



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

**Staff Report: Limited Site Plan Amendment 82008015C, 1150 Ripley Street**

**ITEM #:** \_\_\_\_\_

**MCPB HEARING DATE:** February 10, 2011

**REPORT DATE:** January 31, 2011

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief  
Robert Kronenberg, Supervisor  
Area 1

**FROM:** Elza Hisel-McCoy, Assoc. AIA, LEED-AP  
Planner Coordinator  
Area 1  
301.495.2115  
elza.hisel-mccoy@montgomeryplanning.org

**APPLICATION DESCRIPTION:** Amendment to an approved Site Plan to allow conversion of some non-residential space to live-work units, within the approved maximum limits for dwelling units, non-residential uses, and parking, and associated modifications to the public use space, building facades, streetscape, and landscaping; located on Ripley Street, 356 feet west of Georgia Avenue in the Silver Spring CBD Sector Plan area.

**APPLICANT:** Washington Property Company

**FILING DATE:** December 9, 2010

**RECOMMENDATION:** Approval with conditions

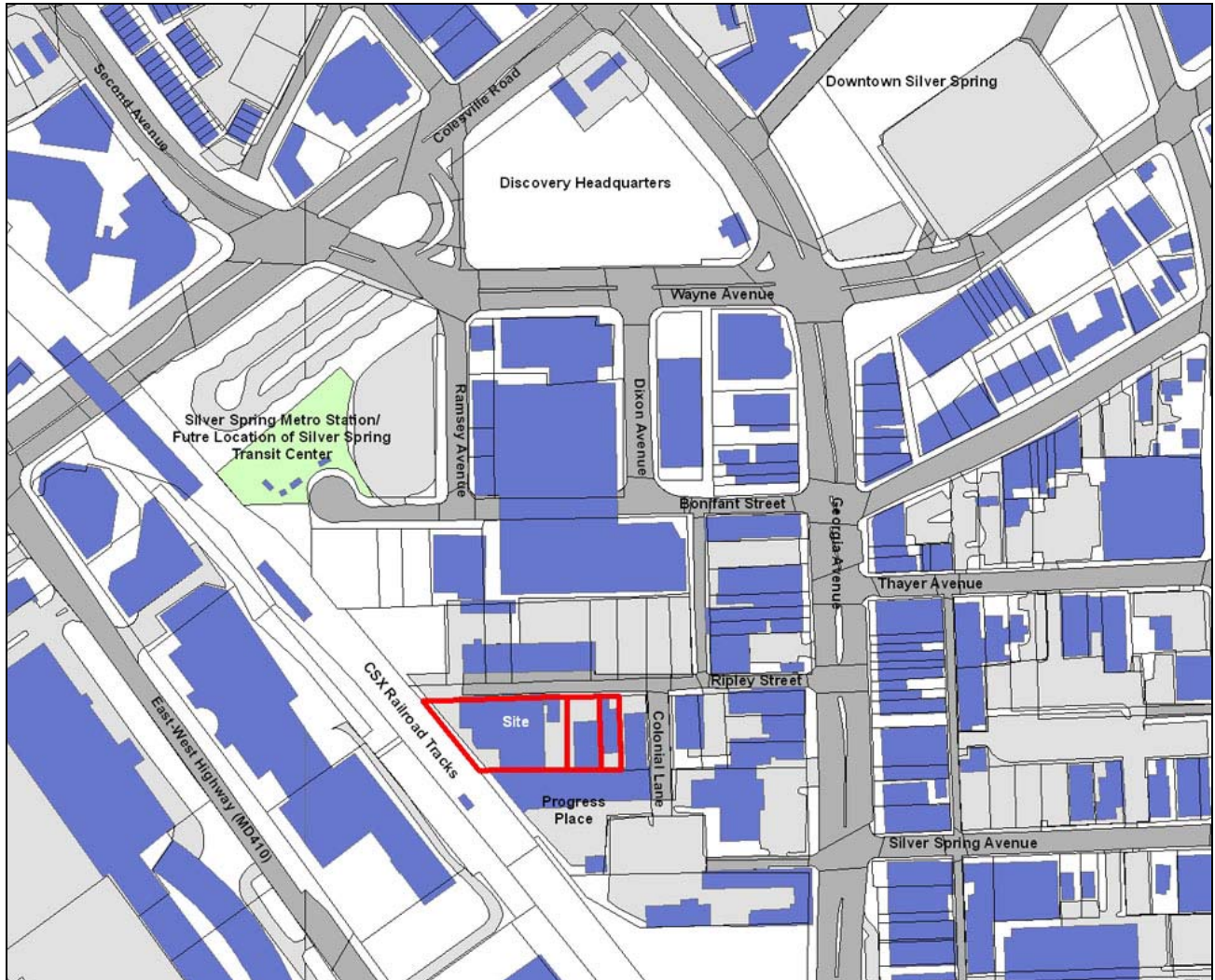
Approval signatures

--	--	--	--	--

## SITE DESCRIPTION

### Vicinity

The 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.



*Vicinity Map*

### Site Analysis

The 1150 Ripley Street site is on the south side of Ripley Street west of Georgia Avenue. The site is currently under construction.



*Aerial Photo*

## **PROJECT DESCRIPTION**

### **Previous Approvals**

The Planning Board approved Project Plan #920070040 on May 31, 2007, 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. The Planning Board Opinion, dated June 22, 2007, is appended.

