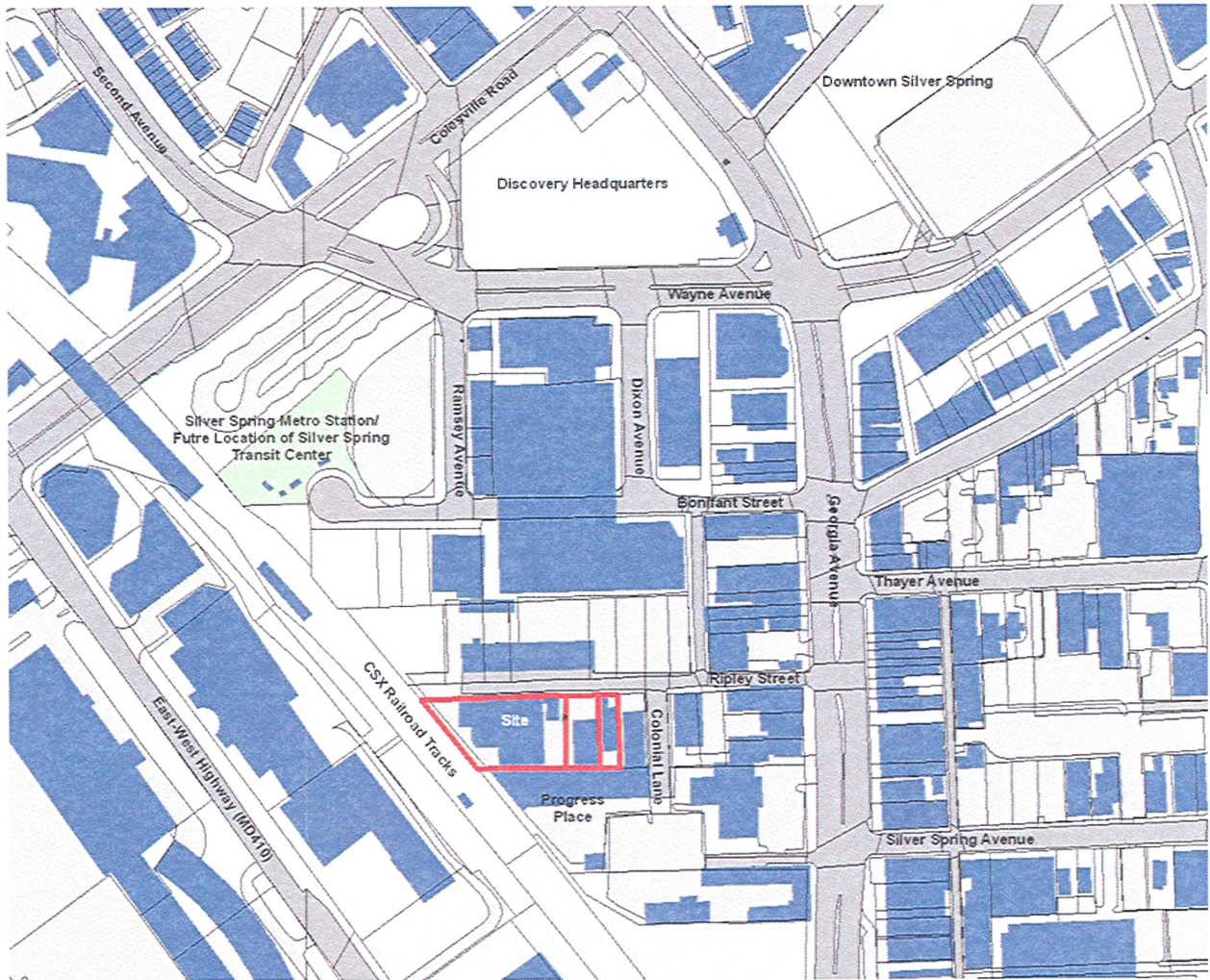
- a. Relocate underground the overhead lines associated with the existing utility poles along the front of the property and utility and meter boxes.
- b. Provide the Silver Spring streetscape standard along all streetscape improvements provided by the project, including the property boundary on Ripley Street and along both sides of Dixon Avenue south of Ripley Street.

7. Staging of Amenity Features

- a. The proposed project shall be developed in one phase.
- b. Landscaping to be installed no later than the next growing season after completion of the building and public plaza.

PROJECT DESCRIPTION: Surrounding Vicinity

The proposed development is centrally located within the Ripley District of Silver Spring on the south side of Ripley Street, between Colonial Lane on the east and the railroad tracks on the west. The surrounding area is zoned CBD-2 and is currently occupied by an assortment of one- and two-story buildings, parking lots, and undeveloped parcels. The one-story warehouse-style buildings currently on the site and directly across Ripley Street provide car and shoe repair services. The site directly across Ripley Street has received Project Plan approval (# 920050060 & 92004006A) for the KCI “Midtown” development, a high-rise multi-family project. To the east along Georgia Avenue are one- and two-story commercial buildings featuring the Pyramid-Atlantic Arts Center and several small retailers, including a used music store, Dale Music, and a Meineke muffler shop, among others. Immediately south of the site is Progress Place, a County-operated community support facility, and a County parking lot. The site is within a five-minute walk to the Silver Spring Metro Station and the proposed Silver Spring Transit Center.



Site Vicinity

PROJECT DESCRIPTION: Site Description

The 1050 Ripley Street site is on the south side of Ripley Street and includes Lots 8-13, Northwest Park, totaling approximately 50,317 gross square feet, or 1.16 acres. Approximately 11,661 square feet will be dedicated for roadways, leaving a net tract area of 38,656 square feet. The site currently consists of several one-story warehouse buildings providing car and shoe repair services. Overhead utility wires exist along the south side of Ripley Street. There are four utility poles in front of the property, which carry Pepco and Verizon cables. The nearest intersections of Ripley Street with Colonial Lane and Georgia Avenue are not signalized. The site topography is flat with approximately five feet of drop from the east side to the west side. There are no significant existing trees or other vegetation on the site, which is almost entirely paved. Access would be provided from Ripley Street and the extended Dixon Avenue.



