

MEMORANDUM

**DATE:** January 10, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** Joe Davis, Chief *LRP*  
 Development Review Division  
**FROM:** Robert A. Kronenberg, RLA and *PAK*  
 Miguel Iraola, RLA  
 Planning Department Staff  
 (301) 495-2187 and (301) 495-4512

**REVIEW TYPE:** Site Plan Review  
**APPLYING FOR:** Approval of 49,680 gross square feet (gfs) of development, including 19,500 gsf of office and 30,180 gfs for use as a senior and child day care facility on approximately 0.65 acres.

**PROJECT NAME:** Easter Seals-Silver Spring  
**CASE #:** 8-02016  
**REVIEW BASIS:** Section 59-D-3, M.C. Zoning Ordinance

**ZONE:** CBD-R1  
**LOCATION:** Southeast quadrant of the intersection of Spring Street and Second Avenue in downtown Silver Spring

**MASTER PLAN:** Silver Spring CBD Sector Plan  
**APPLICANT:** Easter Seal Society for Disabled Children and Adults, Inc.  
**FILING DATE:** November 2, 2001  
**HEARING DATE:** January 10, 2002



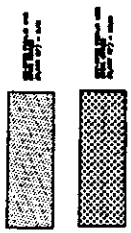
**STAFF RECOMMENDATION:** The staff recommends approval of Site Plan #8-02016 for the Easter Seal-Silver Spring Project with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. The building shall be designed to be sympathetic in scale, mass and architectural articulation with the confronting residential community and incorporate such features as a wrap around porch, an intersecting and varied roofline, and the use of high quality exterior façade materials (on all sides of the building) such as brick and stone.
3. The proposed on-site public use space shall not be less than the proposed 11.4 percent of the net lot area of the site. The proposed off-site public use space and amenities shall not be less than 20 percent. The space shall be easily and readily accessible to the general public and used for public enjoyment.
4. Applicant to install a covered bus shelter at the existing bus stop located along

- Second Avenue, as acceptable to DPW&T.
5. Site, Landscape and Lighting and Sediment and Erosion Control Plans subject to review by staff prior to approval of signature set. Prior to signature set approval, the applicant shall provide the following revisions or information to the plans:
    - a. Site Plan signature set to show all easements, limits of disturbance, PUE's, PIE's, public open space, dimensions and placement of sidewalks and storm drain outlets.
    - b. Site Circulation:
      1. Provide a sign at the garage and loading dock exits along Second Avenue cautioning drivers approaching the pedestrian and bicyclist crossings.
      2. Indicate the (Class II or III) Sector Plan bikeway designations for Second Avenue and Spring Street on the site plan and coordinate with the Montgomery County Department of Public Works and Transportation (DPW&T) when the County paints the bikeway markings.
    - c. Landscape and Lighting Plan to show the following:
      1. Provide metal halide lamps for the street lighting subject to approval by the Montgomery County Department of Public Works and Transportation (DPW&T).
      2. Remove the existing metal tree grates and enlarge the tree pits to conform to the standard 5 foot by 8 foot Type B tree pit along the west side of Second Avenue in front of the Post Office building as acceptable to DPW&T. The applicant shall provide the Belgian Block stone in the tree pits in accordance with the Silver Spring Streetscape standards.
      3. Provide two three-inch caliper Willow Oaks in standard Type B tree pits on the west side of Second Avenue between the Post Office and Fenwick Lane in front of 8604 and 8606 Second Avenue as acceptable to DPW&T.
      4. Provide green panels between the proposed tree panels along the Spring Street frontage as acceptable to DPW&T.
      5. The applicant shall accept the maintenance and responsibility for the proposed green panels along Spring Street.
  6. Condition of MCDPS stormwater management concept approval dated February 16, 2001.
  7. Applicant to participate in the Silver Spring CBD Transportation Management Organization through a formal Traffic Mitigation Agreement with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Montgomery County Department of Public Works and Transportation (MCDPWT).
  8. The proposed bus shelter and public use space drawings shall be completed and approved by staff prior to occupancy of the building.

**GENERAL NOTES**

1. All work shall be in accordance with the approved plans and specifications.
2. The contractor shall be responsible for obtaining all necessary permits and approvals.
3. All materials and workmanship shall be subject to inspection and approval by the engineer.
4. The contractor shall maintain access to all adjacent properties at all times.
5. All utility lines shall be located and marked prior to any excavation.
6. The contractor shall be responsible for the safety of all workers and the public.
7. All work shall be completed within the specified time frame.
8. The contractor shall be responsible for the removal and disposal of all debris.
9. All work shall be in accordance with the applicable codes and regulations.
10. The contractor shall be responsible for the protection of all existing structures and utilities.



**SITE / ZONING SUMMARY**

DATE: 10/1/01  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENT
1	ASPHALT DRIVE	10,000	10.0%
2	CONCRETE DRIVE	5,000	5.0%
3	GRASS	85,000	85.0%
4	TOTAL	100,000	100.0%

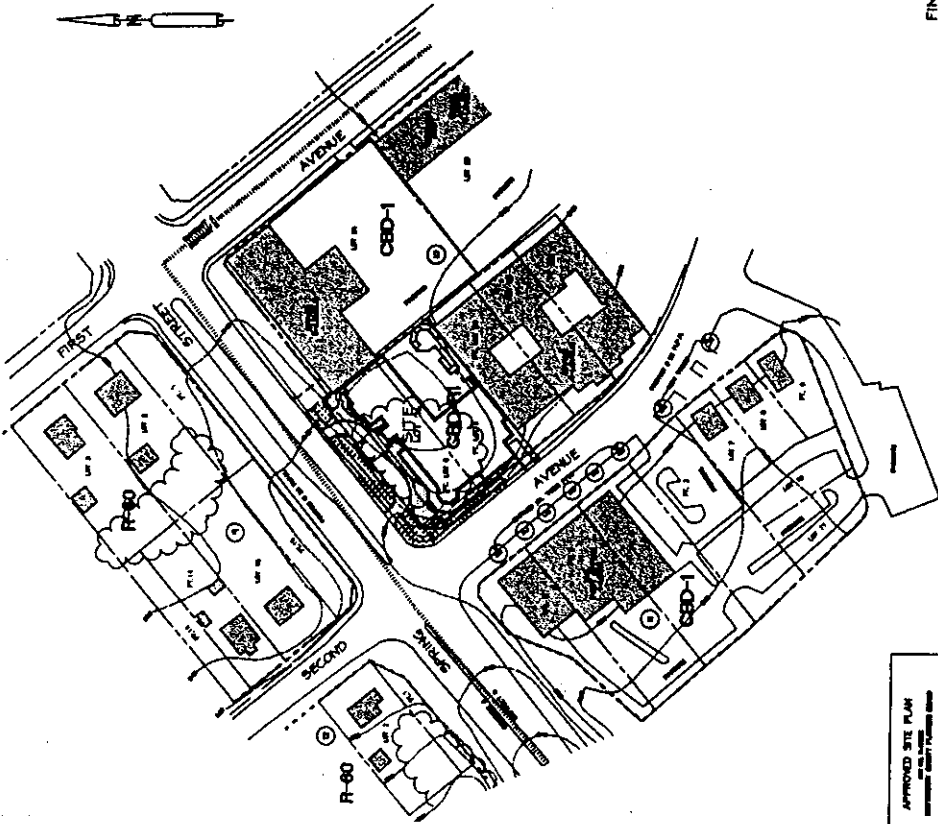
**ENGINEER'S CERTIFICATE**

I, the undersigned, a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the above described work was done in accordance with the approved plans and specifications, and that the same conform to the applicable codes and regulations.

DATE: 10/1/01  
 SIGNATURE: [Signature]  
 TITLE: [Title]

**FINAL SITE PLAN**

**EASTER SEALS - SILVER SPRING**  
 OCTOBER, 2001  
 WHEATON (13th) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND



**CONTRACT PURCHASER**

1414 SPRING STREET  
 SILVER SPRING, MD 20910  
 (301) 441-1111

FINAL SITE PLAN No. 6-  
 PRELIMINARY PLAN No. 1-00064  
 PROJECT PLAN No. 4-00005

**#1414 SPRING STREET  
 EASTER SEALS-SILVER SPRING  
 FINAL SITE PLAN - COVER SHEET**

**SITE AND ADJACENT AREA**

APPROVED SITE PLAN  
 [Signature Line]  
 [Title Line]

[Signature Line]  
 [Title Line]

MISS UTILITY  
 [Signature Line]  
 [Title Line]

NO.	REVISION	DATE	BY	CHECKED BY
1	ISSUED FOR PERMITTING	10/1/01	[Name]	[Name]
2	ISSUED FOR CONSTRUCTION	10/1/01	[Name]	[Name]
3	ISSUED FOR RECORD	10/1/01	[Name]	[Name]

FINAL SITE PLAN - COVER SHEET

EASTER SEALS - SILVER SPRING

WOODSIDE  
 ENGINEERING & ARCHITECTURE  
 1414 SPRING STREET  
 SILVER SPRING, MD 20910  
 (301) 441-1111



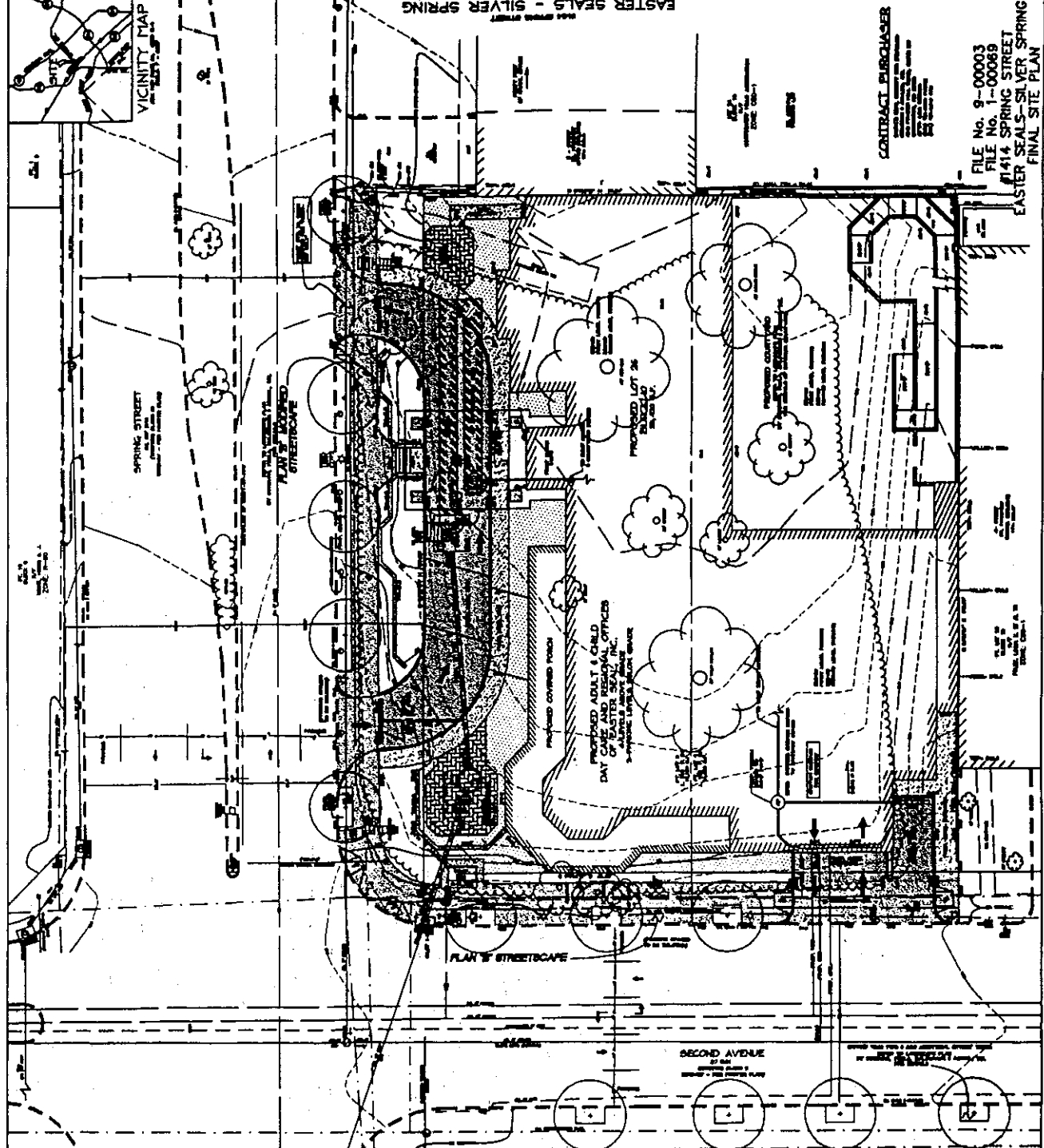
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ENGINEERING AND PLANNING  
CONTRACT PURCHASER  
FILE No. 9-00003  
FILE No. 1-00069  
1414 SPRING STREET  
EASTER SEALS - SILVER SPRING  
FINAL SITE PLAN