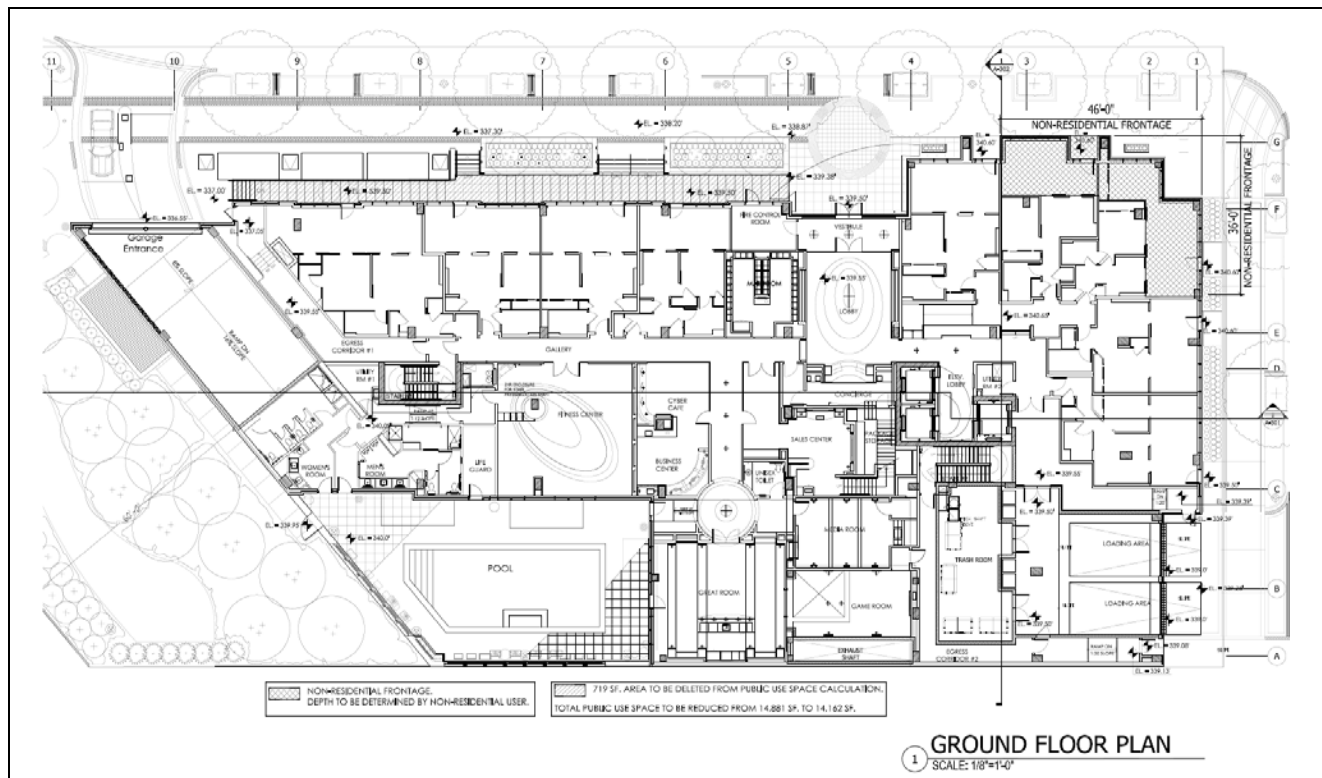
On July 3, 2008, the Planning Board approved a Project Plan Amendment 92007004A, Preliminary Plan 120080210, and Site Plan 820080150, for 318 multi-family dwelling units, including 48 MPDUs (15% of the total), and up to 7,460 square feet of retail uses.

On June 11, 2009, the Planning Director administratively approved Site Plan Amendment 82008015A, for modifications to landscaping and retail streetscape design on Ripley Street.

On November 18, 2010, the Planning Board approved Site Plan Amendment 82008015B for minor modifications to exterior landscaping, hardscaping, and lighting; reconfiguration of a loading area that results in the net loss of 189 square feet of on-site public use space and 292 square feet of off-site public amenity space; and a revision of the distribution of unit types within the building.

### Proposal

The Applicant proposes to amend the approved Site Plan to allow the flexibility to convert some non-residential space to live-work or residential units, and to make associated modifications to the public use space, building facades, streetscape, and landscaping. The proposal does not affect the approved maximum limit of 318 dwelling units, 7,460 sf. of non-residential uses, and 309 parking spaces remain unchanged.