Site Aerial View



Site Aerial Oblique View

comes online, the increased foot traffic along Ripley has the potential to provide a steady market for the development of small-scale convenience and restaurant retail along this block..



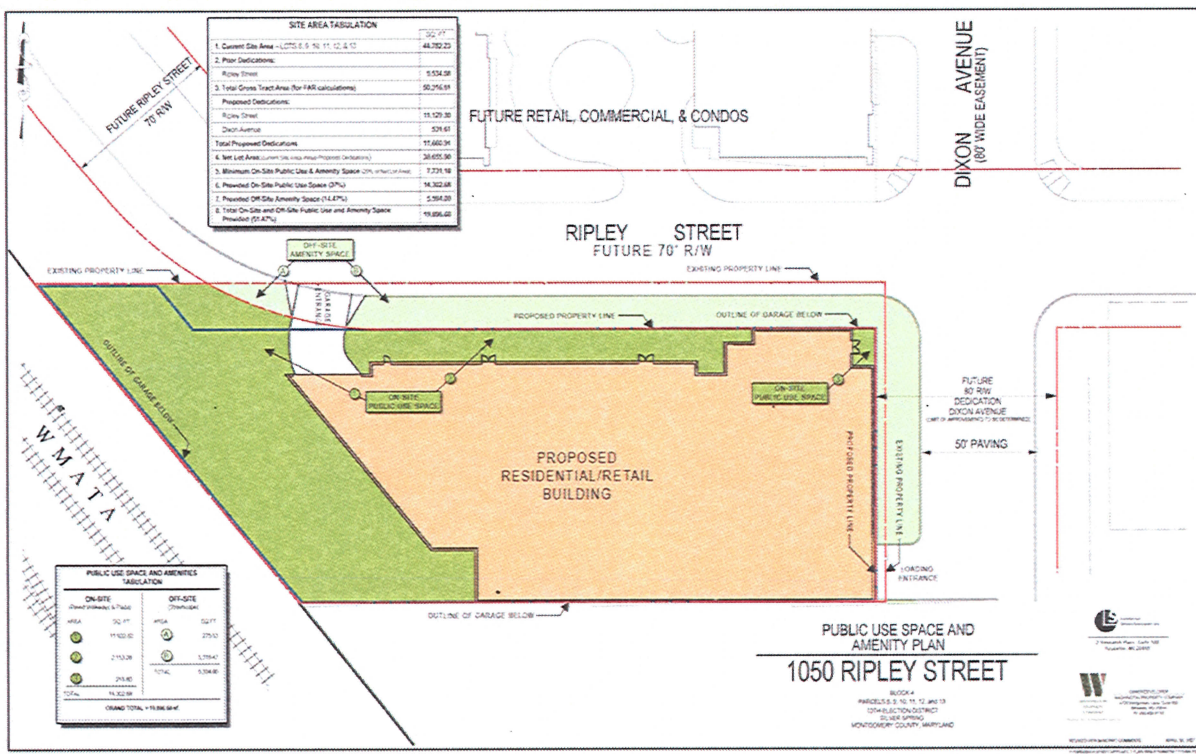
Ripley Street Elevation



Dixon Street Elevation

Public Use Space and Amenities

The Applicant proposes to provide on site public use space equivalent to 37 percent of the net tract area, approximately 14,303 square feet. The majority of the on-site public use space is located along the building street frontage on Colonial Lane and Ripley Street, but the remainder is situated between the railroad tracks and the west side of the building.