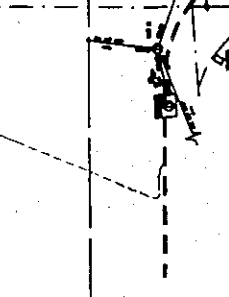
WOODSIDE  
171 WOOD & 8th ST. LOT 9, BLOCK 10  
HIGHLAND PARK DISTRICT, SILVER SPRING, MD  
FINAL SITE PLAN

DATE	10/11/96
BY	WJ
CHECKED BY	WJ
SCALE	AS SHOWN
TITLE	FINAL SITE PLAN
PROJECT	WOODSIDE
CLIENT	WOODSIDE
LOCATION	171 WOOD & 8th ST. LOT 9, BLOCK 10 HIGHLAND PARK DISTRICT, SILVER SPRING, MD
DATE	10/11/96
BY	WJ
CHECKED BY	WJ
SCALE	AS SHOWN
TITLE	FINAL SITE PLAN
PROJECT	WOODSIDE
CLIENT	WOODSIDE
LOCATION	171 WOOD & 8th ST. LOT 9, BLOCK 10 HIGHLAND PARK DISTRICT, SILVER SPRING, MD



**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE.
2. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN ON THE PLAN.
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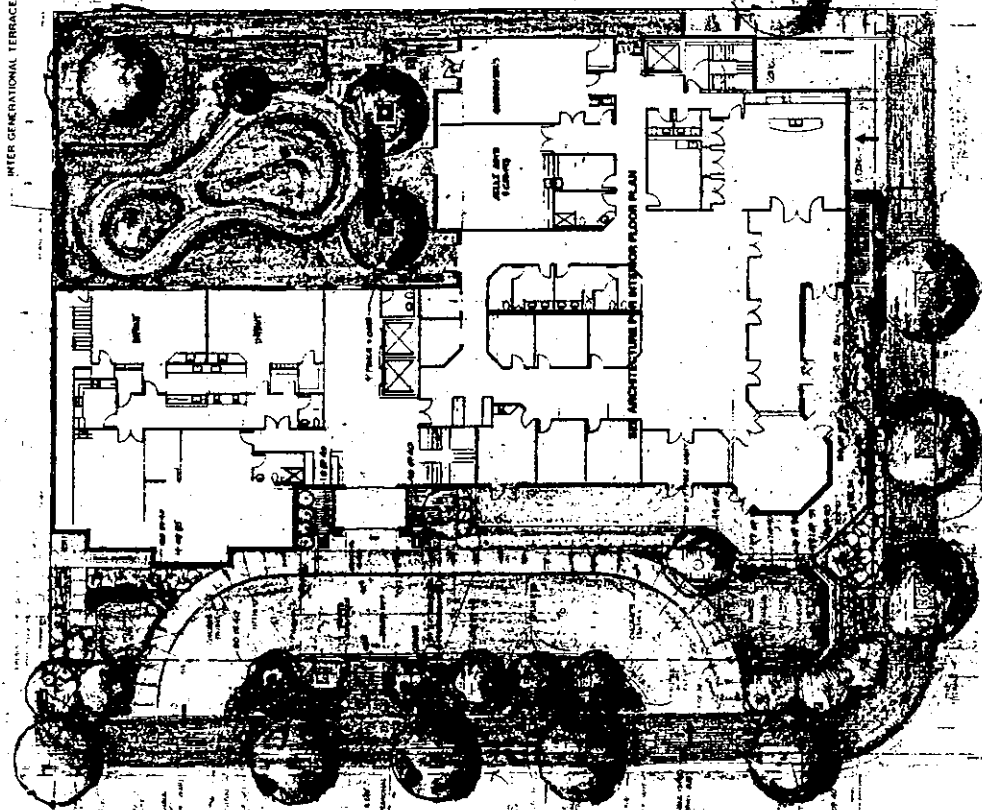


**APPROVED SITE PLAN**  
DATE: 10/11/96  
BY: WJ

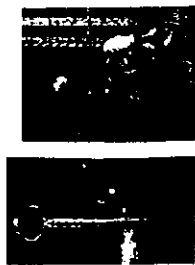
**MISS UTILITY**  
DATE: 10/11/96  
BY: WJ

**MISS UTILITY**  
DATE: 10/11/96  
BY: WJ

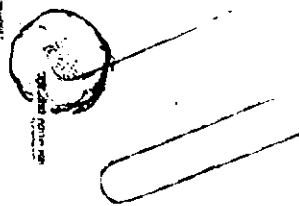
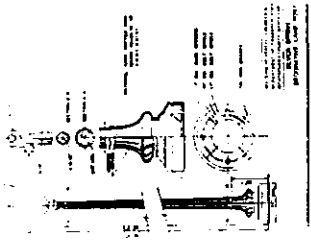
INTER GENERATIONAL TERRACE GARDEN



Manufactured Play Equipment for The Country Garden



Elements for the Terrace Garden



BENCH DETAIL  
IN PROPOSED COUNTRY GARDEN

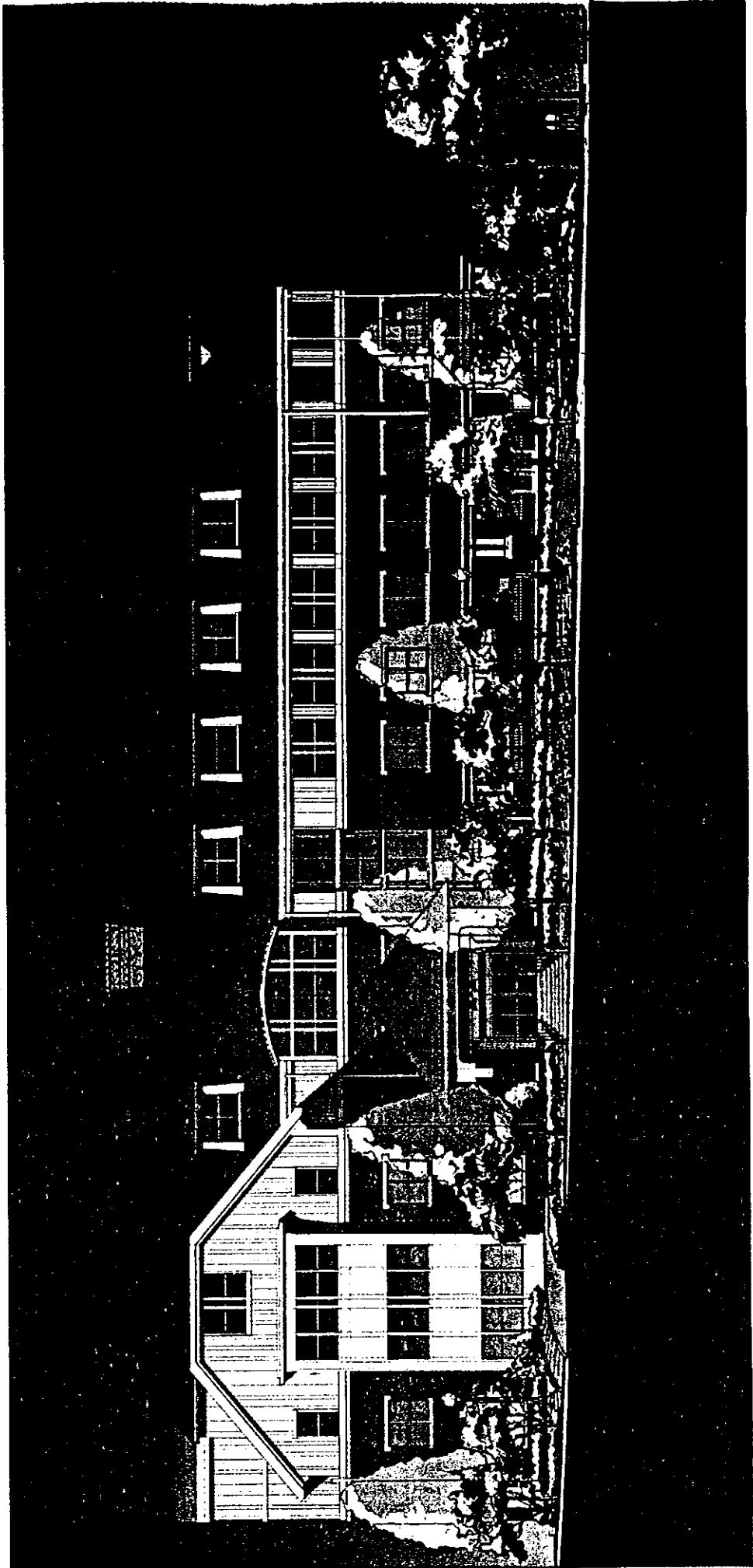


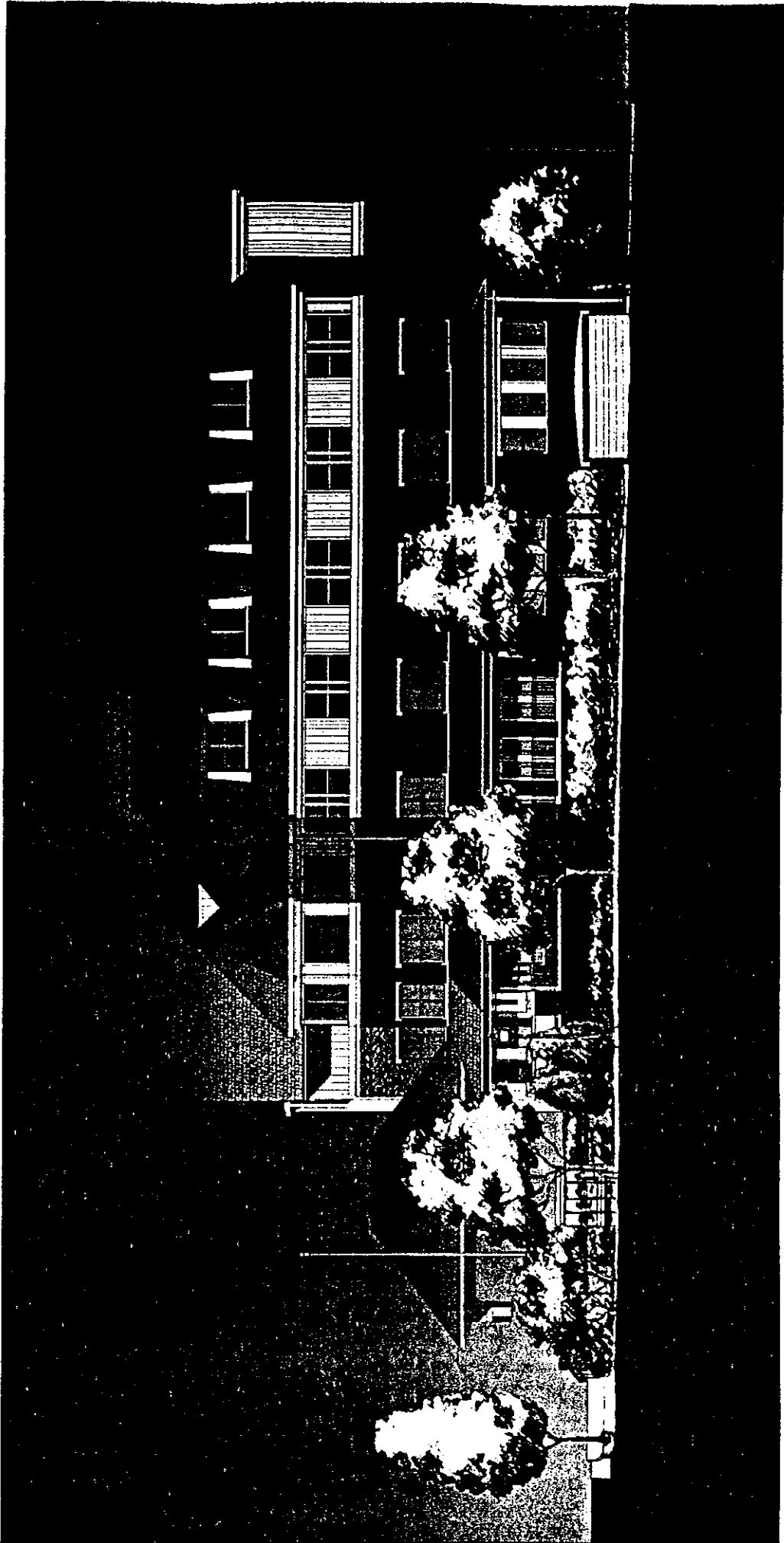
TRASH/RECYCLING



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1:100  
1:200

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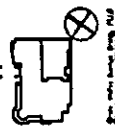