Site Plan

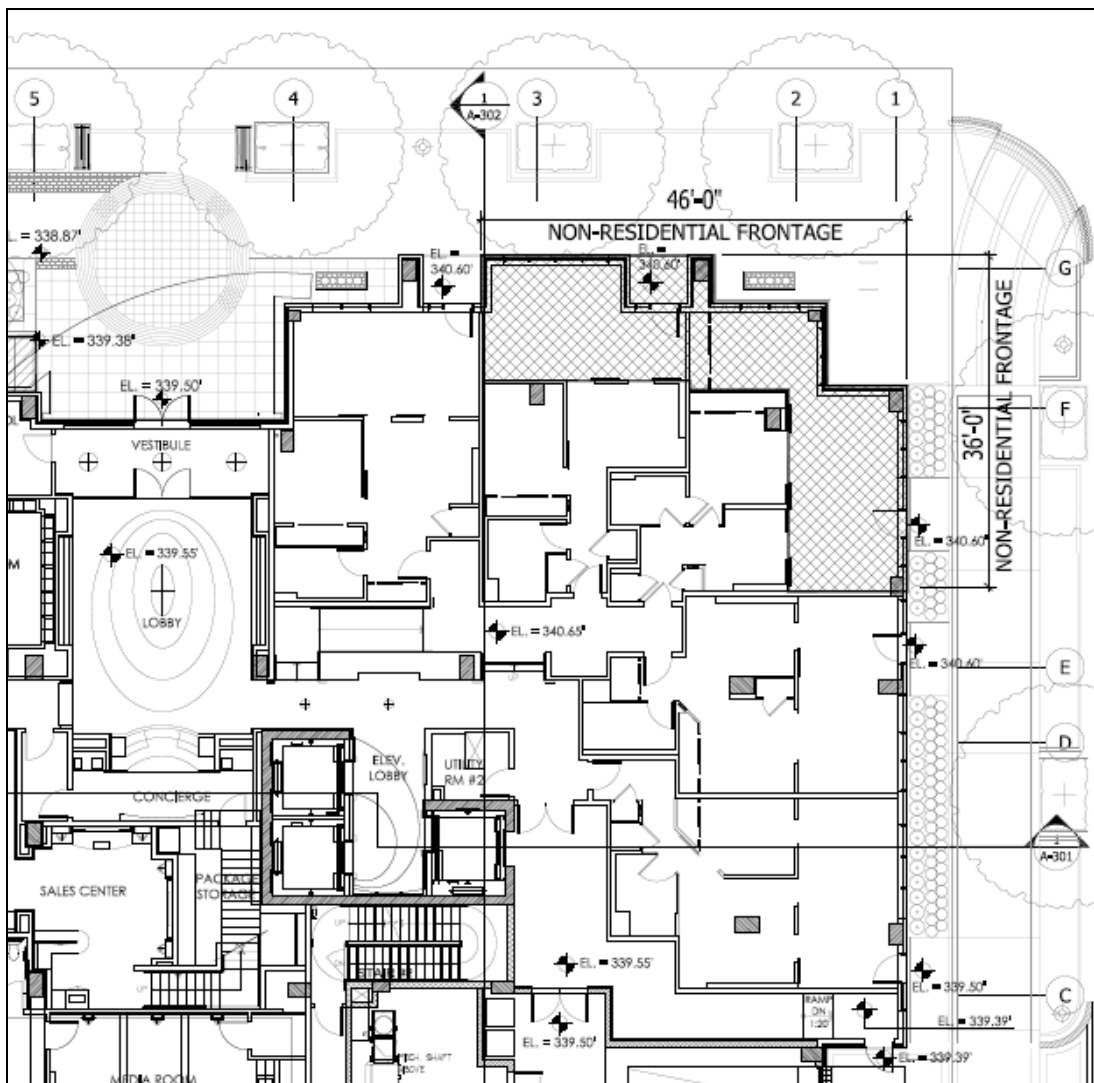
### Non-residential uses

The maximum residential density for this project is limited by the mixed-use development provisions of Div. 59-C-6.23, which in the CBD-2 Zone allows a maximum total FAR of 5 with a maximum non-residential FAR of 3. Thus for mixed-use projects, the code does not limit the number of dwelling units; the Applicant may propose to divide their residential density into as many units as they see fit.

In contrast, Applicants proposing single-use residential development in the CBD zones are limited to a certain number of dwelling units per acre (du/a). For the CBD-2 zone, the maximum density for single-use residential development is 200 du/a.

For this mixed-use project, the Planning Board approved the Applicant's proposal for a maximum residential FAR of 4.85 (5.92 w/ MPDU bonus density), and 318 dwelling units. Calculated as a single-use residential development, the development's gross tract area of 50,317 sf. (1.16 acres) would yield only 232 dwelling units.

To keep the project mixed-use, while maintaining the Applicant's flexibility to adapt to market conditions regarding the residential or non-residential use for the ground floor, staff worked with the Applicant to identify a minimum amount of required non-residential uses. This is defined not in terms of built area, but rather in terms of linear street frontage from the corner of Ripley Street and Dixon Avenue.



*Proposed non-residential frontage*

This retail corner is the essential retail space for this building, and is located diagonally opposite the non-residential uses approved as part of the Ripley North development across Ripley Street. So long as the linear frontage described in the diagram below and in the accompanying condition of

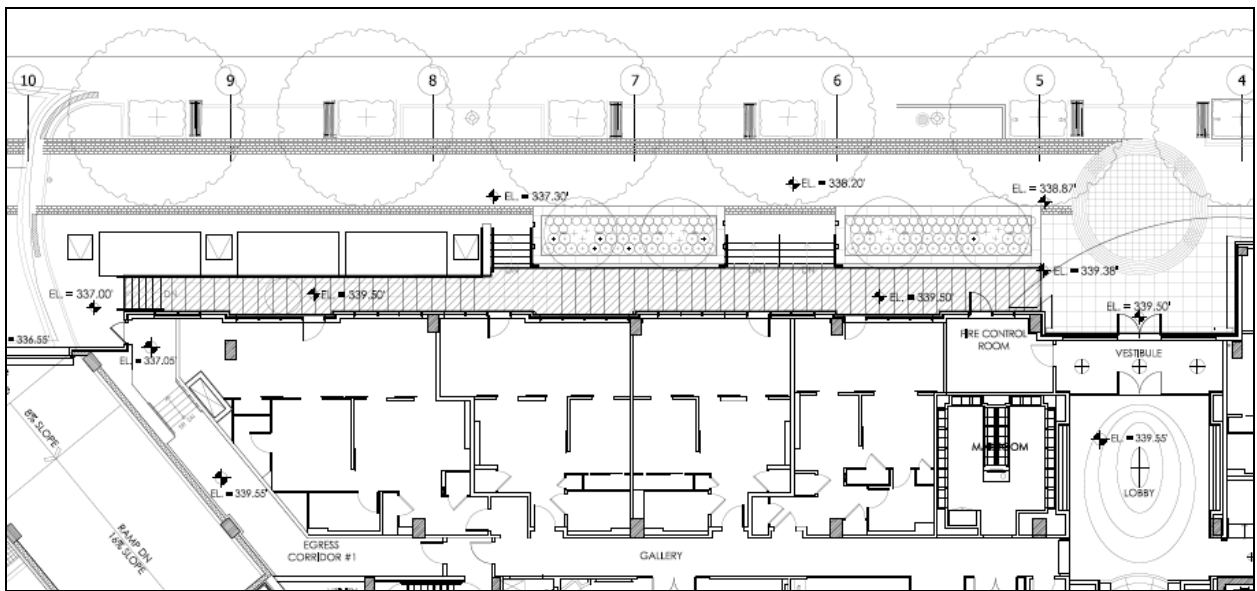
approval is met, the Applicant may adjust the depth of the retail space as they see fit, to the approved maximum non-residential use area of 7,460 sf. As conditioned below, at time of building permit Montgomery County Permitting Services staff, in coordination with planning staff, will review proposed non-residential uses to verify compliance with the intent of this provision.