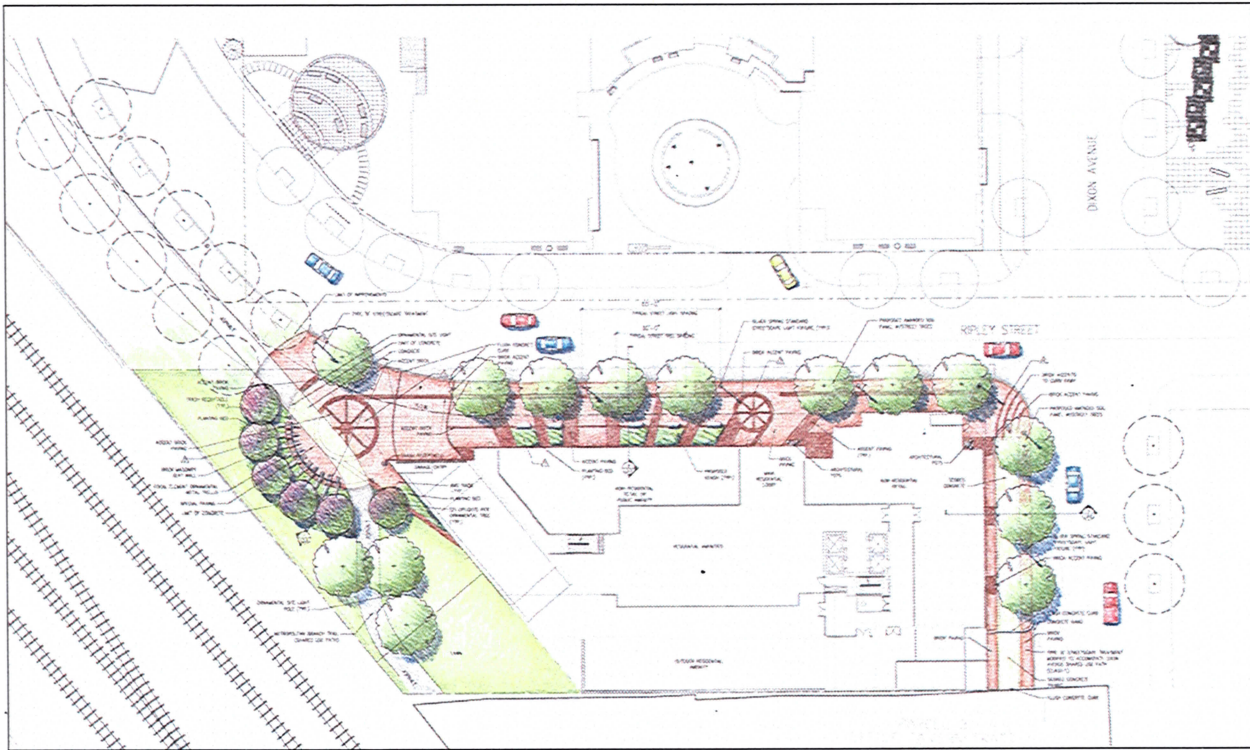
Public Use and Amenity Space

Retail Frontage Streetscape

Along the primary retail frontage the Applicant is proposing a streetscape designed to provide opportunities to activate future retail uses. The design includes an extended sidewalk depth that provides opportunities for outdoor restaurant seating and other street-activating uses. The additional building setback increases the aspect ratio of Ripley Street, increasing the building-face-to-building-face street width from 70 feet to approximately 100 feet. Also, a bicycle themed paving design, the final version of which will be determined at Site Plan, carries the theme begun in the adjacent plaza into the retail space, helping to better link the spaces. This paving design will be integrated with the Silver Spring streetscape standard, which the Applicant will be providing along the Ripley Street and Dixon Avenue site frontages.

Bike Stop/Pedestrian Plaza

The focal element of the Ripley Street frontage public use space is a plaza in the northwest corner of the site. This plaza is intended to serve as a bike stop along the Metropolitan Branch Trail, and could provide a water fountain, an informational kiosk, and a shaded seating area, among other trail-oriented amenities. Located at the junction of the bike trail and the Ripley Street sidewalk, the plaza would provide an amenity for both the cyclist and pedestrian alike. The bicycle theme of the plaza reinforces the link to the retail streetscape. The overall design of the space is approved conceptually, with the final design to be determined at site plan.



Proposed Schematic Landscape Design

Metropolitan Branch Trail

The remainder of the on-site public use space is an artifact of the potential Purple Line alignment which runs parallel to the railroad tracks past this site down towards the new fire station. Until or unless this alignment is selected for use, the primary recreational function of the space will be the Metropolitan Branch trail.

Off-Site Amenities

In addition to the on-site public spaces, the Applicant will be providing upgraded streetscapes to meet the Silver Spring CBD standard along the Ripley Street and Dixon Avenue frontages.

Proposed Contribution for Off-Site Public Amenities

As an additional amenity for the optional-method density and increased building height, the Applicant will provide a financial contribution in the amount of \$500,000 towards the construction of a bike station in the Silver Spring Central Business District, preferably within the Ripley District itself.

Pedestrian and Vehicular Access

The site is conveniently located for residents to walk to the Silver Spring Metro Station and pending Transit Station, less than 800 feet away, with access to local and regional metro and train service as well as multiple Metro and County bus lines. The many shops, restaurants, and services in Downtown Silver Spring, Georgia Avenue and South Silver Spring, and Fenton Village are all within a short walking distance.

Ripley Street will have a continuous sidewalk on both sides of the street from the site east to Georgia Avenue and along the extended Ripley Street and Dixon Avenue north to Bonifant Street and the Transit Station. The applicant will improve the frontage of the site with the Silver Spring streetscape and will underground the utilities in front of the site.

Vehicular access to the loading area will be provided from Dixon Avenue and to underground parking from Ripley Street at the west corner of the north façade. The 4-level parking garage under the building will provide 328 parking spaces, adequately serving the needs of the residents. It will include bicycle and motorcycle parking.

PLANNING AND REGULATORY FRAMEWORK:

Sector Plan

The Project Plan is in conformance with the 2000 Silver Spring CBD Sector Plan. A description of the themes and goals for the Silver Spring CBD are outlined in the Sector Plan Conformance standards on page 22.

Prior Approvals

The proposed development is zoned CBD-2. The property is comprised of Lots 8-13 and has approval for an access easement across County-owned Lot 7.

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 individual structures and groups of structures, and whether the setbacks, yards 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 sets forth the findings that must be made by the Planning Board and form the basis for the Board's consideration of approval. In accordance herewith, the staff recommends that the Planning Board make the following findings:

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

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.”*

This Project Plan proposes to use the optional method of development and is in conformance with the Approved and Adopted 2000 Sector Plan for the Silver Spring CBD.

The Sector Plan encourages mixed-use development near the transit center by facilitating market-feasible development and upgrading the physical environment. The proposed 306,258 gross

square foot mixed-use building provides 305 multi-family units including 46 MPDUs, 15% of the total units, and up to 3,068 gross square feet of non-residential/retail uses. The proposed building maximizes FAR (6.09 including the MPDU density bonus) and the 200-foot building height allowed by the zone.

The project proposes to improve the inter-connected street system in the Ripley District by extending Dixon Avenue along the eastern edge of the site, constructing the southern half of Ripley Street in front of the site, providing bike lanes or trails along Dixon Avenue and along the railroad tracks, and installing the Silver Spring streetscape standard along all improved sidewalks.

- (2) *“to 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 Plan responds to the need for a variety of housing, including affordable housing, near metro in the Silver Spring CBD. This project encourages the development of active urban streets by providing a mix of uses that will be well-positioned to take advantage of the increased foot traffic resulting from the completion of the Transit Center and extension of Ripley Street to Bonifant Street. Additionally, the proximity of a plethora of public transit opportunities will provide residents with ready, affordable access to jobs and shopping throughout the County and the Region.

- (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 project would further the revitalization of the Ripley District and contribute to the supply of residential choices in the Silver Spring CBD. The proposed height of 200 feet is compatible with the scale of residential and commercial development across the railroad tracks, with the proposed Midtown mixed-use development across Ripley Street, and the commercial buildings on the northern end of the Ripley District and adjacent CBD Core. This Project Plan will join the Midtown in providing an attractive activated retail streetscape to more closely link Georgia Avenue and the Transit Center, helping the Ripley District to develop as a unique attraction, as Fenton Village and South Silver Spring have begun to do. And while these two buildings astride Ripley Street are proposed for the maximum height of 200 feet, given their distance from lower density development west of East-West Highway, east of Fenton Street, and north of Spring Street, there is no concern about the compatibility of this design to those communities.