Lyndon B. Johnson Library  
 Architects: HOK, Inc.  
 1000 Pennsylvania Ave. S.E.  
 Washington, D.C. 20003  
 Project No. 101-0100-100  
 Drawing No. A-3.05

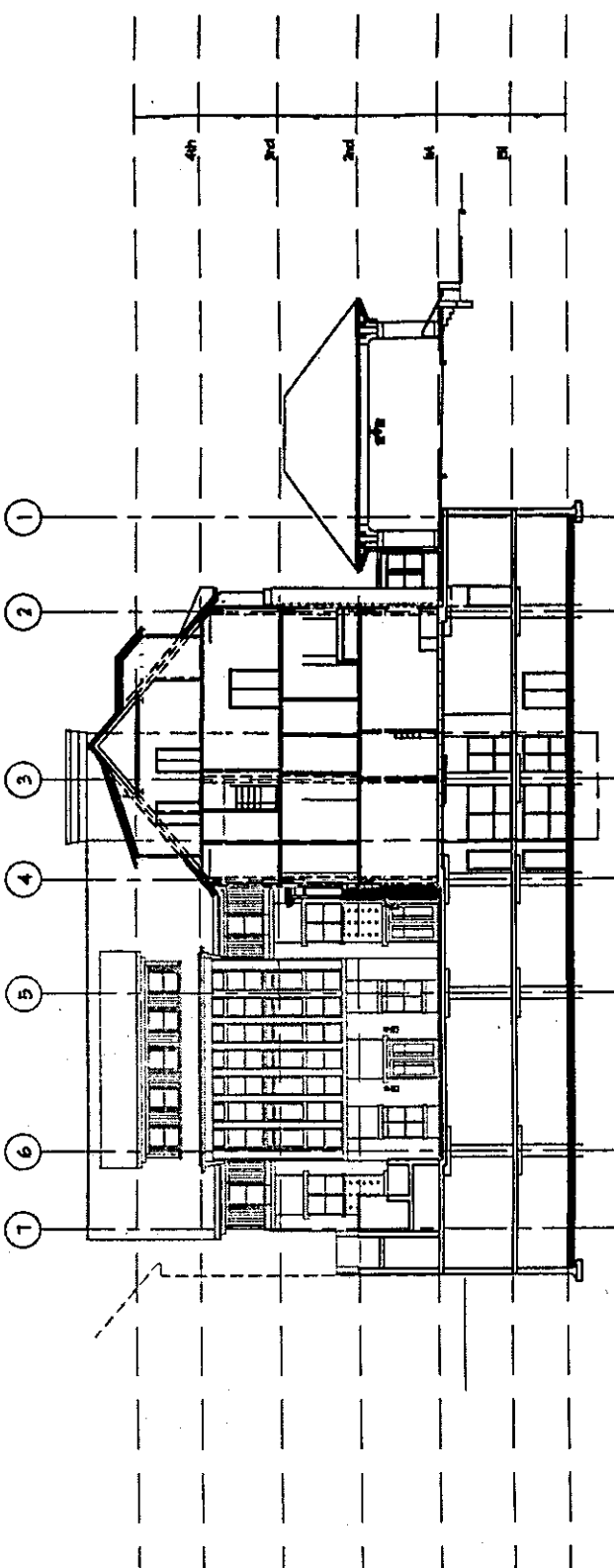
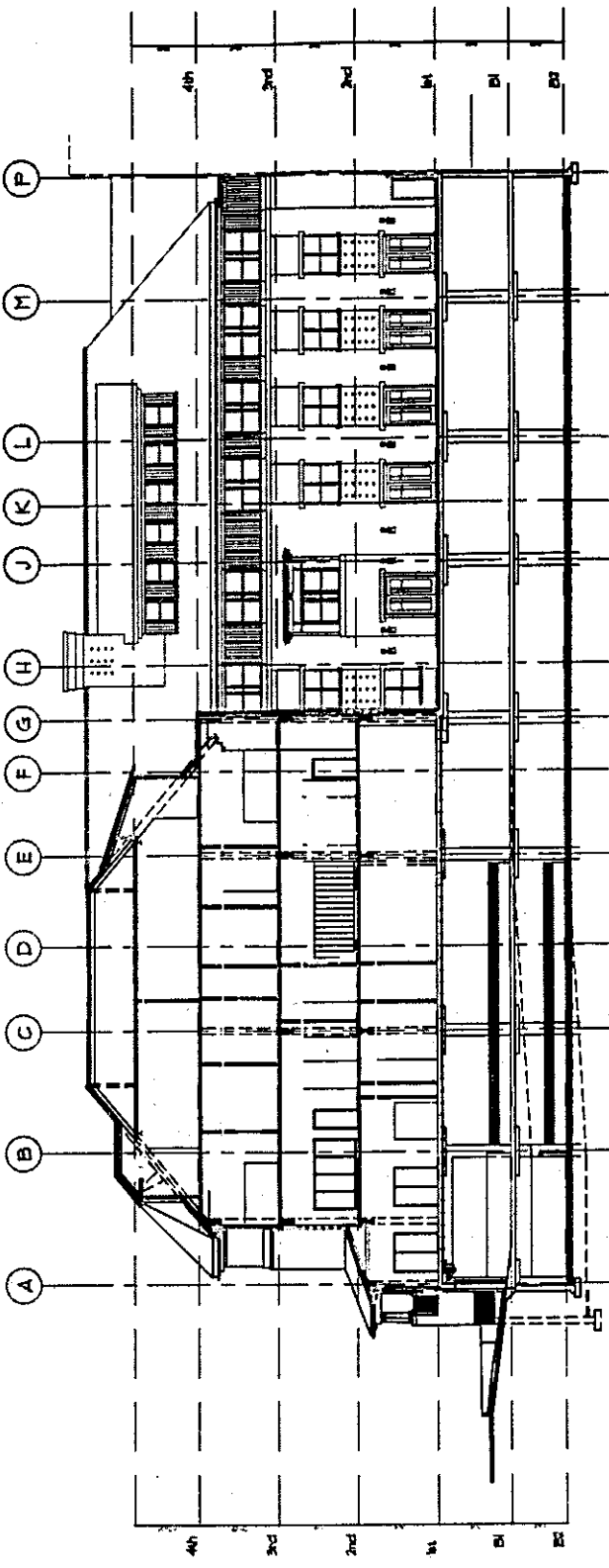
Structural Engineer: A. M. ...  
 Mechanical Engineer: ...  
 Electrical Engineer: ...  
 Civil Engineer: ...  
 Architect: HOK, Inc.

**Lyndon B. Johnson  
 Presidential  
 Library and  
 Administrative  
 Offices**

Lyndon B. Johnson  
 Presidential  
 Library and  
 Administrative  
 Offices, Austin, Texas

Building  
 Section A-A &  
 Section B-B

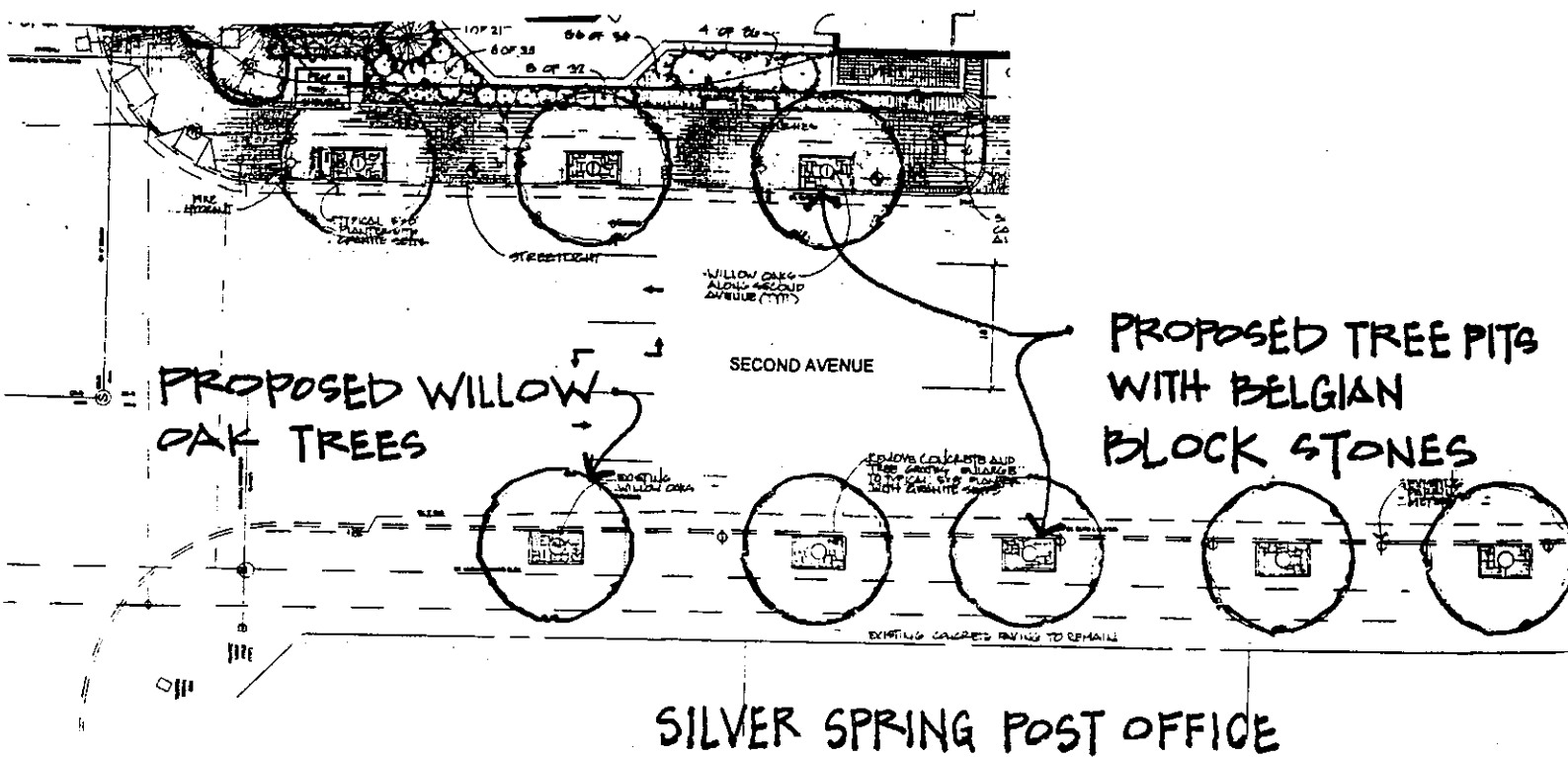




## OUTSTANDING ISSUES PERTINENT TO SITE PLAN REVIEW:

During the course of Project Plan review and approval, the Planning Board requested that the applicant work with staff to consider three off-site improvements suggested by the Woodside Civic Association. Staff was to determine whether or not the improvements should be part of the application for site plan. The three off-site improvements are listed below, followed by discussions of the staff and applicant's responses.