### Public Use Space

To accommodate an additional loading bay on Dixon Avenue, Site Plan Amendment 82008015B reduced the on-site public use space by 189 square feet, from 14,784 square feet (37.7% of net lot area) to 14,595 square feet (37.3% of net lot area).

A portion of the currently approved public use space is located along Ripley Street between the public right of way and the non-residential use portion of the building. As the intent of that space was for retail or similar uses where public access would be regular and expected, staff recommended its inclusion in the public use space calculation.

With this proposed amendment, however, except as described above the interior building space along the street frontage could be used for live-work units or straight residential units, where public access might be neither regular nor expected. Staff is thus recommending that the terrace area immediately adjacent to the Ripley Street façade, approximately 719 sf., be eliminated from the total amount of on-site public use space. This designation would allow the space to be used as a more private “front porch” for residential units as well as an area for seating or window shopping for live-work units.



*Public Use Space to be eliminated*

The remaining balance of public use space would be 13,876 sf. (35.5% of net lot area), down from 14,595 sf. (37.3% of the net lot area). The approved off-site public amenity space remains unchanged.

## **PROJECT ANALYSIS**

The proposed amendment does not affect conformance with the Silver Spring CBD Sector Plan, transportation and circulation, or environmental features on the site, including stormwater management. Except for the public use space, the proposal does not alter the approved development standards.

The proposal provides for 13,876 sf. of on-site public use space (35.5% of the net lot area), well in excess of the required 20%, and 5,384 square feet of off-site amenity streetscaping (13.7% of net lot area), for a total of 19,260 sf. (49.2% of the net lot area). In addition, the Applicant will still provide a significant public art installation in their on-site public space and, in cooperation with the Ripley North project, is constructing the extension of Ripley Street from Dixon Avenue to Bonifant Street, in coordination with the new Silver Spring Transit Center.

## **COMMUNITY OUTREACH**

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendment was sent to all parties of record on December 9, 2010, giving 15 days for comments. Staff has not received correspondence on this matter.

## **RECOMMENDATION AND CONDITIONS**

The proposed modifications to the site plan will not alter the overall character or impact of the development with respect to the original findings of approval. Given the project's significant contribution of the public amenities of the Ripley District, staff recommends approval of the reduction of public use space.

Staff recommends approval of site plan 82008015C, 1150 Ripley Street, for the amendments delineated above. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on December 9, 2010, are required except as modified by the following condition.

1. Site Plan Conformance

The proposed development must comply with the conditions of approval for site plan 820080150, as listed in the Planning Board Resolution 08-99 dated October 27, 2008, as amended by administrative site plan amendment 82008015A, approved by the Planning Director on June 11, 2009, and consent site plan amendment 82008015B, as listed in the Planning Board Resolution 10-154 dated December 15, 2010.

2. Non-residential Uses

At a minimum, the Applicant must retain for only non-residential uses the portion of the ground floor at the intersection of Ripley Street and Dixon Avenue defined by a linear street frontage of 46 linear feet along Ripley Street and 36 linear feet along Dixon Avenue, to be measured as illustrated in the Certified Site Plan. Non-residential uses must not exceed the approved maximum limit of 7,460 sf. Non-residential use area will be determined by the non-residential user at time of building permit for that use. The building permit for each unit containing non-residential space must be approved by M-NCPPC staff. A copy of the building permit application for each non-residential use must be provided to M-NCPPC for the record file.