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

The site is located less than 800 feet, less than a five-minute walk, from the Silver Spring Metro Station, where numerous bus routes also stop. Roughly equidistant from “Downtown” and South Silver Spring, future residents would be able to walk to the numerous places of employment and restaurant, retail, service, and arts uses within the CBD and along Georgia Avenue. Additionally, the project includes significant intersection and streetscape improvements to promote pedestrian access to and through the site.

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

The project would provide an improved pedestrian sidewalk, installing the Silver Spring streetscape, planting street trees, and placing utilities underground to make walking along this site to the Transit Center or to Georgia Avenue a more pleasant experience. Additionally, the applicant is proposing to extend Dixon Avenue from Ripley Street to Progress Place, further improving pedestrian and vehicular circulation through increased interconnectivity.

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

This project would provide on site up to 259 market rate units and 46 MPDUs (15 percent of the total unit count) in a variety of unit types and configurations, including one bedroom, one bedroom plus den, and two bedroom units. The distribution of unit types among the 46 MPDUs will be the same as that of the market-rate units, offering a greater diversity of incomes access to the great amenities offered within the CBD and this project.

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

This site is the product of several adjacent lots, and would replace several older service buildings with a contemporary mixed-use building and Public Use space. This is a more desirable use of the land, adding residents who will use the businesses and services of the area, helping revitalize the Ripley and South Silver Spring Districts as well as support the Downtown retail area and providing pedestrian activity on the street in a part of the CBD that has been underutilized.

Section 59-C-6.213(c) states that it is further the intent in the CBD-2 Zone:

- (1) *"To provide a density and intensity of development which will permit an appropriate transition from the cores of central business districts to the less dense peripheral areas within and adjacent to the districts; and*

The 1050 Ripley Street project proposes additional residential units away from the core of the CBD, including much-needed affordable housing, as well as street-activating retail. This site is uniquely located within the Ripley District away from the less-dense edges of the CBD and so transitions in use more so than in density, providing more residential and less retail/commercial uses. The remarkable proximity of this site to public transit as well as cultural and commercial amenities mean that the residential density the project provides will enliven the Ripley District as well as the Core and South Silver Spring areas.

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

With the growth of the commercial market in the CBD, future residents of 1050 Ripley Street will have a variety of employment opportunities in both the private and public sectors within a five- to

ten-minute walk. Further, they will be less than five minutes away from a public transit system that can link them to jobs throughout the region.

REQUIREMENTS OF THE CBD-2 ZONE

Section 59-C-6.23 sets forth the development standards for the CBD-2 zone. The following table summarizes the required and proposed project features:

PROJECT PLAN DATA TABLE

Zoning Ordinance Development Standard	Permitted/Required	Proposed for Approval
Minimum lot area (sf.)	18,000	50,316.81
Previously dedicated area		-5,534.58
Proposed dedicated area		-6,126.33
Net lot area		38,655.9
Density, for Mixed-Use Projects		
Non-Residential, Maximum (FAR)	3	.06
Non-Residential, Maximum (SF)	150,950.43	3,068
Residential, Maximum (FAR)	5	4.94
Residential, Maximum (SF)	251,584.05	248,516.05
Residential, with 22% Density Bonus (FAR)	6.03	6.03
Residential, with 22% Density Bonus (SF)	303,189.58	303,189.58
Total, Residential & Non-Residential (FAR)	6.09	6.09
Total, Residential & Non-Residential (SF)	306,257.58	306,257.58
Market-rate units		259
MPDUs		46
Total, Maximum		305
MPDU provision (minimum percentage)	12.5	15
Public use space (minimum percent of net lot area)		
On-site (percent)	20	37
On-site (sf.)	7,731.18	14,302.68
Off-site amenity space (percent)		14.5
Off-site amenity space (sf.)		5,594
Total public use and amenity space (sf.)		19,896.68
As a percentage of net lot area (percent)		51.5
Maximum Building Height (ft.)	143	
With Planning Board approval	200	200*
Number of stories		17

* On a corner lot exceeding 20,000 square feet in area, the height of the building may be measured from either adjoining curb grade.

	Permitted/Required	Proposed for Approval
Minimum Building Setbacks, Minimum (ft.)	Not Specified	
Front		0
Rear		0
West Side (CSX Tracks)		65
East Side (Future Dixon Ave)		0
Parking		
Residential		
205 one-bedroom units	1.25 spaces each	256.25
54 two-bedroom units	1.5 spaces each	81
36 one-bedroom MPDUs	0.625 spaces each	22.5
10 two-bedroom MPDUs	0.75 spaces each	7.5
Residential Subtotal		367.25
Reduction for Proximity to Metro Station	5%	-18.36
Reduction for Multi-Family Units in CBD	10%	-34.89
Residential Total		314
Retail (3,068 GSF)		
3,068 GSF	5/1,000 GSF	16
Reduction for Proximity to Metro Station	15%	-2
Retail Total		14
Total Number of Parking Spaces	328	328

Amenities and Facilities Summary

On-Site Improvements

Public Plaza/Bike Trail Rest Area

- Trail-oriented space for users of the Metropolitan Branch Trail, potentially to include shaded seating areas, a water fountain, an informational kiosk, and other amenities.
- Proposed paving and shelter designs reinforce bicycle theme.
- Landscaping provides screening between public street and railroad tracks.
- Provides a space for public outdoor interaction and activities.

Retail Frontage Streetscape

- Extended sidewalk depth provides opportunities for outdoor restaurant seating and other street-activating uses.
- Additional building setback increases the aspect ratio of Ripley Street, increasing the building-face-to-building-face street width from 70 feet to approximately 100 feet.
- Paving design echoes bicycle theme in adjacent plaza.

Off-Site Improvements

Street and Intersection Improvements

- Dedication of over 6,100 square feet of the site to complete the future 70-foot right of way for Ripley Street in front of the site.
- Extension of Dixon Avenue south from Ripley Street to Progress Place, and the associated streetscape improvements.
- Reconstruction of the southern half of Ripley Street in front of the site to the current standard.