- a. *Provide green panels along Second Avenue in front of the Post Office as acceptable to MCDPWT. The improvement will consist of removing portions of existing concrete sidewalk to create a series of planting beds, planted with liriopse or other ground cover, around the existing Willow Oaks trees. The location and size of the green panels shall be determined at the time of site plan review.*



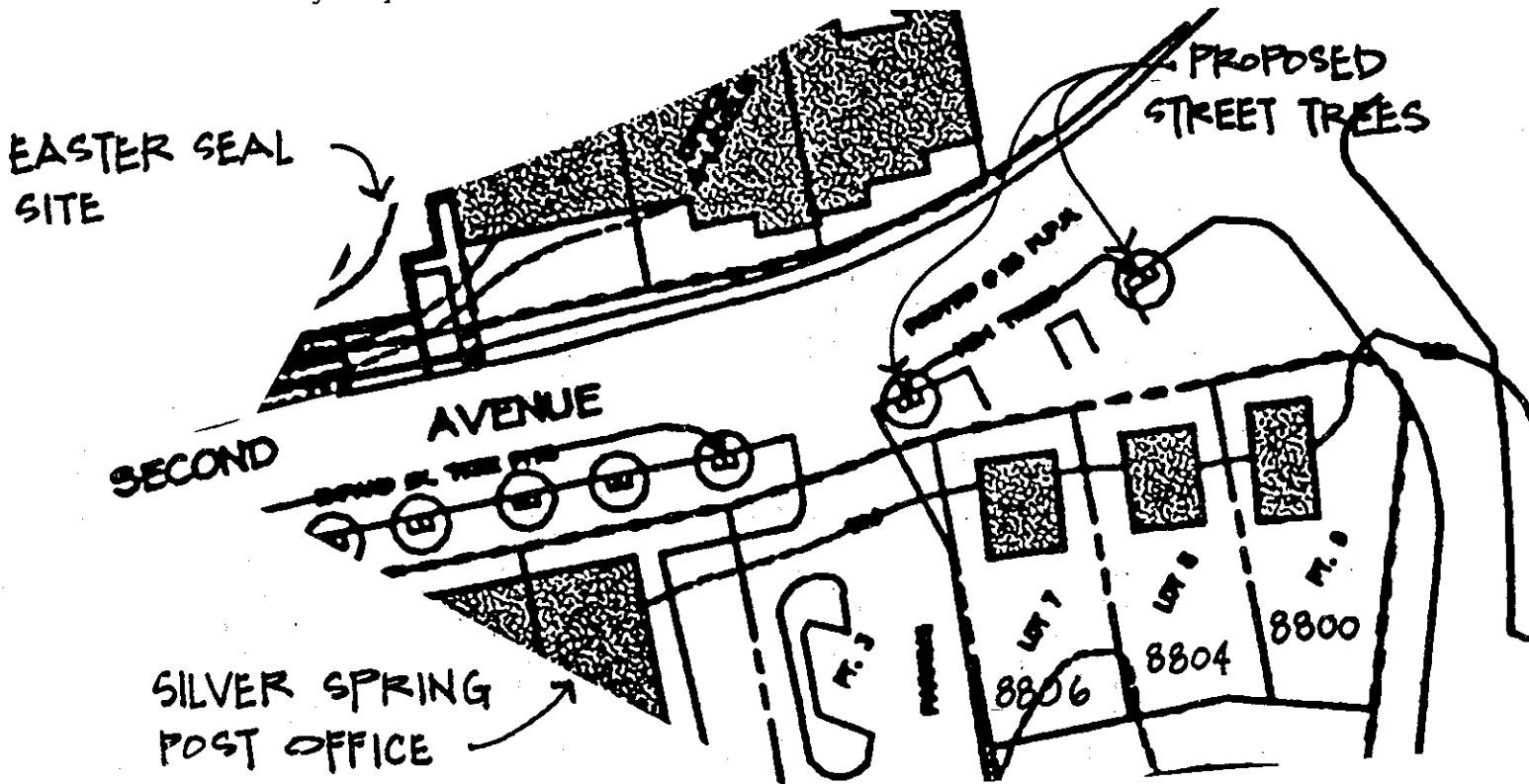
The Applicant has proposed a streetscape approach that is in keeping with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). The Applicant has proposed Willow Oaks along Second Avenue and Silver Lindens on Spring Street.

The applicant is proposing to retrofit the existing sidewalk on the west side of Second Avenue in front of the Post Office building by removing the metal tree grates, enlarging the tree pits and adding the Belgian block stones. The enlarged tree pits with the Belgian block are in keeping with the streetscape standards on the west side of Second Avenue in front of the Post Office building.

DPWT's position regarding the green panels (grass) suggested by Woodside is that they

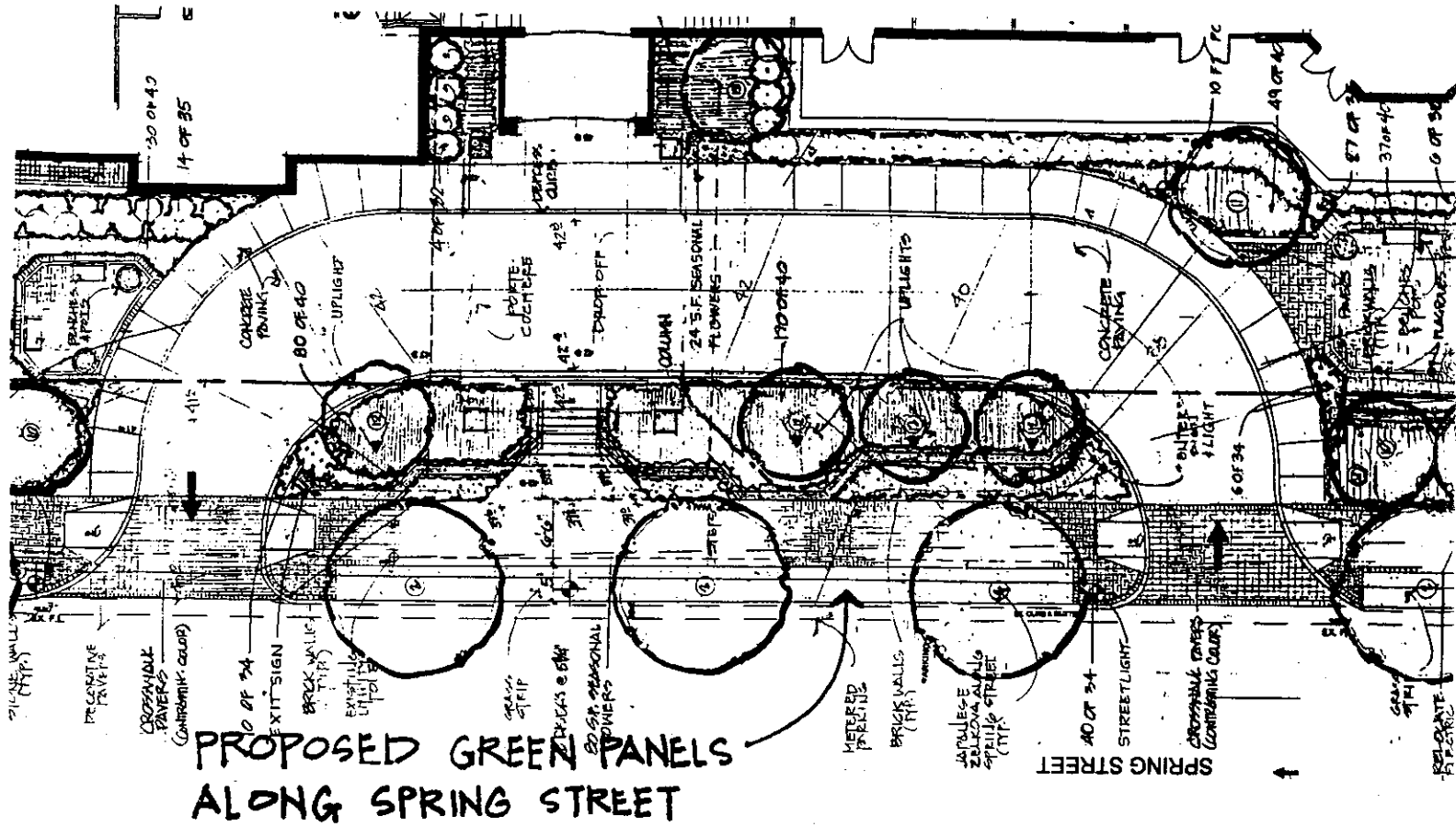
are problematic. DPWT asserts that maintenance of small turf areas has been a problem in other parts of the CBD and would prefer a more standard streetscape approach. The addition of extensive green panels as suggested by Woodside become a maintenance issue particularly in front of the Post Office where short-term, on-street parking spaces are located. Additionally, the Type B streetscape (full width brick sidewalks with tree pits) is in place between Fenwick Lane and Apple Avenue and is proposed by the new District court house as well. The addition of the two Willow Oaks will serve as a visual link from Spring Street to the new District court house and extend a continuous tree canopy along Second Avenue.

- b. Provide Willow Oak trees along the west side of Second Avenue from the Post Office to Fenwick Lane (in front of 8600, 8604, and 8606 Second Avenue) as acceptable to MCDPWT. The number, size and spacing of the street trees shall be determined at the time of site plan review.



Two (3") caliper Willow Oak trees in standard Type B tree pits are proposed on the west side of Second Avenue between the Post Office and Fenwick Lane in front of 8604 and 8606 Second Avenue as acceptable to DPWT.

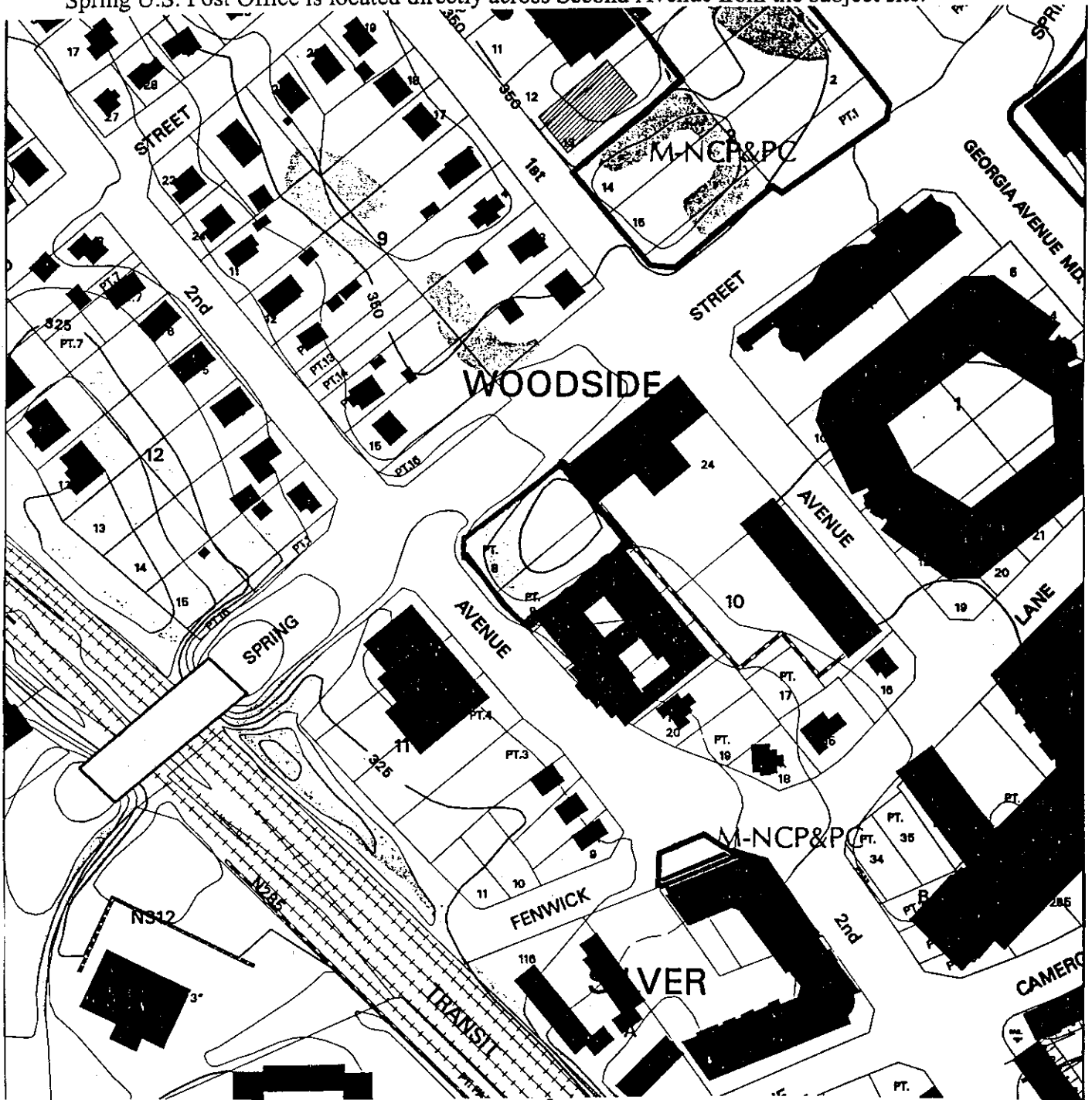
- c. Provide a series of green panels, planted with Liriope or other ground cover, between the proposed tree wells across the site frontages. The location and size and the planting details shall be determined at the time of site plan review.



