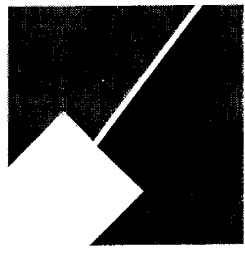


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

September 1, 2004

MEMORANDUM

TO: ✓ Robert Kronenberg, RLA, Planner Coordinator
Development Review Division

Richard Weaver, Subdivision 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: Project Plan Review No. 9-04003A
Preliminary Plan Review No. 1-04040A
Portico

The Community-Based Planning staff has reviewed the above referenced Preliminary Plan and Project Plan for conformance with the Silver Spring Central Business District and Vicinity Sector Plan (Approved February 2000). The subject property is located approximately 70 feet west of the intersection of Fidler Lane and Ramsey Avenue in Silver Spring. Community-Based Planning recommends the approval of this Project Plan and Preliminary Plan with the following conditions needed to ensure consistency with the approved CBD Sector Plan:

1. Dedicate an additional 17.5 feet of street right-of-way on Fidler Lane where the existing right-of-way is 42.5 feet for a total right-of-way of 60 feet.
2. Coordinate with staff prior to Site Plan Review regarding the final design and extent of the non-standard streetscape improvements.
3. The applicant will request a waiver for all non-standard streetscape improvements as well as a maintenance and liability agreement from the Montgomery County Department of Public Works and Transportation at Site Plan Review.
4. Enter into an agreement with the Silver Spring Urban District for maintenance of all or some of the streetscape improvements

ZONING AND LAND USE:

The 23,273-square foot subject property is zoned CBD-R2 (Central Business District, Residential 2.0). The approved CBD Sector Plan recommends the CBD-R2 zoning for this site which was applied through the Sectional Map Amendment (SMA) adopted July 18, 2000, per County Council Resolution 14-600.

The proposed development is a high-rise condominium to be built under the Optional Method of Development. High density residential is a permitted use that is consistent with the intent of the CBD-R2 zone. The building will be 13 stories (139 feet) in height. The Zoning Ordinance normally permits up to 143 feet in height under the Optional Method. Additional building height up to 200 feet can be permitted if the Planning Board determines that surrounding properties will not be adversely affected. The project will include 158 dwelling units, with the required Moderately Priced Dwelling Units (MPDUs) provided on-site. The proposal reflects a density of 200 units per acre, plus a bonus density of 22% for providing 15% MPDUs. This density is the maximum allowed under the zone.

The minimum required on-site public use space for this project is 4,305 square feet (20% of the net lot). The applicant proposes a total of 5,674 square feet of on-site public use space or 26.3% of the net lot area. The applicant is also proposing 4,363 square feet of off-site improvements. The combined on-site public use space, amenities and off-site improvements is 10,037 square feet or 46.6% of the net lot area.

SECTOR PLAN CONFORMANCE:

The Silver Spring Central Business District and Vicinity 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. Four of these themes (i.e. a residential downtown; a green downtown; a transit-oriented downtown; and a pedestrian-friendly downtown) apply to this proposed project. The Sector Plan does not specifically identify the proposed project site as a potential housing site. However, the Sector Plan does encourage housing as an important component to the revitalization efforts and does recommend a residential zone for the property.

The proposed project will include a significant new public open space and an art amenity. This project encourages the development of active urban streets by providing a street-facing building entrance and easily accessible and highly visible public spaces as activity generators. This proposal improves the quality of the pedestrian environment by providing the Silver Spring streetscape treatment required for optional method projects. The proposed development is located less than a quarter mile (5 minute walking distance) from the Silver Spring Metro Station. The proximity to transit facilities and to the downtown employment core will reduce the dependency on the automobile for the residents of the development.

- A. **Silver Spring Wayfinding System:** There are no wayfinding signs programmed for Fidler Lane according to the Silver Spring Wayfinding Master Plan prepared by the Silver Spring Regional Center.

- B. **Sector Plan Bikeways:** The Sector Plan is silent regarding bikeways for Fidler Lane.
- C. **Sector Plan Street Rights-of-Way:** The existing Fidler Lane right-of-way varies from 42.5 feet to 60 feet. The streetscape was improved per the *Silver Spring Streetscape* on the south side of Fidler Lane as part of the optional method improvements for the Silver Spring Centre. The Sector Plan does not specifically recommended additional right-of-way dedication for Fidler Lane. However, staff feels that an additional 17.5 feet of dedication is needed (where the right-of-way is 42.5 feet) to provide a consistent a total right-of-way of 60 feet on Fidler Lane. This will insure the complete accommodation of the optional method streetscape treatment on the applicant's side of Fidler Lane. The Sector Plan recommends that Fidler Lane be designed as a "mixed street" in order to emphasize pedestrian circulation through streetscaping while accommodating limited, slow vehicular traffic.
- D. **Streetscape:** The applicant proposes to improve Fidler Lane and Ramsey Avenue in front of Cubano's Restaurant using the Type B treatment recommended in the *Silver Spring Streetscape* (April 1992) technical manual. The applicant proposes to implement some non-standard paving elements within the Fidler Lane right-of-way located in proximity to their main public space. The non-standard paving elements are minor in scope and will complement the proposed public space by visually drawing pedestrians into the space.

The applicant should continue to coordinate with staff as well as the County's Department of Permitting Services (DPS) and the Department of Public Works and Transportation (DPWT) prior to and during Site Plan review to determine the final elements to be proposed. Staff recommends that at Site Plan Review, the applicant request a waiver, as well as a maintenance and liability agreement from DPWT for all non-standard streetscape improvements. The staff recommends that the applicant enter into an agreement with the Silver Spring Urban District for maintenance of all or some of the streetscape improvements.