Streetscape

- Provision of the Silver Spring CBD Streetscape standard details for the public sidewalk along the building frontage and along the Dixon Avenue extension.
- Undergrounding of utilities in front of the site.

Additional Amenities

- \$500,000 towards the construction of a bike station in the Silver Spring CBD.

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

The approved and adopted 2000 Silver Spring CBD Sector Plan recommends the CBD-2 zone for this site. The proposed Project Plan conforms to the uses permitted in the zone for this site, with over 3,000 square feet of street-level retail and 305 multi-family units, including 46 MPDU,s on 1.16 acres.

The proposed development is using the optional method of development in the CBD-2 zone. The minimum required public use space for this project is 20 percent of the net lot area, or 7,731 square feet. The project proposes 14,302 square feet, or approximately 37 percent. In addition the applicant is proposing 5,594 square feet of off-site amenity space in the form of road and streetscape improvements. The combined on- and off-site public use and amenity area is 19,896 square feet, or about 51.5 percent of the net site area.

The Sector Plan seeks to encourage mixed use development near the Transit Center by facilitating development and upgrading the physical environment. This project provides prominent retail street frontage and residential units along what is expected to become a vital street connecting the residential communities east of Georgia Avenue to the Transit Center.

- (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 existing buildings in the Ripley District are currently one- to two-story buildings, including small retail and commercial operations, civic uses (churches, County social services, and the new fire station), and public parking lots and garages. Thus at 17 stories tall and up to 200 feet high the building is compatible with the envisioned potential development

of the district, including the Midtown project directly across Ripley Street, a 200-foot mixed-use building with ground floor retail. Additionally, the project is compatible in size, intensity, and scale with buildings across the train tracks and with buildings along the northern edge of the district and the CBD core.

- (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 24A, article H, is subject to a traffic mitigation agreement that meets the requirements of that article.***

The project will be built in one phase. As indicated in the Transportation Planning memo dated May 14, 2007, the residential project will not severely impact the adjacent intersections.

The project is located within the Silver Spring Parking District, but the applicant is providing 328 parking spaces on site for approximately 3,000 square feet of retail and 305 dwelling units as required by the zoning ordinance. In addition, a public parking structure is only one block away, and public transit is about a block away at the Transit Center.

Public utilities will be provided from Ripley Street:

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

The optional method of development permits a more efficient and desirable product than the standard method of development.

Under the standard method of development, the project could achieve approximately two-thirds the proposed dwelling units and would provide only 23 MPDUs, half as many as the 45 provided under the optional method. The project also provides significant urban Public Use space, streetscape improvements, and a financial contribution of \$500,000 towards a bike station in the Silver Spring CBD. Under the standard method of development, the project would yield half the public use space, a minimal amount of streetscape, and no off-site public amenities.

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

The proposed development is providing 45 MPDUs on site, 15 percent of the total number of units, in accordance with the provision of Chapter 25A of the Montgomery County Zoning Ordinance. The project is not providing Workforce Housing units, as the application was submitted on September 22, 2006, prior to the December 1, 2006, effective date of the Workforce Housing legislation and regulations. Staff accepted the project plan on February 2, 2007.

- g) *As conditioned, the proposal satisfies any applicable requirements for forest Conservation under Chapter 22A.***

The Environmental Planning Division reviewed the proposed project and determined the plan to qualify for an exemption for small properties of less than 1.5 acres. This property is not subject to a Tree Save Plan nor is it within a Special Protection Area.

- h) *As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.***

A stormwater management concept plan proposes on-site management was approved on January 3, 2007.

APPENDIX

- A: Approval for Site Access Easement across County Property Along Proposed Dixon Avenue
- B: Reviewing Agency Approvals

Appendix A:
Approval for Site Access Easement across County Property Along Proposed Dixon Avenue

Hisel-McCoy, Elza

From: Gonzalez, Edgar [Edgar.Gonzalez@montgomerycountymd.gov]
Sent: Friday, May 11, 2007 3:52 PM
To: Dalrymple, C Robert - CRD; Hisel-McCoy, Elza
Cc: Kronenberg, Robert; Jonathan Meyers; Stith, Gary; Leck, Gregory; Farhadi, Sam; Simpson, Bob
Subject: RE: Ripley Project..
Importance: High

Bob,

I have reviewed the summaries of our earlier discussions and your proposal for access to your site from Dixon Avenue. Our Department is not in a position to finalize all of the details associated with the construction of Dixon Avenue south of Ripley Street at this time.

However, we have enough information to verify that the Department will agree to permit access to the site from Dixon Avenue.

Elza:

Please accept this notification as the Department's concurrence to allow access to the Ripley Street project from Dixon Avenue. We will continue working with the developer on the specific details, but access from Dixon is OK. It is my understanding that with this assurance the project will be scheduled for the Planning Board this month.

Please contact me directly if you have any questions on the matter.

Edgar Gonzalez, P.E.

Deputy Director for Transportation Policy

(240) 777-7185

-----Original Message-----

From: Dalrymple, C Robert - CRD [mailto:bdalrymple@linowes-law.com]
Sent: Wednesday, May 09, 2007 2:24 PM
To: Gonzalez, Edgar; Stith, Gary
Cc: Kronenberg, Robert; Hisel-McCoy, Elza; Jonathan Meyers
Subject: RE: Ripley Project..
Importance: High

Edgar (Gary): as a follow up to my email earlier this week (attached), note below that we will be pulled from the PP agenda if we don't get DPWT to ok our construction of Dixon on County Parcel 7. Can you please verify that we are being permitted to build the road by response to all to this email (and we can deal with the density issue later)? I'll call you as well as losing our Planning Board date will not be a good thing. Thanks. Bob

-----Original Message-----

From: Hisel-McCoy, Elza [mailto:Elza.McMcoy-Hisel@mncppc-mc.org]
Sent: Wednesday, May 09, 2007 2:15 PM
To: Jonathan Meyers; Dalrymple, C Robert - CRD
Cc: Kronenberg, Robert
Subject: RE: Ripley Project..