Green panels between the proposed tree panels are proposed on the Site Plan along Spring Street as acceptable to DPWT. The applicant will accept the maintenance responsibility for the proposed green panels along Spring Street. The Applicant must apply for a waiver from DPWT and the Department of Permitting Services (DPS), with our support for the non-standard green panel proposed on Spring Street.

### PROJECT DESCRIPTION: Surrounding Vicinity

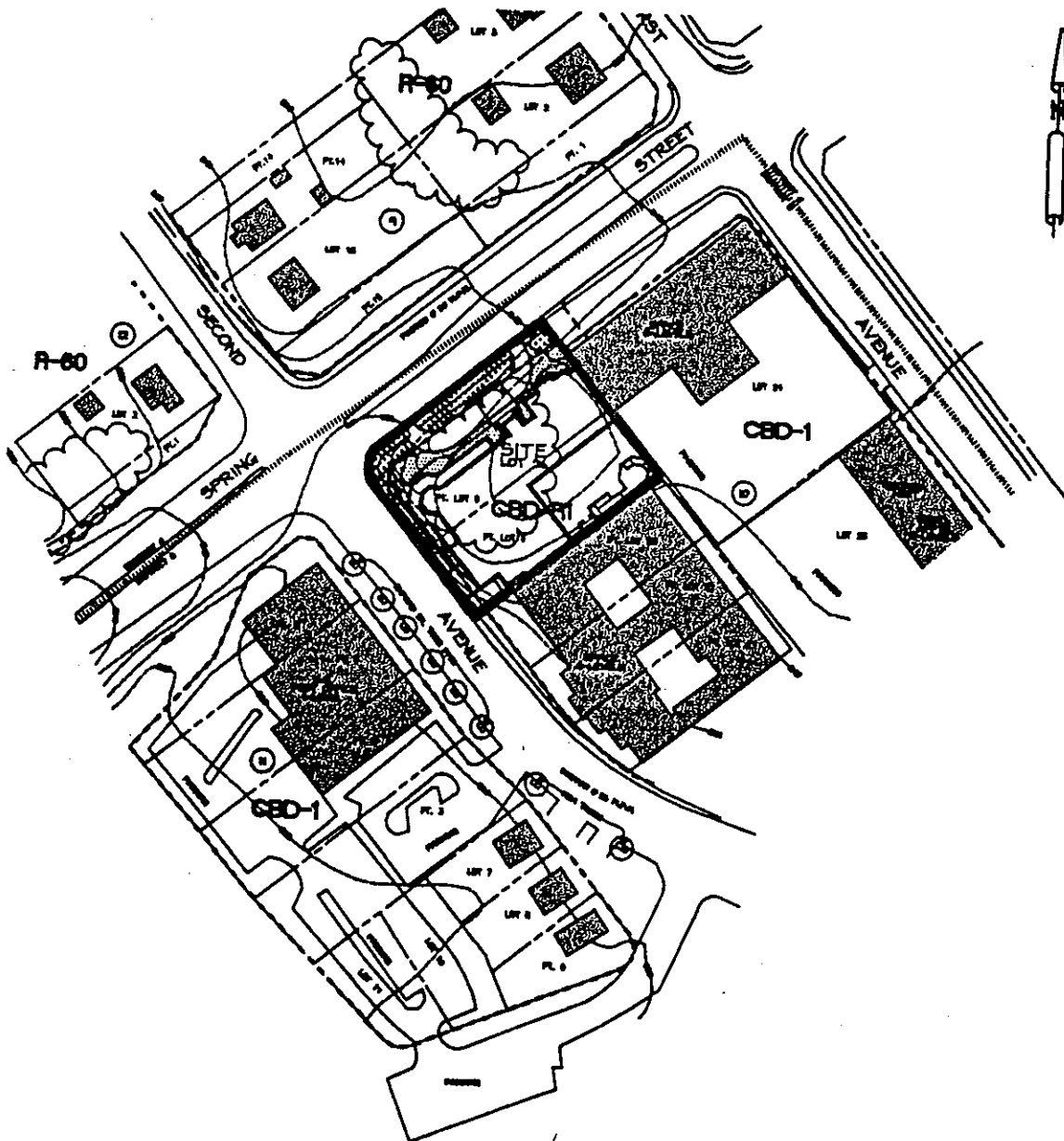
The site is located in the southeast corner of the intersection Spring Street and Second Avenue, approximately 1000 feet west of Georgia Avenue in Downtown Silver Spring. An existing five-story office building and surface parking lot is located to the east of the site, and to the south is an existing four-story office building. The residential neighborhood of Woodside Park and a M-NCP&PC neighborhood park, at the intersection of Georgia Avenue and Spring Street, is located directly across Spring Street to the north. The Silver Spring Metro Station is located approximately four blocks, along Second Avenue, to the south and east of the site. The Silver Spring U.S. Post Office is located directly across Second Avenue from the subject site.



## PROJECT DESCRIPTION: Site Description

The site consists of approximately 28,450 square feet of vacant CBD-R1 zoned land. The property was previously developed with a single-family detached home; however, only remnants of the structure and associated features remain.

The topography of the site slopes west toward Second Avenue at approximately 10-12 percent. Twenty-five percent slopes exist around the perimeter of the site, as a result of previous road widening for the intersection of Spring Street and Second Avenue and from development of the adjacent office buildings. This is a wooded site containing three specimen trees, including a 48" dbh (diameter breast height) Tulip Poplar, a 42" dbh Sugar Maple and a 48" dbh Red Oak. No existing vegetation is proposed to remain, and due to the size and classification of a single lot, the site is exempt from Forest Conservation requirements.



**PROJECT DESCRIPTION:      Prior Approvals**

The proposed development site is zoned CBD-R1 (Central Business District, Residential, 1.0). A Zoning Text Amendment to the CBD-R1 Zone (ZTA 99005) was created and adopted by the District Council on November 9, 1999, especially for this project. The text amendment allows the Planning Board to reduce the normally 20 percent required on-site public use space and increase the maximum floor area ratio (FAR) for non-profit organizations that provide certain needed public services, such as senior and child day care facilities.

The Preliminary Plan of Subdivision (1-00069) was approved for the proposed subdivision with the following conditions:

- (a) It would comply with all of the intents and requirements of the zone.
- (b) It would conform to the approved and adopted sector plan or an urban renewal plan approved under Chapter 56.
- (c) 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.
- (d) It would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.
- (e) It would be more efficient and desirable than could be accomplished by the use of the standard method development.
- (f) It would include moderately priced dwelling units in accordance with chapter 25A of this Code, if the requirements of that chapter apply. The requirement of Chapter 25A do not apply to the subject proposal.
- (g) When a project plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, pursuant to the special standards of either section 59-C-6.2351 or 59-C-6.2352 (whichever is applicable), the project plan may be approved the Planning Board based on the following findings:
  - (1) The project will preserve an historic site, building, structure or area as shown on the Locational Atlas and Index of Historic Sites or the Master Plan for Historic preservation; and/or
  - (2) The project will implement an urban renewal plan adopted pursuant to Chapter 56 of the Montgomery County Code; and/or
  - (3) The project will result in an overall land use configuration that is significantly superior to that which could otherwise be achieved.

The subject Project Plan includes one lot, and the entire lot is under the CBD-R1 zone. Therefore, this finding is not applicable.

- (h) Any applicable requirements for forest conservation under Chapter 22A. The development is exempt from the requirement of Forest Conservation. An exemption was granted on December 23, 1999.
- (i) Any applicable requirements for water quality resource protection under Chapter 19. Based on a

memo from the Montgomery County Department of Permitting Services (DPS). A Stormwater Management Concept Plan was approved with conditions for this site on February 16, 2000. On-site stormwater management will consist of an underground detention system and a storm drain unit for quality control prior to approval of the site plan.

The Project Plan application (9-00003, Opinion dated June 12, 2000) was approved on June 8, 2000 with the following conditions:

1. Development Ceiling  
The proposed mixed-use development is limited to 47,000 square feet of gross floor area.
2. Building Height/Mass  
The height of the proposed building shall be three-stories and shall not exceed the maximum permitted height of 60 feet. The building shall be designed to be sympathetic in scale, mass and architectural articulation with the confronting residential community and incorporate such features as a wrap around porch, an intersecting and varied roofline, and the use of high quality exterior façade materials (on all sides of the building) such as brick and stone.
3. Public Use Space  
The proposed on-site public use space shall not be less than the proposed 10.5 percent of the net lot area of the site. The proposed off-site public use space shall not be less than 20.5 percent. The space shall be easily and readily accessible to the general public and used for public enjoyment. The design of the public use space shall be reviewed in detail at the time of Site Plan.

The public use space shall include amenities such as special paving, seating, lighting, and landscape planting. These amenities shall be used to enhance the quality of the space, to promote public use, and to facilitate pedestrian movement. Special paving in the sidewalks shall extend across drive and loading entrances. Views into loading areas shall be carefully considered with screening provided where necessary. Willow Oaks shall be specified as the street trees along Second Avenue. The number and location of the street trees shall be determined at the time of site plan.

*On-Site and Off-site Public Use Space/Amenities*

Silver Spring Streetscape on Second Avenue and Spring Street

High quality street furnishings such as benches, trash receptacles and street and amenity area lighting

Brick paving

Stone, and/or brick (or materials simulated to appear as such as approved by staff) retaining/seat walls

Intensively planted landscape areas

Provision of a bus shelter along Second Avenue (the design and location of the bus shelter shall not impede safe passage by pedestrians and handicap persons and shall be coordinated with DPW&T).

4. Landscape planting and private open space areas  
Landscape planting shall be provided in the courtyard garden and shall be reviewed at the time of Site Plan approval.
5. Tot lot/play area

Details and specifications for the outdoor play area to be built as part of the child day care center shall be reviewed and approved at the time of Site Plan approval.

6. Bikeways  
Indicate the Sector Plan bikeway designations for Second Avenue and Spring Street on the site plan and coordinate with the Montgomery County Department of Public Works and Transportation (DPW&T) when the County paints the bikeway markings.
7. Signage  
At the time of site plan review, provide a sign at the garage and loading dock exists along Second Avenue cautioning drivers approaching the pedestrian and bicyclist crossings. Coordinate with the Silver Spring Regional Center on the placement of the proposed wayfinding signs.
8. Transportation Management  
Participate in the Silver Spring CBD Transportation Management Organization through a formal Traffic Mitigation Agreement with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and Montgomery County Department of Public Works and Transportation (MCDPWT).
9. Phasing of the Public Amenity Features  
The bus shelter shall be installed and the public use space completed prior to occupancy of the building.
10. Off-Site Second Avenue Streetscape Improvements  
The applicant shall consider the three off-site improvements suggested by the Woodside Civic Association and work with Staff in order to determine whether or not these improvements should be part of the applicant's site plan submission. The three off-site improvements are:
  - a. Provide green panels along Second Avenue in front of the Post Office as acceptable to MCDPWT. The improvement will consist of removing portions of existing concrete sidewalk to create a series of planting beds, planted with lirioppe or other ground cover, around the existing Willow Oaks trees. The location and size of the green panels shall be determined at the time of site plan review.
  - b. Provide Willow Oak trees along the west side of Second Avenue from the Post Office to Fenwick Lane (in front of 8600, 8604, and 8606 Second Avenue) as acceptable to MCDPWT. The number, size and spacing of the street trees shall be determined at the time of site plan review.
  - c. Provide a series of green panels, planted with Lirioppe or other ground cover, between the proposed tree wells across the site frontages. The location and size and the planting details shall be determined at the time of site plan review.



## **PROJECT DESCRIPTION: Proposal**

The applicant, Easter Seal Society for Disabled Children and Adults, Inc., requests Site Plan approval under the optional method of development for a child and senior day care center and administrative offices. Staff recommends approval of the Site Plan with conditions, as listed in the Staff's Recommendations.

The applicant has entered into a partnership agreement with Montgomery County Department of Health and Human Services, effective December 13, 1999. A zoning text amendment to the CBD-R1 zone (ZTA 99005) was created and adopted especially for this project. The text amendment allows the Planning Board to reduce the required public use space and increase the maximum floor area ratio for non-profit organizations that provide certain public services. Introducing this facility into the Silver Spring Central Business District will contribute greatly to a vibrant and diverse urban center as envisioned by the Silver Spring Central Business District and vicinity Sector Plan as approved in February 2000. The project will help support the Sector Plan goals and visions for a revitalized Silver Spring.