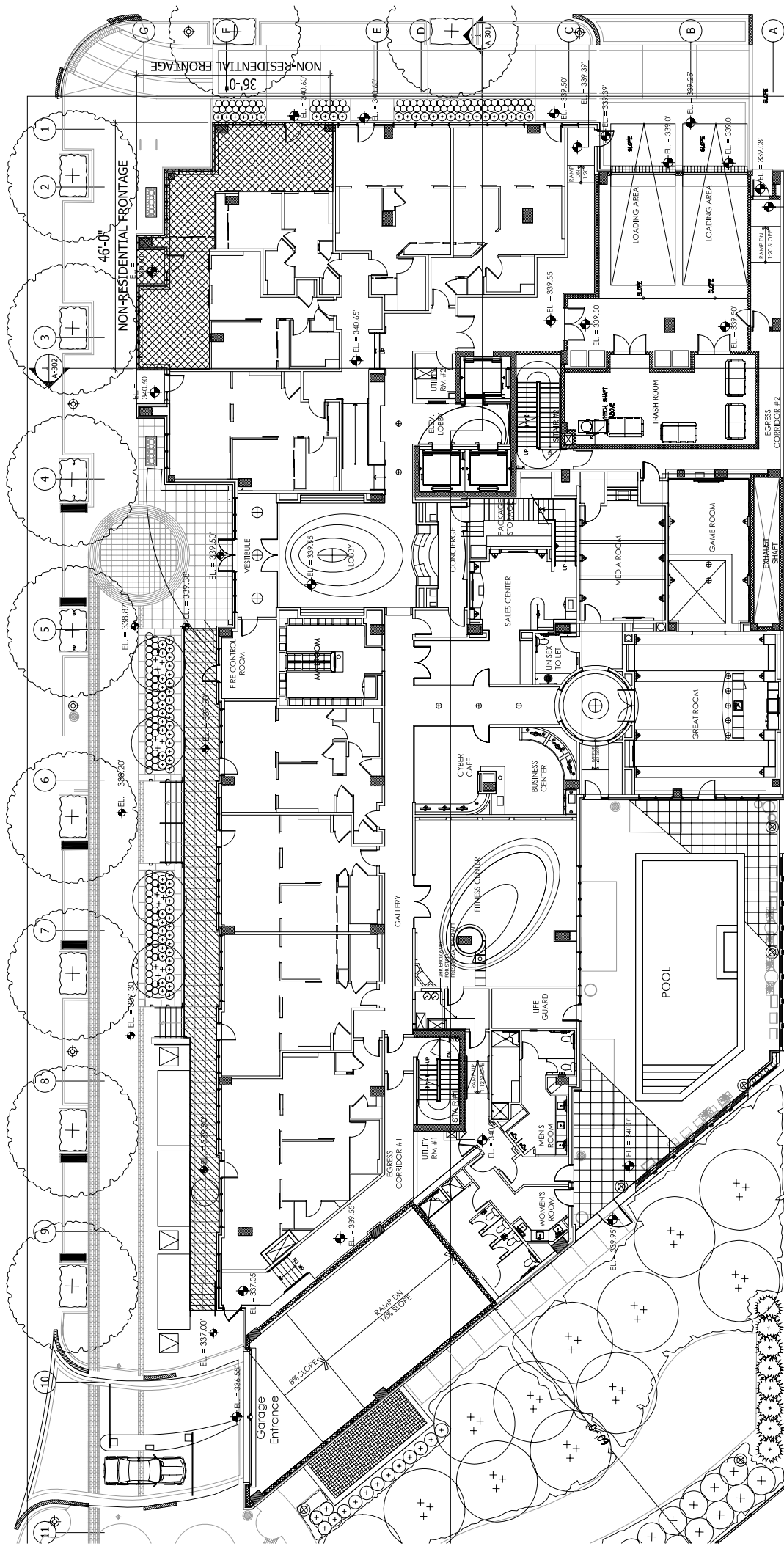
3. Public Use Space

The Applicant must deduct from the calculation of on-site public use space the area along Ripley Street between the building and the right-of-way, as illustrated in the attachment to the Applicant's letter dated January 24, 2011, and documented on the Certified Site Plan.

**APPENDICES**

- A. Revised Proposal
- B. Prior Resolutions





719 SF. AREA TO BE DELETED FROM PUBLIC USE SPACE CALCULATION.  
 TOTAL PUBLIC USE SPACE TO BE REDUCED FROM 14,881 SF. TO 14,162 SF.

NON-RESIDENTIAL FRONTAGE  
 DEPTH TO BE DETERMINED BY NON-RESIDENTIAL USER.

**GROUND FLOOR PLAN**

1 SCALE: 1/8"=1'-0"

OCT 27 2008



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

Appendix B

MCPB No. 08-99  
Site Plan No. 820080150  
Project Name: 1050 Ripley Street  
Date of Hearing: July 3, 2008

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on December 7, 2007, Washington Property Company ("Applicant"), filed an application for approval of a site plan for 305,293 gross square feet of mixed-use development, including 297,833 square feet of multi-family residential uses with a maximum of 318 dwelling units including 48 MPDUs (15% of the total), and 7,460 square feet of retail uses ("Site Plan" or "Plan") on 1.16 acres of CBD-2-zoned land, located in the southwest quadrant of the intersection of Ripley Street and Colonial Lane/Dixon Avenue ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820080150, 1050 Ripley Street (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated June 20, 2008, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on July 3, 2008, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

**APPROVED AS TO LEGAL SUFFICIENCY**

Handwritten signature of Kathleen D. Cook in blue ink.

**M-NCPPC LEGAL DEPARTMENT**

**DATE** 10/20/08

8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

[www.MCParkandPlanning.org](http://www.MCParkandPlanning.org) E-Mail: [mcp-chairman@mncppc.org](mailto:mcp-chairman@mncppc.org)

WHEREAS, on July 3, 2008, the Planning Board voted to approve the Application subject to conditions on the motion of Commissioner Robison; seconded by Commissioner Cryor; with a vote of 4-0; Commissioners Cryor, Hanson, Presley, and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820080150 for 305,293 gross square feet of mixed-use development, including 297,833 square feet of multi-family residential uses with a maximum of 318 dwelling units including 48 MPDUs (15% of the total), and 7,460 square feet of retail uses on 1.16 gross acres in the CBD-2 zone, subject to the following conditions:

1. Project Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Project Plan No. 920070040, as amended by the approved Resolution for Project Plan No. 92007004A;

2. Preliminary Plan Conformance

The proposed development must comply with the conditions of the approved Resolution for Preliminary Plan No. 120080150, unless amended and approved by the Planning Board;

3. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED-Silver rating. Before the issuance of any building permit, the Applicant must inform M-NCPPC Staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of any building permit the Applicant must provide to Staff a written report from the Applicant's LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED-Silver rating, including their associated extra cost;

4. Site Plan

- a. On the Ripley Street, Dixon Avenue, and CSX frontages, maintain a consistent architectural articulation of a minimum two-story and/or 30-foot building base;
- b. Provide retail entrances from both the Ripley Street and Dixon Avenue sidewalks;

5. Transportation

- a. The Applicant must comply with all conditions contained in Transportation Planning's memo dated June 16, 2008;
- b. The Applicant must participate with the applicant for Midtown Silver Spring (Site Plan No. 820060250), Home Properties Ripley Street, LLC, for the coordinated construction of Ripley Street as shown in the Ripley Street Shared Cost Exhibit dated May 30, 2008. By Certified Site Plan, the Applicant must submit the executed Participation Agreement to M-NCPPC Staff;
- c. All sidewalk improvements must be constructed in accordance with the latest version of the Silver Spring CBD streetscape standards;
- d. Within the 15-foot sidewalk panel on the west side of the Ripley Street extension, provide a minimum 10-foot shared use bike path connecting from the Transit Center to the sidewalk in front of the building;

6. Maryland Transit Administration (MTA) Coordination

The Applicant must comply with all conditions of MTA's letter dated May 13, 2008, from Michael Madden, Maryland Transit Administration (MTA), to Thomas Autrey, M-NCPPC, unless amended by MTA;

7. Environment

The Applicant must comply with all conditions of Environmental Planning's memo dated June 17, 2008;

8. Lighting

- a. All private on-site down-lighting fixtures must be full cut-off fixtures;
- b. Deflectors must be installed on all up-lighting fixtures causing potential glare or excess illumination;

9. Moderately Priced Dwelling Units (MPDUs)

- a. The proposed development must provide 48 MPDUs (15%) on-site in accordance with Chapter 25A of the Montgomery County Code. The Applicant is receiving a 22 percent residential density bonus;
- b. The Applicant must comply with all conditions of the Department of Housing and Community Affairs' (DHCA) letter dated May 12, 2008;
- c. The Applicant must obtain an agreement pertaining to the construction and staging of MPDUs from DHCA prior to the issuance of any building permits;

10. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 3, 2007, unless amended and approved by the Montgomery County Department of Permitting Services (MCDPS);

11. Development Program

The Applicant must construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by Staff prior to approval of the Certified Site Plan. The Development Program shall include a phasing schedule as follows:

- a. Street improvements to Ripley Street along the property boundary and Dixon Avenue/Colonial Lane must be completed as building construction is completed;
- b. The Ripley Street extension to Bonifant Street must be completed per the Participation Agreement with the county;
- c. The streetscape improvements and street tree planting, site lighting, seating areas, indoor amenities, and the outdoor terrace, must be completed before issuance of any use and occupancy permits;
- d. All on-site landscaping must be completed within six months of the issuance of any use and occupancy permits;
- e. Specify phasing of pre-construction meetings, dedications, sediment/erosion control, or other features;

12. Clearing and Grading

- a. The Applicant may demolish the existing buildings on the site prior to M-NCPPC approval of the Certified Site Plan;
- b. The Applicant must ensure that there is no clearing or grading of the subject site prior to M-NCPPC approval of the Certified Site Plan;

13. Maintenance

The Applicant is responsible for maintenance of on-site landscaping and recreation facilities;

14. Certified Site Plan

Prior to Certified Site Plan approval the following revisions shall be included and/or information provided, subject to Staff review and approval:

- a. Minor corrections and clarifications to site details and labeling;
- b. Recreation Facilities Plan, with calculations, demonstrating the indoor recreation facilities' compliance with the M-NCPPC Recreation Guidelines;
- c. A Transportation Improvement Plan, including phasing and responsibility for improvements to Ripley Street and Colonial Lane/Dixon Avenue;
- d. Development Program, Inspection Schedule, Approved Forest Conservation Plan, and Site Plan Resolution;
- e. A building elevation diagram for the Ripley Street, Dixon Avenue, and CSX frontages demonstrating the consistent architectural articulation of a minimum two-story and/or 30-foot building base;
- f. All areas within the project Limits of Disturbance, including all off-site improvements;

- g. Limits of construction for the Metropolitan Branch Trail;
- h. Revise the shared-use bike path along the west side of Dixon Avenue as necessary to conform to its counterpart on the north side of Ripley Street;
- i. An updated public use space and amenity diagram;
- j. Show the 60-foot Public Improvement Easement along the CSX right-of-way on the west side of the site;
- k. Provide interim and final diagrammatic street sections for Colonial Lane and Dixon Avenue south of Ripley Street;

BE IT FURTHER RESOLVED that all site development elements as shown on 1050 Ripley Street drawings stamped received by the M-NCPPC on May 1, 2008, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

This Site Plan is consistent with the approved Project Plan, as amended by Project Plan No. 92007004A. It retains the overall site and building design as approved by the Planning Board, with only minor changes for clarity.

2. *The Site Plan meets all of the requirements of the CBD-2 zone and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the Central Business District 2 (CBD-2) zone as demonstrated in the Project Data Table below. The height, density, and setbacks contained in the Zoning Ordinance and approved Project Plan are largely retained with this Site Plan Application.