Gentlemen,

Thanks for following up. I still have not received anything verifying your permitted access to the site from the proposed Dixon Avenue. Without it you do not have site access as shown on your project plan. I am preparing my report for internal review assuming I am going to get that written confirmation. If I have not received that confirmation by next Tuesday, May 15, COB, we will have to postpone the item.

We are still formulating our response to your recommended contribution from your amenity package and hope to have something for you shortly.

Regards,

5/11/2007

Appendix B:
Reviewing Agency Approvals

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS**

TO: Elza Hisel-McCoy
Development Review Division

SUBJECT: Plan #9-07004, Name 1050 Ripley Street
DRC date: Monday, March 12, 2007

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

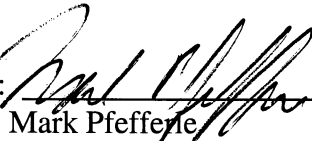
Plan is complete. (The subject site does not need to submit a forest conservation plan. NRI/FSD 12007033E was approved on September 21, 2006).

EPD RECOMMENDATIONS:

Approval with conditions as specified below. (see comments)

1. At time of site plan, the applicant shall prepare and submit a noise analysis, which shall also indicate how noise from the rail lines will be mitigated to achieve a 45 Ldn dBA noise level (*interior*)

SIGNATURE: _____


Mark Pfeffert

Environmental Planning Division

DATE: March 7, 2007

cc: engineer/applicant



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 10, 2007

MEMORANDUM

TO: Elza Hisel-McCoy, Senior Planner
Development Review Division

Cathy Conlon, Subdivision Supervisor
Development Review Division

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

FROM: John Marcolin, ASLA, Planner Coordinator *JM*
Community-Based Planning Division

SUBJECT: Project Plan #920070040, 1050 Ripley Street

The Community-Based Planning staff has reviewed the above referenced Project for conformance with the Silver Spring Central Business District and Vicinity Sector Plan (Approved February 2000). The subject property is located east of the WMATA/MARC train tracks, on the south side of Ripley Street, to the west of the proposed master-planned extension of Dixon Avenue and to the north of Parcel 3 owned by Montgomery County. Community-Based Planning recommends the approval of this Project Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan:

1. Dedicate additional street right of way for Ripley Street equal to 35 feet measured from the centerline of proposed street. Dedicate additional street right of way for Dixon Avenue equal to a minimum of 40' measured from centerline of proposed street. Improve intersection of proposed Dixon Avenue and Ripley Street.
2. Document that the county is allowing their property along Dixon Avenue to be included in the application and improved as described below.
3. Provide full width streetscape improvements on Ripley Street and Dixon Avenue (Type "B") in accordance with the *Silver Spring Streetscape Plan* (April 1992) Technical Manual or as amended. The section for Dixon Avenue should replicate the section approved for the Midtown Silver Spring project to the north, including the bike trail.
4. Revise on-site public use space per the following:
 - a. Separate the use of the Metropolitan Branch Trail from the proposed public amenity space to avoid potential pedestrian-biker conflicts while maintaining identification of this part of the on-site public use space as a bike rest stop.
 - b. Include an art element in proposed on-site public use spaces. Public art must be reviewed by the art panel before site plan approval.

5. For additional density per the Optional Method of Development, provide a donation to supplement proposed on-site public use space between the railroad tracks and the west side of the building equal to the portion that cannot be counted as on-site public use space.
6. For additional height achieved in excess of the normal 143' limit in the Optional Method of Development, consider providing or contributing to one or more of the following projects:
 - a. Silver Spring bike station.
 - b. Relocation of Progress Place.
 - c. Extension of the connection between Ripley Street and Bonifant Street.
7. Where proposed site paving extends into right of way, enter into an agreement with the SSUD for the maintenance of streetscape improvements.
8. Coordinate with MTA re: Purple Line Alignments that could impact this project.

ZONING AND LAND USE:

The 38,655.90 square foot (50,316.81 square foot gross tract area for determining density) subject property is zoned CBD-2 (Central Business District 2.0). The approved CBD Sector Plan recommends the CBD-2 zoning for this site, which was applied through the Sectional Map Amendment (SMA) adopted July 18, 2000, per County Council Resolution 14-600. The property is within the Ripley District Overlay Zone, which provides for flexibility of development standards and the range of permitted uses, while ensuring that new development is compatible with nearby uses and incorporates critical design elements, such as streetscaping and useful public open spaces.

The proposed mixed-use development is composed of 305 dwelling units, including 15% on-site MPDUs (46 units) and 3,068 square feet of non-residential, commercial/retail uses. This use is permitted under the CBD-2 Zone/Ripley District Overlay District. The proposal will be implemented under the optional method of development. The project proposes an FAR of 5 plus 22% density bonus for a total density of 6.10.

According to the recommendations in the CBD Sector Plan, the building heights on Ripley Street should contribute to an attractive streetscape by allowing adequate light and air. The Sector Plan recommends an 80' right of way and a maximum building height of 80' at the street and stepping back from the street at a 2:1 slope to a building height of 143'.

Pursuant to footnote 11, Chapter 59-C-6.2, the Planning Board may approve building heights up to 200' if the property is within a revitalization area designated in the sector plan and is located within 800' of an existing Metro station. Also the following conditions must be met: 1) the additional height is consistent with the guidelines of the sector plan, 2) the development is compatible with the surrounding development, 3) the development will provide additional public

facilities and amenities beyond what could otherwise have been provided if the excess height were not approved.

The proposed building and the proposed building on the north side of Ripley Street will each be set back from the right of way approximately 15', providing a street cross section of approximately 100'. Both proposed buildings will have building footprints that step back along the street front, opening up the streetscape to light and air. The footprint of the proposed building was constrained by the decision to allow space along the railroad tracks for a potential Purple Line alignment. Under these circumstances we do not think it feasible to require that the building be stepped back even more to accomplish the Sector Plan guidance more fully.