The proposed development consists of 49,680 square feet of development located within a 54-foot-tall building, sympathetic in design to the surrounding residential community. The proposed architecture, mass and height of the building will provide a good transition between the CBD and the adjacent residential neighborhood, and conforms to the guidelines in the Sector Plan. A senior and child day care facility will be located on the first two floors. The third and fourth floors will contain 19,500 square feet for administrative offices for the facilities and meeting rooms.

The adult day care program is intended to provide a specialized and personalized environment to promote independence for a more functional lifestyle. Facilities for the center will include exercise, therapy and activity rooms to serve medical, social and therapeutic needs for adults. The child day care will encompass educational and social activities for infants and children.

The main entrance to the building is a one-way, right-in, right-out loading and drop off area for visitors and patients from Spring Street. Vehicles will enter the circular drive from eastbound Spring Street and exit onto the same road towards Georgia Avenue. Traffic signs delineating vehicular circulation will be coordinated with DPW&T. Special pavers within the crosswalks will assist with the pedestrian movement across the circular drive. A series of steps from Spring Street leads to the main building entrance, as does a sidewalk, which follows the drive.

As part of this proposal, the applicant intends to improve the Spring Street and Second Avenue street frontages with special paving, planting and street lighting. A covered bus shelter is also proposed along the Second Avenue frontage, as part of the public use improvements.

Approximately 11.4 percent of the site will be used as outdoor public use space, which includes several seating and planting areas. A text amendment, ZTA 99005, approved which permits the Planning Board to either "*reduce the minimum 20 percent of required on-site public use space*"

or “provide improvements to existing off-site public use space provided that the site is owned and occupied by a non-profit organization which provides needed child care and adult day care services under an agreement with the Montgomery County Department of Health and Human Services”. Under this proposal, the applicant proposes to improve the public rights-of-ways along Spring Street and Second Avenue, consisting of approximately 11,400 square feet. The Zoning Ordinance specifically recognizes child care as an amenity to the public and permits the use under the Optional Method of Development, pursuant to Section 59-C-6.22(e), footnote 10. The public amenities proposed by the applicant to justify the increased density consist primarily of the adult and child day care facilities.

The applicant also proposes an intergenerational terrace garden, play area and courtyard in the southeast corner of the building. The garden is accessed through the building and is surrounded by the views from the child and senior care facilities. The garden is to be interactive for the users as well as aesthetic in nature.

The parking requirement will be met by the provision of 100 on-site parking spaces located within an underground parking structure beneath the proposed building. Access to the garage parking is from Second Avenue. Parking is not permitted on Second Avenue in front of the subject site, although metered parking will be provided directly in front of the site on Spring Street. The vehicular service for loading, trash, and other delivery vehicles will be located at a loading dock adjacent to the garage entrance on Second Avenue. The project will be developed in one phase and completely accessible to disabled and handicapped patrons.

Storm water management consists of on-site water quantity control via underground storage and on-site water quality control via a separator sand filter.

## **DISCUSSION OF ISSUES**

### **ANALYSIS: Conformance to Master Plan**

The proposal meets the requirements of the Silver Spring Central Business District and Vicinity Sector Plan. The Sector Plan, approved by the County Council on February 1, 2000, outlines six themes, which articulate the shared goals and vision for a revitalized Silver Spring. Three of the six themes are implemented in this project are envisioned in the Sector Plan for downtown revitalization. They include a civic, pedestrian friendly and green downtown. The provision of an adult and child day care center within the Easter Seal building aids in civic services for downtown Silver Spring. Civic uses such as elder and child daycare facilities provide needed community services and help strengthen the downtown community. The improvements along Spring Street and Second Avenue with the green panels, street trees and sidewalk and signage add to the theme of a pedestrian friendly and green downtown.

This facility is being developed under the optional method of development, which provides opportunities for landscaped public open spaces. This project encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the optional method streetscape treatment as mandated by the *Silver Spring Streetscape* (April 1992) technical manual. In addition, the Sector Plan specifically encourages the Easter Seals organization in a joint effort with the County's Health and Human Services Department to create an elder daycare facility in the CBD.

#### Sector Plan Rights-of-Way

Second Avenue and Spring Street have the recommended Sector Plan rights-of-way (ROW) dimensions of 80' and 100' respectively.

#### Sector Plan Bikeways

The approved Sector Plan recommends on-road (Class II or III) bikeways for Second Avenue and Spring Street. Second Avenue has an existing Class II painted bike lane. Spring Street has an appropriate street width (10' parking lane and 17' travel lane) to accommodate a Class II bike lane. Staff recommends that the Applicant indicate the Sector Plan designations on the final Site Plan drawings and coordinate with the Montgomery County Department of Public Works and Transportation (DPW&T) when the County paints the lanes and other markings. The Applicant is proposing a sign at the garage and loading dock exits along Second Avenue cautioning drivers of the pedestrian and bicyclist crossing.

#### Streetscape

The Applicant has proposed a streetscape approach that is in keeping with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). The streetscape manual does not give guidance on the street tree species for Second Avenue extended north of Fenwick Lane. Willow Oak trees exist on the west side of Second Avenue opposite the

subject property and should be repeated on the east side. Silver Linden trees are specified in the streetscape manual for Spring Street. The Applicant has proposed Willow Oaks on Second Street and Silver Lindens on Spring Street.

The Applicant is proposing metal halide lamps (white light) for the street lighting. The current standard per the Montgomery County Department of Public Works and Transportation (DPWT) is the use of high-pressure sodium lamps (orange light). Metal halide light sources provide superior color rendition and therefore provide a better sense of security. DPWT has been flexible with the use of metal halide lamps in other parts of the CBD. Staff supports the use of metal halide lamps on the Easter Seals project subject to approval by DPWT.

**ANALYSIS: Conformance to Development Standards**

**PROJECT DATA TABLE**

Development Standard	Permitted/ Required	Proposed
Gross Tract Area (ac)	22,000	28,450
Previous R/W dedication (11,4000 s.f.)		
Total Gross Tract Area for FAR		41,400
Floor Area Ratio (FAR)	1.2 (49,680 s.f.)	1.2 (49,680 s.f.)
Building Height (ft.):	60	54
Office (Sq. ft)		19,500
Adult Day Care Center		
Child Day Care Center		
Public Use Space (Sq. ft.):		
On-site(min.10.5%)	2,984	3,240(11.4%)
Off-site (20.5%)	5,826	<u>5,867(20.6%)</u>
Total Public Use Space		9,107(32%)
Parking:		
Child Day Care (1 space/staff-35 staff)*	35	35
Adult Day Care Center	18	18
(1 space/4 adults, 70 patients/4=18 adults)		
Office (2.4 space/1,000gsf@19,500gsf)	<u>47</u>	<u>47</u>
Total Parking	100	100**
Bicycle Spaces or Lockers	5	5
(1/20 auto spaces, 100 spaces/20=5 spaces)		
Motorcycle Spaces	2	2
(2% of 100=2 spaces)		

\*Plus adequate space for pick-up and discharge of children

\*\*Includes 4 HC spaces with 1 van accessible space

The subject site is covered by the Silver Spring Central Business District and Vicinity Sector Plan, approved by the Planning Board in February 2000. The proposed Easter Seal Development will implement some of the major goals, objectives and recommendations of the Sector Plan.

**FINDINGS for Site Plan Review:**

1. *The site plan is consistent with an approved development plan or a project plan for the optional method of development, if required.*

The Project Plan (9-00003) was reviewed and approved with conditions on June 8, 2000. Please reference the conditions under the section titled "Prior Approvals".

2. *The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. **Location of Buildings**

The layout of the building was thoughtfully designed to incorporate architectural features consistent with the neighboring community, such as a wrap-around porch, an intersecting and varied roofline and the use of high quality exterior façade materials (on all sides of the building) such as brick and stone. Sensitivity to scale, height and mass of the proposed building was of great importance to the surrounding residential community.

- b. **Open Spaces**

The descriptions for the public use space and amenities are discussed in the Proposal and listed in the Project Data Table.

The Stormwater Management Concept for the proposed development was approved with conditions by the Montgomery County Department of Permitting Services (DPS) on December 17, 2001. The stormwater management concept consists of on-site water quantity and quality control through an underground infiltration system.

- c. **Landscaping and Lighting**

The landscaping and lighting provides safety and efficiency for daily users of the site, neighboring residents and visitors in this urban setting.

The Applicant has proposed a streetscape approach that is in keeping with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). The streetscape manual does not give guidance on the street tree

species for Second Avenue extended north of Fenwick Lane. Willow Oak trees exist on the west side of Second Avenue opposite the subject property and are proposed to be repeated on the east side for a continuous effect. Silver Linden trees are proposed for Spring Street as recommended in the streetscape manual for Silver Spring.

The Applicant is proposing metal halide lamps (white light) for the street lighting. The current standard per the Montgomery County Department of Public Works and Transportation (DPWT) is the use of high-pressure sodium lamps (orange light). Metal halide light sources provide superior color rendition and therefore provide a better sense of security. DPWT has been flexible with the use of metal halide lamps in other parts of the CBD. Staff supports the use of metal halide lamps on the Easter Seals project subject to approval by DPWT.

d. Recreation

Not applicable.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation in general is adequate, safe and efficient.

Second Avenue and Spring Street have the recommended Sector Plan rights-of-way (ROW) dimensions of 80' and 100' respectively.

The approved Sector Plan recommends on-road (Class II or III) bikeways for Second Avenue and Spring Street. Second Avenue has an existing Class II painted bike lane and Spring Street has an appropriate street width (10' parking lane and 17' travel lane) to accommodate a Class II bike lane. Staff recommends that the Applicant indicate the Sector Plan designations on the final Site Plan drawings and coordinate with the Montgomery County Department of Public Works and Transportation (DPW&T) when the County paints the lanes and other markings.

The site is approximately four blocks from the Silver Spring Metro, allowing neighboring residents from Woodside Park and future workers to walk on the renovated and added green street. The Site Plan proposes a sign at the garage and loading dock exits along Second Avenue cautioning drivers of the pedestrian and bicyclist crossing.

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

The structure and use is compatible with other uses and with existing and proposed adjacent development. The Sector Plan specifically encourages the Easter Seals organization in a joint effort with the County's Health and Human Services Department to create an elder daycare facility in the CBD. This service organization facility with its residential-type architectural design is a most desirable use for this property and provides an appropriate transition between the CBD and the neighboring community.

The activity associated with the proposed development will not cause any negative effect on adjacent residential or commercial uses.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The property is exempt from Forest Conservation requirements.

Approval of the optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in this zone.

## APPENDIX

1. Standard Conditions dated October 10, 1995
2. Memorandum of Transportation Planning Staff dated May 24, 2000
3. Memorandum of Transportation Addendum from Gorove/Slade dated January 3, 2002
4. Memorandum of Community Based Planning Staff dated January 3, 2002
5. SWM approval letter from DPS dated February 16, 2001
6. Zoning Text Amendment (ZTA 99005) dated April 22, 1999



**APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

1. Submit a Site Plan Enforcement Agreement, Development Program and Maintenance Responsibilities for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:
    1. Street tree planting must progress as street construction is completed, but no later than 6 months after completion of the units adjacent to those streets;
    2. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
    3. Coordination of each section of the development and roads;
    4. Phasing of dedications, stormwater management, sediment and erosion control, public use spaces and amenities or other features;
  - b. Site Plan Enforcement Agreement to include Maintenance Document that designates the maintenance responsibilities for the green panels on Spring Street and.
2. Signature set of site, landscape/lighting and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
  - a. Limits of disturbance;
  - b. Conditions of DPS Stormwater Management Concept approval letter dated February 16, 2001;
  - c. Note stating the M-NCPPC staff must conduct an inspection prior to clearing and grading;
  - d. The development program inspection schedule.
3. No clearing or grading prior to M-NCPPC approval of signature set of plans.

M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

**THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION**

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

May 24, 2000

**MEMORANDUM**

**TO:** Linda Komes, Site Plan Reviewer  
Development Review Division

**VIA:** Ronald C. Welke, Coordinator *Rcw*  
Transportation Planning *by JEG*

**FROM:** Janet E. Gregor, Planner *JEG*  
Transportation Planning

**SUBJECT:** Project Plan No. 9-00003  
Preliminary Plan 1-00069  
Easter Seals Silver Spring Project  
Silver Spring CBD

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This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject concurrent project and preliminary plans.

**RECOMMENDATIONS**

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of the project and preliminary plans:

1. Limit the preliminary plan to no more than 14,000 square feet of general office space, an 85-child daycare center and a 50-adult daycare center.
2. All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, unless otherwise designated on the preliminary plan.
3. Dedicate the right-of-way for Spring Street as shown on the preliminary plan, providing a total 100-foot right-of-way consistent with the Silver Spring CBD Streetscape concept.