COMMUNITY OUTREACH:

The applicant has met with various civic and business groups regarding this proposal. These groups include the Greater Silver Spring Chamber of Commerce and the Silver Spring Citizens Advisory Board. These groups have been generally supportive of the proposal. The applicant has had extensive meetings with the Cameron Hill Owners Association since December of 2003. The Cameron Hills Owners Association previously requested a continuance of the Planning Board's public hearing to give them more time to review fully the development proposal and resolve issues. The Planning Board granted the continuance on July 22, 2004.

MI:tv: G:\raola\regulatory\project\9-04003_Portico_CBPmemo



Real Estate Development Division
 3930 Knowles Avenue, 1st Floor
 Kensington, Maryland 20895-2484
 301/929-6726
 301/962-8523 FAX

4 June 2004

Scott C. Wallace, Esq.
 Linowes & Blocher LLP
 7200 Wisconsin Avenue, Suite 800
 Bethesda, MD 20814-4842

Re: *The Portico, Fiddlers Lane, Silver Spring*

Dear Scott:


On returning to my office from Tuesday's Development Review Committee meeting, I plugged the Portico numbers into the formula prescribed by Sec. 25A-5 of the County Code. The conclusion: the statutory formula requires a mix of Moderately-Priced Dwelling Units (MPDUs) different from the one indicated on the plans, as shown below:

	A Proposed by Developer	B Required by Sec. 25A-5
Efficiencies	24	5
1BR	0	11
2BR	<u>0</u>	<u>8</u>
TOTAL	24	24

Enclosed is the worksheet showing the calculations supporting Column B.

We would be pleased to meet with you and your principals to further discuss these numbers.

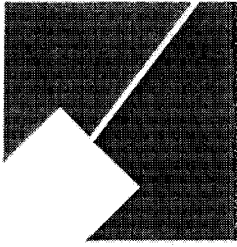
Sincerely yours,


 Daniel Sachs
 Senior Planner

cc: Robert Kronenberg, M-NCP&PC
 Douglas Lohmeyer, Montg Consulting
 Eric Larson, Montg County DHCA



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
301-495-4500, www.mncppc.org

June 22, 2004

MEMORANDUM

TO: Robert Kronenberg, Coordinator
Richard Weaver, Supervisor
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning *RW*

FROM: Shahriar Etemadi, Coordinator *SE/*
Transportation Planning

SUBJECT: Project Plan No. 9-04003-A
Preliminary Plan No. 1-04040-A
Portico (Fiddler Park)
Silver Spring CBD

This memorandum is Transportation Planning staff's Adequate Public Facilities review of the subject application.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation requirements related to the approval of the subject application.

1. Limit development to 158 high-rise dwelling units.
2. Dedicate 30 feet from the centerline to provide for 60 feet of right-of-way for Fidler Lane as recommended in the Silver Spring Central Business District (CBD) Sector Plan.
3. Provide 20 feet of pavement to serve the garage with turnaround on Fidler Lane.
4. Provide 17 feet of sidewalk (existing) on the south side and 15 feet of sidewalk on the north side of Fidler Lane.

5. Provide standard Silver Spring CBD streetscape along the property frontage on Fidler Lane, and extend the streetscape off site on Fidler Lane and Ramsey Avenue across the property frontage of Lot 5 (Cubano's Restaurant).

Local Area Transportation Review

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

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

INTERSECTIONS	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
2 nd Ave. and Cameron Street/Apple Ave.	376	487	619	654	642	679
Georgia Avenue and Cameron Street	902	913	1,106	1,110	1,123	1,118
Georgia Avenue and Colesville Road	1,373	1,142	1,435	1,237	1,441	1,237
Colesville Road and 2 nd Ave./Wayne Ave.	748	765	936	971	955	982

Site Access and Circulation

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

Pedestrian Impact Analysis

The traffic study evaluated the pedestrian activities in the area. The potential conflict between pedestrians and vehicular traffic on Fidler Lane and surrounding streets is minimized by a single point of access to the site and low volume of traffic on surrounding streets. Sidewalks are provided on all streets connecting to the site. The site is within walking distance of the Metro station and the MARC station. Sidewalks and other pedestrian facilities such as crosswalks and pedestrian signals are provided at intersections throughout the CBD that provide for safe movements of pedestrians.

Policy Area Review/Staging Ceiling Analysis

The site is located within the Silver Spring CBD Policy Area, which has a remaining capacity of 2,860 jobs and 4,448 housing units, as of May 31, 2004.

SE:gw

mno to kronenberg re portico - 9-04003-A



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

July 8, 2004

Robert C. Hubbard
Director

Mr. Charles T. Grimsley, P.E.
Landmark Engineering, Inc.
1751 Elton Road, Suite 202
Silver Spring, MD 20903

Re: Stormwater Management **CONCEPT** Request
for Portico (formely Fidler Park)
Preliminary Plan #: 1-04003
SM File #: 210493
Tract Size/Zone: 0.4941 Ac./CBD-R2
Total Concept Area: 0.4941 Ac.
Lots/Block: Part of lot 1 & 2
Parcel(s): N351 & N352
Watershed: Lower Rock Creek

Dear Mr. Grimsley:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via a separator sand filter. Onsite recharge is not required since this is considered to be redevelopment. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Use MCDPS latest design standards for the separator sand filter.
6. Must provide clear access for maintenance of stormwater management structure.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.



This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN210493 Portico.DWK

cc: R. Weaver
S. Federline
SM File # 210493

QN -Onsite; Acres: 0.4941
QL - Onsite; Acres: 0.4941
Recharge is not provided