The required on-site public use space to satisfy additional density and height bonuses is a minimum of 20% or 7,731 square feet (20% of the net lot area of 38,655.91 square feet). The applicant is proposing 14,303 square feet of on-site public use space and amenities, which equals 37% of the net lot area. The applicant also proposes 5,594 square feet of off-site amenity space in the form of streetscaping per the Silver Spring Streetscape Plan. The applicant proposes a total of 19,897 square feet of on-site public use space and amenities and off-site improvements or 51.47% of the net lot area.

However, a significant portion of proposed on-site public use space is between the west side of building and the railroad tracks. The area dedicated to the Metropolitan Branch Trail (20' right of way) may be included as on-site public use space, but the remaining space is so far off from the street that it cannot be reasonably considered part of the public streetscape or public realm. Though the owner has set aside this area as an easement for the future Purple-Line right of way, it cannot be considered public use space under the Optional Method of Development. The applicants must make up for the portion of the space between the building and tracks that is not acceptable Public Use Space. They must also provide additional public facilities and amenities to justify height in excess of 143'.

SECTOR PLAN CONFORMANCE:

The Silver Spring Central Business District and Vicinity Sector Plan, approved by the County Council on February 1, 2000 outlined six themes, which articulate the shared goals and vision for a revitalized Silver Spring. Four of these themes (i.e. transit oriented downtown; a residential downtown; a green downtown; and a pedestrian friendly downtown) apply to this project proposal. An objective of the Ripley District Overlay Zone of the Silver Spring CBD Sector Plan is *"to encourage mixed-use development near the Transit Center by facilitating market feasible development and upgrading the physical environment"*. This project is located within 900 feet of the Silver Spring Transit Center, providing excellent opportunities for residents to use public transit instead of their cars. It is also located along the future Metropolitan Branch Trail, another viable transportation option. This project provides new housing that will help support the commercial uses in the Core. The proposed streetscape treatment will provide an urban green street while the proposed public use space will provide a landscaped plaza that will be a green

respite in the hardscaped environment of the CBD. Finally, this project encourages the development of active streets by providing building entries on Ripley Street and a quality streetscape per the Silver Spring Streetscape Plan detailed with interesting paving, furniture and landscaping as well as the provision of public art along the street.

STREETSCAPE:

This applicant proposes to improve Ripley Street by providing a streetscape treatment consisting of a 15-foot wide sidewalk separated from the curb by street trees. This frontage will be improved with the type "B" streetscape treatment. The streetscape for the proposed project should be in accordance with the standards of the Silver Spring Streetscape (April 1992) technical manual. They also propose to improve Dixon Avenue with the type "B" streetscape treatment per the Silver Spring Streetscape technical manual.

COMMUNITY OUTREACH:

The applicant met with the following groups to describe the proposed development:

1. Silver Spring Citizen Advisory Board Land Use Committee on January 17, 2007.
2. Silver Spring Urban District Advisory Committee (UDAC) on January 18, 2007.

GK:JM:tv N:\DEPT\DIVCP\Marcolin\1050 Ripley Street\1050 Ripley St.
Referral.doc



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

May 14, 2007

MEMORANDUM

TO: Elza Hisel-McCoy, Analyst
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: David Paine, Coordinator
Transportation Planning

SUBJECT: Project Plan 920070040
1050 Ripley Street
Silver Spring CBD Metro Policy Area

This memorandum is Transportation Planning staff's review of the proposed project plan to facilitate construction of 335 High-rise Apartment units and 3,068 square feet of retail. With recommendations listed below, we find the transportation network adequate to support the proposed project plan.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to Local Area Transportation Review (LATR) to be followed at the time of preliminary plan:

1. Limit the preliminary plan to 335 High-rise Apartment units and 3,068 square feet of retail.
2. Dedicate 40 feet of right-of-way from the centerline of Dixon Avenue.
3. Dedicate 35 feet of right-of-way from the centerline of Ripley Street.
4. Show 60-feet of setback from the CSX right-of-way along the entire length of parcel for a surface easement to accommodate the Purple Line tail tracks as provided for in Georgetown Branch Master Plan Amendment.

5. Construct a 10-foot wide shared-use path within a 20-foot wide public improvement easement as part of the Metropolitan Branch Trail on the western section of the site.
6. Construct a 10-foot wide shared-use path as part of a 20-foot wide sidewalk along Dixon Avenue.

DISCUSSION

Site Location, Access, and Circulation

The subject property is located south of Ripley Street, west of Dixon Avenue, and east of the CSX/Metro tracks in the Ripley District of the Silver Spring CBD Metro Policy Area. The applicant proposes vehicle access via garage entrance from Ripley Street and a loading bay off of Dixon Avenue.

Master Planned Roadways and Bikeways

The adjacent roadways are listed in the *2000 Silver Spring CBD Sector* and *2005 Countywide Bikeways Functional Master Plan*. Dixon Avenue/Colonial Avenue is designated as a business district street with an 80-foot right-of-way with a, shared use path. Ripley Street is designated as a business district street with an 70-foot right-of-way. The Metropolitan Branch Trail (SP-12) is shown as a 10-foot wide shared use path within a 20-foot public use easement, partially along Ripley Street, from the Silver Spring/Sarbanes Transit Center to the District boundary adjacent to the CSX ROW.

Local Area Transportation Review

According to the submitted traffic study, the table below 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.

Proposed Land Uses	Proposed	Weekday Peak-Hour Trips	
		AM	PM
High-Rise Apartments	335	101	101
Retail	3,068 SF	2	3
Total Vehicular Trips Proposed		103	107

Under the *FY 2005 Annual Growth Policy*, a traffic study is required to satisfy Local Area Transportation Review at time of preliminary plan because the proposed land uses generate 30 or more peak-hour trips within the weekday evening peak period. The applicant submitted a traffic study at time of project plan to support a finding that roadway infrastructure is adequate to support approval of the project.

In the traffic study, submitted April 1, 2007, the table below 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.