4. Participate in the Silver Spring CBD Transportation Management Organization through a formal Traffic Mitigation agreement with Maryland National Capital Park and Planning Commission (M-NCPPC) and Montgomery County Department of Public Works and Transportation (DPWT).
5. Install a sign at the parking garage exit that reminds motorists to watch for pedestrians and bicycles.

**Discussion**

Site Location and Access

The site is located in the southeast quadrant of the Spring Street/Second Avenue intersection in the Silver Spring CBD. Access to the site underground parking garage will be from Second Avenue. Client “drop-off” access will be via a one-way drive way with both entrance and exit on Spring Street.

Master Plan Roadways and Bikeways

*The Silver Spring Central Business District & Vicinity Plan for the Revitalization of Downtown Silver Spring*, classifies Spring Street from 16<sup>th</sup> Street to Georgia Avenue as a major roadway with a recommended 80 to 100- foot right-of-way. Second Avenue between Spring Street and Colesville Road is classified as an arterial roadway with a recommended 80 to 120-foot right-of-way. The plan provides for a Class III bikeway on Spring Street and a Class II bikeway on Second Avenue.

Local Area Transportation Review (LATR)

The proposed development is expected to generate 129 new trips during the morning peak hour ( between 7:00 and 9:00 a.m.) and 72 new trips during the evening peak hour (between 4:00 and 6:00 p.m.). The traffic analysis conducted in conjunction with this project indicated that all intersections would continue to function below the 1,800 Critical Lane Volume (CLV) standard set for the Silver Spring CBD Policy Area. Table 1 below indicates the existing and future critical lane volumes for impacted intersections.

**Table 1**

Intersection	Existing CLV		Total Future CLV	
	AM	PM	AM	PM
Spring Street & 16 <sup>th</sup> Street	761	1029	779	1050
Spring Street & Second Avenue	584	754	687	784
Spring Street & Georgia Avenue	1302	1202	1433	1313
Second Avenue & Fenwick Lane	299	442	304	446

**Policy Area Review / Staging Ceiling Analysis**

The Easter Seals Silver Spring Project is located in the Silver Spring CBD Policy Area which has a remaining job capacity of 2,268 as of December 31, 1999.

JG:cmd

cc: David Adams  
Greg Cooke  
Glenn Kreger  
Karl Moritz  
Lonnie Rorie

Proj Plan #9-00003 PP#1-00069 Easter Seals.wpd

Phone: (202) 296-8825  
 Fax: (202) 785-1276  
 Toll Free: (888) 212-4242



**GOROVE/SLADE ASSOCIATES, Inc.**

Suite 700 / 1140 Connecticut Ave. NW / Washington, DC 20036

**MEMORANDUM**

**TO:** Richard Fassett Atlantic Realty Companies  
**CC:** Anne C. Martin LINOWES AND BLOCHER LLP  
**FROM:** Anne Marie M. Salvandra  
 Nicole A. White, P.E. *NMS*  
**DATE:** January 3, 2002  
**RE:** Easter Seal Facility: Transportation Addendum

This memorandum summarizes the transportation-related impacts associated with the proposed development plan changes for the Easter Seal Facility in Silver Spring, Maryland. This memorandum is an addendum to the memorandum dated July 19, 2001. Since the July 2001 memorandum was prepared, the following changes are being considered:

- 1) Child care population will increase from 102 to 120 children.
- 2) Adult day care center population will increase from 50 to 70.

The other portions of this development will remain the same. Table 1 summarizes the additional vehicular trips associated with the increase in the Child Day Care and Adult Day Care centers.

**Table 1  
 Additional Peak Hour Trips**

	AM PEAK		PM PEAK	
	IN	OUT	IN	OUT
Day Care Center (18 add'l children)	12	10	3	3
Day Care Center (20 add'l adults)	9	7	3	3
<b>TOTAL</b>	21	17	6	6

As Table 1 indicates, the proposed development changes would result in 38 additional AM peak hour trips and 12 additional PM peak hour trips compared to the July 19, 2001 memorandum. These additional trips were dispersed throughout the network using the same directional distribution assumed in the original February 2000 traffic study. The resultant total future traffic volumes produce the following revised Critical Lane Volume analysis results summarized in Table 2.

Easter Seal Facility  
 January 3, 2002  
 Page 2

**Table 2**  
**Revised CLV Analysis**

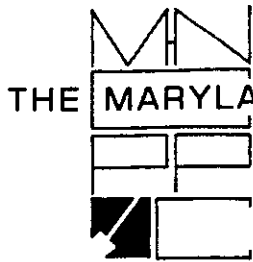
	AM PEAK		PM PEAK	
	CLV	LOS	CLV	LOS
Spring Street at 16th Street	939	A	1,250	C
Spring Street at Second Avenue	887	A	1,096	B
Spring Street at Georgia Avenue	1,604	E/F	1,391	D
Spring Street at Site Drop-off	899	A	738	A
2nd Avenue at Site Drop-off	505	A	486	A
2nd Avenue at Parking Entrance	448	A	505	A
2nd Avenue at Fenwick Lane	434	A	560	A

Acceptable operating conditions for the Silver Spring Central Business District have been defined as LOS "F" with a critical movement total not to exceed 1800. Acceptable operating conditions for the Silver Spring Policy Area, exclusive of the Central Business District, have been defined as LOS F with a critical movement total not to exceed 1650.

As Table 2 indicates, all of the intersections are expected to operate at acceptable Levels of Service.

Therefore, it can be concluded that the development plan changes for the proposed Easter Seal building would not adversely impact traffic operations in the vicinity of the site.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

January 3, 2002

MEMORANDUM

TO: Robert Kronenberg, Planner Coordinator  
Development Review Division

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

FROM: Miguel Iraola, ASLA, Planner Coordinator *MI*  
Community-Based Planning Division

SUBJECT: Easter Seals - Silver Spring  
Site Plan No. 8-02016

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The Community-Based Planning staff has reviewed the above referenced Site Plan for conformance with the *Silver Spring Central Business District and Vicinity Sector Plan* (approved February 2000). The subject property is located within the Silver Spring Central Business District (CBD). Community-Based Planning recommends the approval of this Site Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan and Silver Spring Streetscape guidelines:

1. Provide metal halide lamps for the street lighting subject to approval by the Montgomery County Department of Public Works and Transportation (DPWT).
2. Remove the existing metal tree grates and enlarge the tree pits to conform to the standard 5 foot by 8 foot Type B tree pit along the west side of Second Avenue in front of the Post Office building as acceptable to DPWT. Place the Belgian block stone in accordance with the Silver Spring Streetscape standards.
3. Provide two Willow Oak trees in standard Type B tree pits on the west side of Second Avenue between the Post Office and Fenwick Lane in front of 8604 and 8606 Second Avenue as acceptable to DPWT.
4. Provide grass panels between the proposed street trees along Spring Street as acceptable to DPWT.
5. The Applicant will accept the maintenance responsibility for the proposed grass panels along Spring Street.
6. The Applicant will apply for a waiver from DPWT and the Department of Permitting Services (DPS) for the non-standard grass panel proposed on Spring Street.

## ZONING AND LAND USE:

The proposed development is zoned CBD-R1 (Central Business District, Residential, 1.0). The project proposes an elder daycare, child daycare and offices for a non-profit organization. The Applicant has entered into a partnership agreement with the Montgomery County Department of Health and Human Services that was in effect on December 31, 1999. A zoning text amendment to the CBD-R-1 zone (ZTA 99005) was created and adopted especially for this project. The text amendment allows the Planning Board to reduce the required public use space and increase the maximum floor to area ratio (FAR) for non-profit organizations that provide certain needed public services. The minimum required public use space for this project is 5,690 square feet (20%). The Applicant is proposing 3,240 square feet (11.4%) of public use space and 5,867 square feet of off-site improvements. This totals to 9,107 square feet (32%) of proposed public use space and amenities.

Easter Seals, a non-profit organization, will provide needed child daycare and adult daycare in keeping with the provisions of the text amendment. Staff is also of the opinion that the public use space and off-site amenities provided are sufficient and that the reduction in the required amount is justified by the community service this facility will provide. The proposed uses are permitted and conform to the intent of the zone.

## SECTOR PLAN CONFORMANCE:

The Sector Plan, approved by the County Council on February 1, 2000, outlines six themes, which articulate the shared goals and vision for a revitalized Silver Spring. Three of these themes (i.e., a civic downtown; a green downtown; and a pedestrian-friendly downtown) apply to this proposed development. Civic uses such as elder daycare facilities provide needed community services and help strengthen the downtown community. This facility is being developed under the optional method of development, which provides opportunities for landscaped public open spaces. This project encourages the development of active urban streets and improves the quality of the pedestrian environment by providing the optional method streetscape treatment as mandated by the *Silver Spring Streetscape* (April 1992) technical manual. In addition, the Sector Plan specifically encourages the Easter Seals organization in a joint effort with the County's Health and Human Services Department to create an elder daycare facility in the CBD.

- A. **Sector Plan Rights-of-Way:** Second Avenue and Spring Street have the recommended Sector Plan rights-of-way (ROW) dimensions of 80' and 100' respectively.
- B. **Sector Plan Bikeways:** The approved Sector Plan recommends on-road (Class II or III) bikeways for Second Avenue and Spring Street. Second Avenue has an existing Class II painted bike lane. Spring Street has an appropriate street width (10' parking lane and 17' travel lane) to accommodate a Class II bike lane. Staff



recommends that the Applicant indicate the Sector Plan designations on the final Site Plan drawings and coordinate with the Montgomery County Department of Public Works and Transportation (DPW&T) when the County paints the lanes and other markings. The Applicant is proposing a sign at the garage and loading dock exits along Second Avenue cautioning drivers of the pedestrian and bicyclist crossing.

- C. **Streetscape:** The Applicant has proposed a streetscape approach that is in keeping with the design and materials specified in the *Silver Spring Streetscape* technical manual (April 1992). The streetscape manual does not give guidance on the street tree species for Second Avenue extended north of Fenwick Lane. Willow Oak trees exist on the west side of Second Avenue opposite the subject property and should be repeated on the east side. Silver Linden trees are specified in the streetscape manual for Spring Street. The Applicant has proposed Willow Oaks on Second Avenue and Silver Lindens on Spring Street.

The Applicant is proposing metal halide lamps (white light) for the street lighting. The current standard per the Montgomery County Department of Public Works and Transportation (DPWT) is the use of high-pressure sodium lamps (orange light). Metal halide light sources provide superior color rendition and therefore provide a better sense of security. DPWT has been flexible with the use of metal halide lamps in other parts of the CBD. Staff supports the use of metal halide lamps on the Easter Seals project subject to approval by DPWT.

#### **COMMUNITY OUTREACH:**

The Applicant has met with various civic and business organizations through the course of the development review process. The most recent meeting was with the Woodside Civic Association on December 13, 2001. Their concerns included the status of the Transportation Mitigation Agreement, location of the building service areas, parking, and the additional streetscape enhancements suggested by the citizens during the Project Plan hearing on June 8, 2000.

During the Project Plan hearing, the Planning Board instructed the Applicant to consider the improvements and to work with staff to determine whether the proposed improvements should be included during the Site Plan review process. The suggested improvements proposed by the Woodside Civic Association included:

- Provide green panels along the west side of Second Avenue north of the on-street parking spaces in front of the Post Office building as acceptable to DPWT.
- Provide additional street trees (Willow Oaks) on the west side of Second Avenue between the Post Office and Fenwick Lane in front of 8600, 8604 and 8606 Second Avenue as acceptable to DPWT.
- Provide green panels between the proposed tree panels along the entire site frontage (Second Avenue and Spring Street) as acceptable to DPWT.

The Applicant has met with staff, DPWT and the Woodside Civic Association to discuss the Woodside suggestions. The Applicant is proposing the following improvements in response to Woodside's suggestions:

- Remove the existing metal tree grates and enlarge the tree pits to conform to the standard 5 foot by 8 foot Type B tree pit along the west side of Second Avenue in front of the Post Office building as acceptable to DPWT. Place the Belgian block stone in accordance with the Silver Spring Streetscape standards.
- Provide two Willow Oak trees in standard Type B tree pits on the west side of Second Avenue between the Post Office and Fenwick Lane in front of 8604 and 8606 Second Avenue as acceptable to DPWT.
- Provide grass panels between the proposed street trees along Spring Street as acceptable to DPWT. The Applicant will accept the maintenance responsibility for the grass panels along Spring Street.