**Project Data Table**

Development Standards

Development Standards Approved by  
 the Planning Board and Binding on  
 the Applicant

<b>Min. Gross Tract Area (square feet)</b>	50,317
Previously Dedicated Area	-5,535
Proposed Dedicated Area	-5,617
<b>Net Lot Area</b>	39,166
<b>Max. Building Height (feet) <sup>1</sup></b>	200
<b>Max. Density, Mixed Use</b>	
Non-Residential (FAR)	.15
Non-Residential (sf)	7,460
Residential, w/ 22% MPDU Bonus (FAR)	5.92
Residential, w/ 22% MPDU Bonus (sf)	297,833
<b>Total, Residential &amp; Non-Residential (FAR)</b>	6.07
<b>Total, Residential &amp; Non-Residential (sf)</b>	305,293
<b>Setbacks, Minimum (ft.)</b>	
Front (Ripley Street)	0
Rear	0
West (CSX Tracks)	60
East (Colonial Lane/Future Dixon Avenue)	0
<b>Public Use and Amenity Space (% of net lot)</b>	
Public Use Space	37.7
Public Amenity Space	13.7
<b>Total</b>	51.5
<b>Max. Parking Spaces</b>	309

<sup>1</sup> On a corner lot exceeding 20,000 square feet in area, the height of the building may be measured from either adjoining curb grade. The Certified Site Plan will indicate the measuring point.

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

a. Buildings and Structures

The proposed building provides an appropriate higher-density mixed residential use with ground-floor retail on an optimal site for accessibility to mass transit and neighborhood facilities. The design and layout of the building are compatible with the planned development of the Ripley District in terms of massing, detailing, and height. Both the use and the design elements of the architecture provide an adequate, safe, and efficient building on the subject site.

b. Open Spaces

The Plan proposes over thirty-seven percent of the net lot area for public use on-site, including an attractive plaza adjacent to a master-planned bike route as well as landscaping around the future bike route itself, and about fourteen percent of the net lot area for off-site streetscape improvements. The open space between the building and CSX railroad tracks will include a sixty-foot easement for the potential location of the Purple Line. The Applicant will also construct the extension of Ripley Street to Bonifant Street. Each of these features contributes to a significantly improved open spaces experience that is adequate, safe, and efficient.

c. Landscaping and Lighting

The proposed landscaping on the site consists of foundation plantings along the building frontage on Ripley Street and Dixon Avenue, landscaped beds along the public plaza, and trees along the Metropolitan Branch Trail bike path. The street trees will be installed per the Silver Spring CBD Streetscape Plan details. These trees and the plantings along the pedestrian and bicycle paths provide an adequate, safe, and efficient environment for residents and passers-by.

The lighting plan consists of Silver Spring streetscape-specified Washington Globe luminaires on Ripley Street and Dixon Avenue. Other site lighting will be full cut-off and will provide adequate, safe, and efficient site illumination.



d. Recreation Facilities

The Plan is providing ample recreation facilities through a combination of on-site exterior seating areas and a private pool, interior fitness and recreation rooms, and an extensive community pedestrian network. The Applicant is taking partial credit, per the M-NCPPC Recreation Guidelines for off-site resources, including nearby Jessup Blair Park. The provided facilities are in conformance with the Guidelines and are adequate, safe, and efficient.

e. Vehicular and Pedestrian Circulation

Vehicular access to the site will be provided directly from Ripley Street and Dixon Avenue. Sidewalks along Ripley Street and Dixon Avenue will be improved to conform to the Silver Spring CBD Streetscape Guidelines. These sidewalks will further integrate the development into the existing community and provide adequate, safe and efficient pedestrian access to the neighborhood circulation system and the Silver Spring Transit Center. Vehicular and pedestrian circulation, as a whole, are adequate, safe, and efficient.

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

The building is compatible with the other constructed, proposed, and planned high-rise mixed-use development in the Ripley District, including the Silver Spring Gateway project across the train tracks (143 feet), the proposed Midtown Silver Spring (200 feet), and the forthcoming Silver Spring Transit Center, in terms of massing, scale, detailing, and layout.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The subject Site Plan, including off-site improvements, is subject to forest conservation requirements. The site does not currently include any trees, and the Applicant expects to meet their forest conservation requirements through on- and off-site planting and/or fee in lieu. Final conformance will be verified by Certified Site Plan.

The proposed storm water management concept approved by MCDPS on January 3, 2007, consists of on-site water quality via a flow-based StormFilter. On-site recharge is waived since this is within a CBD zone with a lot less than two acres and presents a 14 percent decrease in the impervious area on the site.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is OCT 27 2008 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Cryor, seconded by Commissioner Presley, with Commissioners Hanson, Cryor, and Presley voting in favor of the motion, and with Commissioner Alfandre abstaining and Commissioner Robinson absent, at its regular meeting held on Thursday, October 23, 2008, in Silver Spring, Maryland.

  
Royce Hanson, Chairman  
Montgomery County Planning Board



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

**Memorandum**

**TO:** Rollin Stanley, Planning Director *RS*

**VIA:** Rose Krasnow, Chief *RK*  
Robert Kronenberg, Supervisor *[Signature]*  
Development Review Division

**FROM:** Elza Hisel-McCoy, Assoc. AIA, LEED-AP *[Signature]*  
Coordinator  
Development Review Division

**RE:** 1150 Ripley (formerly 1050 Ripley Street)  
SITE PLAN #82008015A

**DATE:** June 3, 2009

Pursuant to Montgomery County Code Division 59-D-3.7 (Minor Amendments), the Planning Director may approve in writing certain applications for an amendment to the Certified Site Plan. Administrative or "Director Level" Amendments are modifications to the approved Certified Site Plan that are considered minor in nature and do not alter the intent and objectives of the plan.

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the DRD Intake Section is also not required; however, submittal of the application to DRD is applicable. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual and require approval of the Planning Director.