Intersection	Weekday Peak-Hour	Traffic Condition		
		Existing	Background	Total
Colesville Road and Wayne Avenue/Second Avenue	AM	829	988	1,002
	PM	838	969	975
Georgia Avenue and Wayne Avenue	AM	1,161	1,221	1,241
	PM	1,129	1,178	1,180
Georgia Avenue and Bonifant Street	AM	870	907	922
	PM	955	992	997
Georgia Avenue and Sligo Avenue	AM	656	680	686
	PM	993	1,025	1,034
Georgia Avenue and Ripley Street	AM	628	667	688
	PM	628	658	670

As noted in the table, the weekday peak-hour Critical Lane Volume analysis concludes that total traffic conditions CLV at all of the study intersections are below the Silver Spring CBD Policy Area congestion standard of 1,800.

Pedestrian Access and Transit

Pedestrian access is provided via sidewalks to be built to Silver Spring streetscape standards via Ripley Street (15 feet wide) and Dixon Avenue (10 feet wide plus 10 wide shared use path). Additional pedestrian and bicycle access and circulation will be considered at time of preliminary plan and site plan. The site is less than 800 feet from the Silver Spring Metrorail Stations and is served by both Ride-On and Metrobus transit routes on Georgia Avenue and Bonifant Street.

Applicant is proposing underground parking within the above referenced 60-foot wide corridor. MTA’s most recent project planning as part of the Purple Line Draft Environmental Impact Statement / Alternative Analysis (DEIS/AA) includes an alternative that would continue south of the applicant’s parcel along the CSX right of way and enter a tunnel at a point within the right of way of Silver Spring Avenue, south and east of the applicant’s parcel. Staff confirmed MTA’s acceptance of the underground parking garage within the 60-foot wide corridor, provided that the underground structures be designed to support the Purple Line Transitway and provide clearances necessary.

The MTA was considering both the Bonifant Street and Ripley Street right of ways (at grade) as possible alignments for the Purple Line. On April 27, 2007, the MTA announced at a Project Team meeting that they were recommending that Ripley Street be eliminated from further consideration as an alignment alternative.

DP:tc

mno to Elza re 920070040.doc

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS**

TO: Elza Hisel-McCoy
Development Review Division

SUBJECT: Plan #9-07004, Name 1050 Ripley Street
DRC date: Monday, March 12, 2007

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

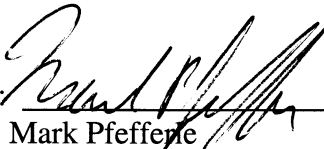
Plan is complete. (The subject site does not need to submit a forest conservation plan. NRI/FSD 12007033E was approved on September 21, 2006).

EPD RECOMMENDATIONS:

Approval with conditions as specified below. (see comments)

1. At time of site plan, the applicant shall prepare and submit a noise analysis, which shall also indicate how noise from the rail lines will be mitigated to achieve a 45 Ldn dBa noise level (*interior*)

SIGNATURE: _____


Mark Pfeffert

Environmental Planning Division

DATE: March 7, 2007

cc: engineer/applicant

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: March 6, 2007

MEMO TO: Robert Kronenberg, Acting Supervisor
Development Review Committee, MNCPPC

FROM: David Kuykendall
Senior Permitting Services Specialist
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # _____
Project Plan # 920070040 _____, 1050 Ripley Street
Preliminary Plan # _____, DPS File # 228522
Subdivision Review Meeting of March 12, 2007

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site:** CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved January 3, 2007
 Waiver: CPv WQv Both
 Approved on January 3, 2007
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations: Must have a 12' access to the stormwater structure. Access and easement to be free and clear of landscaping (including tree canopy), inlets, lights, etc.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01

MCDPWT DRC Notes for March 12, 2007

9-20070040

1050 RIPLEY STREET

1. R/W dedication Ripley Street and Colonial Lane per MP(including truncation) (P&P-TP).
2. Show existing driveways and features adjacent and opposite the site.
3. Need SD adequacy.
4. Improve Ripley street to industrial and Colonial Lane to commercial roadway standards along the site frontage.
5. Need 100' of separation between the driveways (existing and proposed).
6. Need sidewalk.
7. Provide CBD streetscape and amenities.
8. Need sight distance study.
9. Need SWM access per DPS.
10. Need private open space covenant.
11. Driveway curb return should not cross the property line.
12. Coordinate with DFRS for access.
13. Coordinate with Aruna Miller study.

WSSC Comments

March 12, 2007 Development Review Committee Meeting

4. 9-20070040 1050 RIPLEY STREET

Revise and label the project plan to clarify locations for the existing 12" water and 8" sewer mainlines abutting the site in Ripley Street and Colonial Lane. The proposed building, garage entrance, curbing, storm drain pipeline and structures appear to conflict with the existing sewer and/or water mains. Additional right-of-way easement may be required in Ripley Street and Colonial Lane.

Show proposed water and sewer connection locations. Follow WSSC Demolition procedures to abandon existing water and sewer connections and to obtain a County Raze permit.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.

DHCA Comments for 3/12/07 DRC
Item 4 – 920070040, 1050 Ripley Street:

1) Too many efficiency MPDU units are proposed in proportion to one-bedroom MPDU units. Chapter 25A, Section 5(b)(3) states:

In multi-family dwelling unit subdivisions, the number of efficiency and one-bedroom MPDUs each must not exceed the ratio that market-rate efficiency and one-bedroom units respectively bear to the total number of market-rate units in the subdivision.

Two hundred eighty-four market-rate units and 51 MPDUs are proposed. Of the market-rate units, 110 (39%) would be efficiencies and 174 (61%) would be one-bedroom units. Applying a similar ratio for the MPDUs would yield 20 efficiencies and 31 one-bedroom units (see chart). However, the plan instead proposes 21 efficiency and 30 one-bedroom MPDU units.

1050 Ripley St.

Total units	335
Market Rate Units	284
MPDUs	51

Bedroom Sizes

	<u>Market</u>	<u>%</u>	<u>MPDUs</u>
0	110	38.73%	20
1	174	61.27%	31
2+	0	0.00%	0

2) Prior to obtaining building permits, the applicant will need to execute an Agreement to Build with DHCA. This agreement “must include the number, type, location and plan for staging construction of all dwelling units and such other information as the Department requires to determine the applicant’s compliance with this chapter.” (Chapter 25A, Section 5(i))

3) The MPDUs should be distributed among the residential floors.