Staff feels that these are reasonable improvements to enhance the project and the off-site environs. The Applicant is proposing to retrofit the existing sidewalk on the west side of Second Avenue in front of the Post Office building by removing the metal tree grates, enlarging the tree pits and adding the Belgian block stones. The enlarged tree pits with the Belgian block are in keeping with the approved streetscape standards. DPWT's position regarding the green panels (grass) suggested by Woodside is that they are problematic. DPWT asserts that maintenance of small turf areas has been a problem in other parts of the CBD and would prefer a more standard streetscape approach. Additionally, staff feels that the Type B streetscape approach (full width brick sidewalks with tree pits) has been established along Second Avenue between Fenwick Lane and Apple Avenue and is approved for use on the new District court house site as well. The addition of the two Willow Oaks will serve as a visual link from Spring Street to the new District court house and extend a continuous tree canopy along Second Avenue.

Spring Street should be considered a transitional street in terms of street character where the CBD confronts predominantly residential or park uses. Staff feels that a green panel along Spring Street as proposed by the Applicant is appropriate, particularly given the existing tree-lined median and overall character of the street. The Applicant will need to apply for a waiver from DPWT and the Department of Permitting Services (DPS) for the non-standard green panel proposed on Spring Street.

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**MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATERSHED MANAGEMENT DIVISION**

Rockville Center - 255 Rockville Pike, Suite 120 - Rockville, Maryland 20850-4166  
Telephone No. 240-777-7780 - FAX No. 240-777-7715

**SUBDIVISION PLAN REVIEW: MNCPPC Development Review Committee (DRC)  
Comprehensive Water Supply and Sewerage Systems Plan Issues**

MNCPPC File Number: **8-02016**

DRC Meeting Date: **12/17/2001**

Subdivision Plan Name: **Easter Seals - Silver Spring**

Proposed Development: **14,554 sq.ft. senior day care; 13,717 sq.ft. child day care; 13,896 sq.ft. offices; 7,516 sq.ft. office/day care**

Watershed: **Lower Rock Creek**

Zoning: **CBD-R1**

Planning Area: **Silver Spring**

Site Area: **5.13 acres**

Location: **Spring Street**

Engineer: **CAS Engineering 301-607-8031**

**Water Supply and Sewerage Systems** (as specified on the subject subdivision plan or plan application)

**Proposed Water Supply:**

**Proposed Wastewater Disposal:**

Community (public) WATER system

Community (public) SEWER system

**Existing Service Area Categories: Water: W - 1**

**Sewer: S - 1**

**Water/Sewer Plan Map Amendment:**

**Water Supply Comments:**

**Sewerage System Comments:**

Yes; the water supply system is consistent with the existing water service area category

Yes; the sewerage system is consistent with the existing sewer service area category

**\*Additional Comments:**

Prior preliminary plan 1-00069 and site plan 9-00003.

Prepared by: **Alan Soukup/Dorothy Pecson**

Date prepared: **12/10/2001**

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

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

Date: 12/17/01

**MEMO TO:** Larry Ponsford, Site Planner  
Development Review Committee, MNCPPC

**FROM:** Blair Lough  
Water Resources Section, MCDPS

**SUBJECT:** Stormwater Management Concept Plan/100 yr.Floodplain Review  
Site Plan # 8-02016 , Easter Seals - Silver Spring  
Project Plan #  
Preliminary Plan # , DPS File # 200660  
Subdivision Review Meeting of 12/17/01

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 5-90 for stormwater management and Executive Regulation 108-92 AM for floodplain. The following summarizes our findings:

**SM CONCEPT PLAN PROPOSED:**

- On-site:**  Quantity  Quality  Both  
 On-site/Joint Use  Central (Regional): waived under 2.a.2.b.  
 Existing  Concept Approved Feb. 16, 2000
- Waiver:**  Quantity  Quality  Both  
 Approved on

**Type Proposed:**

- Infiltration  Retention  Surface Detention  Wetland  Sand Filter  
 Separator Sand Filter  Other  
 Exempt  Other

- FLOODPLAIN STATUS:** 100 Year Floodplain On-Site  Yes  No  Possibly  
 Provide source of 100 Year Floodplain Delineation: ;  Approved  Under Review  
 Submit drainage area map to determine if a floodplain study (>30 acres) is required  
 Dam Breach Analysis  Approved  Under Review

**SUBMISSION ADEQUACY COMMENTS:**

- Adequate as submitted  
 Downstream notification

**RECOMMENDATIONS:**

- Approve  as submitted  with conditions (see comments below).  
 Incomplete; recommend not scheduling for Planning Board at this time.  
 Hold for additional information. See below  
 Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC  
CAS Engineering

bll DRC site plan.03/01

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

MCPB  
- Item #2  
4/29/99

MEMORANDUM

DATE: April 22, 1999  
TO: Montgomery County Planning Board  
VIA: Joe Davis, Acting Chief, Development Review Division  
FROM: Denis Canavan, Zoning Supervisor, Development Review Division  
REVIEW TYPE: Zoning Text Amendment  
PURPOSE: Amend CBD- R1 Zones to allow the Planning Board under the optional method of development process to reduce the public use space requirement and increase the maximum FAR for non-profit organizations that provide a needed public service.  
TEXT AMENDMENT: No. 99005  
REVIEW BASIS: Advisory to the County Council, Chapter 59, Zoning Ordinance  
INTRODUCED BY: Councilmember Berlage  
INTRODUCED DATE: April 6, 1999  
  
PLANNING BOARD REVIEW: April 29, 1999  
PUBLIC HEARING: May 11, 1999; 1:30 p.m.

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STAFF RECOMMENDATION: APPROVAL with modifications

**BACKGROUND**

The Easter Seals Organization is relocating to the Silver Spring Central Business District. The vacant site is in the CBD-R1 Zone. Based on their proposed building plans there is a need for a reduction in the minimum public use space requirement, and an increase in the maximum floor area ratio. Without considering the merits of their plan at this time, this text amendment would allow the applicant to request and the Planning Board to approve a suitable project plan. Easter Seals will own and occupy the building as their headquarters and provide on-site child care and adult day care services in cooperation with the County Department of Health and Human Services.

## ANALYSIS

There are two parts to this text amendment. The first involves the public use space requirement. Under the optional method of development in the CBD-R1 Zone, the project plan must indicate a minimum public use space equivalent to 20 % of the net lot area. The net lot area is the calculated land area excluding any street or portion of street whether dedicated or not dedicated to public use. The proposed text amendment would provide a footnote in Section 59-C-6.233 which would read: This requirement may be reduced in whole or in part by the Planning Board if the site will be owned and occupied by a nonprofit organization that provides needed child day care and adult day care services in cooperation with the Montgomery County Department of Health and Human Services.

The second part of the text amendment involves the maximum density of development. Measured in floor area ratio, FAR, the maximum amount of nonresidential development in the CBD-R1 Zone is .6 FAR under the optional method. The proposed text amendment would allow an increase to a maximum of 1.2 FAR for non-residential development. The proposed text amendment would provide a footnote in Section 59-C-6.234 which would read: The FAR may be increased to FAR 1.2 by the Planning Board if the site will be owned and occupied by a nonprofit organization that provides needed child day care and adult day care services in cooperation with the Montgomery County Department of Health and Human Services.

The staff upon review of the text raises two similar concerns with each proposed footnote:

- 1) The proposed text could be interpreted that a combination of both child and adult day care must be provided to meet the threshold finding, rather than day care services for either group as satisfactory. The staff would suggest that either group served should satisfy the finding and therefore recommend that the reference to child and adult be changed to read, child or adult.
- 2) The proposed language requires that the nonprofit organization would provide day care services in cooperation with the Montgomery County Department of Health and Human Services. Staff upon review finds that it is unclear what cooperation means. Assuming all child and adult day care facilities must be in cooperation to some extent, the staff would suggest a stronger linkage such as partnership. This substitution would demonstrate the actual connection between the non-profit organization and the public agency. With this connection the staff can then conclude the public benefit derived, hence the reasoning supporting a smaller amount of public use space and a greater floor area ratio.

The property involved in the proposal is in the CBD-R1 Zone. This property is proposed to be rezoned to the CBD-1 Zone as recommended in the Planning Board (Final Draft) for the Silver Spring CBD Sector Plan. The rezoning of the property would follow approval of the Plan by Council and is anticipated next year. Easter Seals desires to construct this calendar year. If the property was rezoned to the CBD-1 Zone, the second part of this text amendment would not be necessary.

Attachment

99005.rpt

Zoning Text Amendment No: 99005  
Concerning: Minimum public use space for  
non-profit organization providing service  
to the community  
Draft No. & Date: 1 - 3/29/99  
Introduced: April 6, 1999  
Public Hearing: May 11, 1999; 1:30 p.m.  
Adopted:  
Effective:  
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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By: Councilmember Berlage

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AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

authorizing the Planning Board under the optional method of development process to reduce the public space requirement and increase the maximum FAR for non-profit organizations that provide a needed public service.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-C-6	"CENTRAL BUSINESS DISTRICT ZONES"
Section 59-C-6.23	"Development standards"
Division 59-C-6.233	"Minimum Public Use Space (Percent of Net Lot Area)"

**EXPLANATION:** *Boldface indicates a heading or a defined term.*  
*Underlining indicates text that is added to existing laws by the original text amendment.*  
*[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.*  
*Double underlining indicates text that is added to the text amendment by amendment.*  
*[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.*  
*\* \* \* indicates existing law unaffected by the text amendment.*

**ORDINANCE**

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*



1        **Sec. 1. Division 59-C-6 is amended as follows:**

2        **DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES.**

3        \* \* \*

4        **59-C-6.23. Development Standards.**

	CBD-0.5		CBD-R1 <sup>a</sup>		CBD-1		CBD-2		CBD-3		CBD-R2	
	S <sup>v</sup>	O	S	O	S <sup>v</sup>	O	S <sup>v</sup>	O	S <sup>v</sup>	O	S	O
* * *												
59-C-6.233. Minimum Public Use Space (percent of net lot area): <sup>15</sup>	10	20	10	20 <sup>a</sup>	10	20	10	20	10	20	10	20
* * *												
59-C-6.234. Maximum Density of Development.												
* * *												
--Nonresidential, including transient lodging (FAR)		1 <sup>d</sup>		.6 <sup>b,**</sup>		2 <sup>d</sup>		3 <sup>d</sup>		5 <sup>b</sup>		1 <sup>d</sup>
* * *												

5  
6        \* This requirement may be reduced in whole or in part by the Planning Board if the site will be  
7        owned and occupied by a nonprofit organization that provides needed child care and adult day  
8        care services in cooperation with the Montgomery County Department of Health and Human  
9        Services.

10        \*\* The FAR may be increased to FAR 1.2 by the Planning Board if the site will be owned and  
11        occupied by a nonprofit organization that provides needed child care and adult day care services  
12        in cooperation with the Montgomery County Department of Health and Human Services.

13  
14        **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the date of  
15        Council adoption.

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17        This is a correct copy of Council action.

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21        \_\_\_\_\_  
22        Mary A. Edgar, CMC  
          Clerk of the Council

Resolution No:  
Introduced: April 6, 1999  
Adopted:

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

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By: District Council

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Subject: Notice of Public Hearing on Zoning Text Amendment 99005

Background

1. Section 59-H-9.3 of the Montgomery County Ordinance requires that, within thirty days of introduction of any text amendment, the Council act by resolution to set a date and time for public hearing on the proposed amendment.
2. Zoning Text Amendment No. 99005, which would amend the Zoning Ordinance to allow minimum public use space for non-profit organization providing service to the community was introduced on April 6, 1999.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

Legal notice will be given of the public hearing to be held on May 11, 1999, at 1:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, for the purpose of giving the public an opportunity to comment on the proposed amendment.

This is a correct copy of Council action.

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Mary A. Edgar, CMC  
Clerk of the Council

(4)

# **Approved and Adopted**

## **Silver Spring Central Business District and Vicinity Sector Plan**

*An amendment to the Silver Spring Central Business District Sector Plan, 1993, as amended; The Master Plan for Silver Spring-East, 1997, as amended; The Master Plan of Bikeways, 1978, as amended; The Master Plan of Historic Preservation, 1979, as amended; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties, 1964, as amended; and The Master Plan of Highways within Montgomery County, as amended.*

*Prepared by*

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Montgomery County Department of Park and Planning  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

March 2001

*Approved by*

THE MONTGOMERY COUNTY COUNCIL

February 2000

*Adopted by*

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 2000