On May 6, 2009, Silver Spring Project, LLC, c/o Washington Property Company ("Applicant") filed a site plan amendment application designated Site Plan No. 82008015A ("Amendment") for approval of the following modification:

1. Modification to landscaping and retail streetscape design on Ripley Street, with final details to be determined by Certified Site Plan.

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on April 28, 2009. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence from the parties of record.

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not

alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

This Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

 ACCEPTED & APPROVED BY:



---

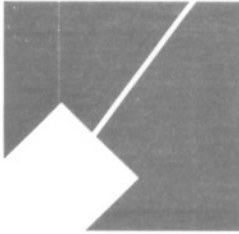
Rollin Stanley, Planning Director

06-11-09

Date Approved

DEC 15 2010

M-NCPPC



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

OFFICE OF THE GENERAL COUNSEL  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
www.mncppc.org

Tel: (301) 495-4646 Fax: (301) 495-2173

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Carol S. Rubin, Associate General Counsel 

DATE: November 22, 2010

RE: Correction to Site Plan No. 82008015B 1150 Ripley Street

---

Attached please find a redlined version of the resolution for Site Plan 82008015B, 1150 Ripley Street, which corrects an error on page two. The staff report date has been corrected. The resolution was adopted on November 18, 2010 by the Montgomery County Planning Board, but has not been mailed to the parties of record.

We request that the Planning Board approve the correction to the resolution so that the corrected resolution can be mailed out to the parties of record.

DEC 15 2010



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

MCPB No. 10-154  
Site Plan No. 82008015B  
Project Name: 1150 Ripley Street  
Hearing Date: November 18, 2010

**CORRECTED RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

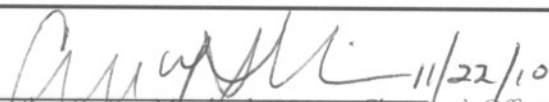
WHEREAS, on July 3, 2008, the Planning Board approved Site Plan 820080150 (MCPB Resolution 08-99) for 318 multi-family dwelling units, including 48 MPDU's (15% of the total), and up to 7,460 square feet of retail uses; and

WHEREAS, on June 11, 2009, the Planning Director administratively approved Site Plan Amendment 82008015A, for modifications to landscaping and retail streetscape design on Ripley Street; and

WHEREAS, on September 15, 2010, Washington Property Company ("Applicant") filed a site plan amendment application designated Site Plan No. 82008015B ("Amendment") for approval of the following modifications:

1. Revisions to unit mix within approved building envelope;
2. Minor revisions to elevations to accommodate revisions to unit mix and addition of balconies;
3. Widening of curb cut along Dixon Avenue to accommodate additional loading bay, thereby reducing the on-site public use space by 189 square feet, from 14,784 square feet (37.7% of net lot area) to 14,595 square feet (37.3% of net lot area), and reducing the off-site amenity space by 292 square feet, from 5,384 square feet (13.7% of net lot area) to 5,092 square feet (13% of net lot area);
4. Decrease size of the swimming pool and correspondingly increase the size of sundeck, and revise fence adjacent to swimming pool for better noise attenuation;
5. Shift location of bike path and planting changes within approved easement, with associated grading changes;
6. Install fence along WMATA right-of-way;
7. General modifications to landscape plantings;
8. Site and exterior building lighting modifications; shift in one street light;

Approved as to  
Legal Sufficiency:

  
11/22/10

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

[www.MCParkandPlanning.org](http://www.MCParkandPlanning.org) E-Mail: [mcp-chairman@mncppc.org](mailto:mcp-chairman@mncppc.org)

9. Identification of on-street parking;
10. Modifications to site furniture: add 2 streetscape benches and remove 2 café tables and chairs and 2 metal bollards;
11. Revision to design of concrete piers on Ripley Street; and
12. Revision to skateboard deterrent joint at raised circular planter on northwest corner of site; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated ~~October 25, 2010~~ November 5, 2010, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on November 18, 2010, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing").

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby APPROVES Site Plan No. 82008015B, subject to the following conditions:

#### **Conformance with Previous Approvals**

1. Project Plan Conformance

The development must comply with the conditions of approval for Project Plan 920070040 (MCPB No. 07-77) and Project Plan Amendment 92007004A (MCPB 08-100), unless amended.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan 120080210 (MCPB 08-125), unless amended.

3. Site Plan Conformance

The development must comply with the conditions of approval for Site Plan 820080150 (MCPB No. 08-99) and Site Plan Amendment 82008015A (Administrative Approval dated June 11, 2009), unless amended.

BE IT FURTHER RESOLVED, that the Montgomery County Planning Board FINDS, that with this Amendment as approved, the Amendment does not alter the findings of the previous approvals; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is DEC 15 2010 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

#### CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor of the motion, and with Commissioner Alfandre absent, at its regular meeting held on Thursday, December 2, 2010, in Silver Spring, Maryland.

  
Françoise Carrier, Chair  
Montgomery County Planning Board



Washington Property Company  
Daryl South  
4719 Hampden Lane, Suite 300  
Bethesda, MD 20814

Loiederman Soltesz Associates, Inc.  
Amy Quant, PE  
2 Research Place, Suite 100  
Rockville, MD 20850

Lessard Urban  
Derek Warr, AIA  
8521 Leesburg Pike, Suite 700  
Vienna, VA 22182

Hord Coplan Macht, Inc.  
Chris Shein  
750 E. Pratt Street, Suite 1100  
Baltimore, MD 21202

Linowes & Blocher  
Heather Dlhopsky  
7200 Wisconsin Avenue, Suite 800  
Bethesda, MD 20814