



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Item # 3
MCPB
September 23, 2004

MEMORANDUM

TO: Montgomery County Planning Board
DATE: September 8, 2004
VIA: Richard Hawthorne, Acting Chief *RCH*
Michael Ma, Supervisor
Development Review Division
FROM: Wynn E. Witthans, RLA, AICP *WW*
Planning Department Staff
(301) 495-4584



REVIEW TYPE: Project Plan Review
APPLYING FOR: Approval of 52,832 sq. ft. of Retail and 477 multifamily units, inclusive of 60 MPDUs on 2.85 acres
PROJECT NAME: Silver Spring Gateway
CASE #: 9-04002A
REVIEW BASIS: Sec. 59-D-2, M. C. Zoning Ordinance
ZONE: CBD-2
LOCATION: South East of the intersection of Blair Mill Road and East West Highway
MASTER PLAN: Silver Spring CBD Sector Plan, Approved and adopted February 2000
APPLICANT: Silver Spring Gateway Residential, L.L.C.
FILING DATE: June 1, 2004
HEARING DATE: September 23, 2004

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Compliance with the intent and requirements of the zone
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Compatibility with the general neighborhood
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SUMMARY

The application proposes 52,832 sq. ft. of Retail and 477 multifamily units, inclusive of 60 MPDUs on 2.85 acres on land in the CBD-2 zone. The application amends a February 5, 2004 Project Plan approval for this site - it increases the number of dwelling units (by 6 units), adds a grocery store and revises the building design and open space configuration. The applicant has also filed a Preliminary Plan, application #1-04039A, which is being processed concurrently with the Project Plan and will be heard by the Planning Board on the same day. Amenities and facilities proposed include open space plazas, original sculpture and on- and off-site streetscape improvements. The MPDU's are proposed to be located on site and will reflect a diversity of unit types. Staff recommends The Planning Board approve the Project Plan with the conditions listed below.

ISSUES OF THE REVIEW:

The issues addressed during review include: the new architectural and land-use concept and open space design; the proposed Public Art by the Planning Board Art Review Panel; continuing coordination with the Art Walk Concept by DHCA, the continuing coordination with the Historic Preservations Commission staff regarding the Silver Spring Train station (see below), the former Eastbound Waiting Room and the securing the subsurface railroad tunnel openings – all adjacent or part of the site.

At the time of report publication, there have been no comments from citizens groups or other interested groups. There were supportive comments from these groups for the initial project plan approval.

There are no outstanding Project Plan issues to resolve between staff's recommendation and the applicant's proposal.

Issue: Historic Preservation

East Bound Waiting Room Building

This project requires the demolition of the existing East Bound Waiting Room Building, located integral to the site. This structure is not part of the county historic designation of the Silver Spring Train Station; however, it is part of the National Register designation of the site. As a way of commemorating and recalling the building that is to be demolished, the applicant's proposal proposes a piece of public art on the wall of the new parking garage that will face the CSX tracks. It will be a trompe l'oeil mural that will represent the demolished building and its function in the context of the train station. The applicant has agreed to provide a financial donation to Montgomery Preservation, Inc. to assist in the long-term maintenance of the recently restored Silver Spring Train Station.

Tunnel Underneath The CSX Tracks

The tunnel underneath the CSX tracks, adjacent to the site connects the Silver Spring Train Station to the project site is included in the county historic designation of the Silver Spring Train Station and in the National Register designation of the entire site. The tunnel had provided a pedestrian connection from the Train Station to the southbound tracks but since the train station has functionally moved, the tunnel is no longer needed.

With the initial Project Plan hearing, a series of meetings were held regarding the tunnel. where a consensus of Historic Preservation staff, the Urban District, the M-NCPPC Park Police, the developer and other Planning Staff was established. There was a great concern about the safety of pedestrians in such an out-of-the-way place made even more isolated given the location of the parking garage. There was a desire by historic preservation staff to maintain the tunnel as part of the historic site and to keep the option open to utilize it for potential occasional historic/cultural events. The Urban District was concerned about issues of pedestrian safety if anyone used the tunnel for unintended purposes. They wanted the tunnel closed permanently.

The proposed resolution is to have the applicant install new gates at each end of the tunnel opening with open bars that are stronger than the currently installed chain link fence. It was felt this would not require Historic Preservation Commission approval under the Historic Area Work Permit process for this alteration. There will be a small landing at the tunnel opening on the west side of the tracks, but with no defined path to it.

STAFF RECOMMENDATION

The staff recommends approval of Project Plan #9-04002A, which proposes 52,832 sq. ft. of Retail and 477 multifamily units, inclusive of 60 MPDUs on 2.85 acres on land in the CBD-2 zone with the following conditions:

1. Development Ceiling

Limit the development to 50,000 square feet of grocery store and 10,000 square feet of Retail, and 477 high-rise multi-family residential units. Building height limit is 143 feet.

2. On and Off Site Amenities

The Site Plan shall include the following amenity areas on and off site as follows:

On-site Public Use Space and Amenities

- 1) **Central Plaza** along East-West Highway that serves as a central unifying element to link the Project with the adjacent Silver Spring Square project
- 2) **West Park** - an urban park that blends the open spaces of Silver Spring Square with the open spaces of this proposal
- 3) **Terraced Lawn** – sitting and dining areas in front of the grocery store
- 4) Streetscape and lighting along the former Blair Mill Road at Georgia Avenue (implemented by others)
- 5) Streetscape and lighting along **New Mixed Street** – with special pavers, street trees, special lights and other street furniture
- 6) Streetscape and lighting along the **Internal Street** – with special pavers, street trees, special lights and other street furniture
- 7) Pedestrian connection linking Internal Street with the Arts Alley – with adequate headroom to achieve generous and inviting public passage. Choice of building material to be detailed at site plan approval to support open pedestrian space.
- 8) **Pocket Park** – between the two residential buildings and linked to Central Plaza
- 9) **Public Artwork** (two areas) – eleven pieces of outdoor “furniture” thematically linked to the Canada Dry façade placed within the public open space amenity areas.
- 10) **East Bound Waiting Room Commemorative** – per agreement with Montgomery Preservation
- 11) Streetscape and lighting along East-West Highway
- 12) All Public Streetscape improvements to conform to the *Silver Spring Streetscape* Technical Manual and shall include under-ground utilities along East-West Highway

Off-site Amenities

- 1) Streetscape and lighting along East-West Highway
- 2) Paving and landscape improvements along south side East-West Highway and in front of adjacent property to the east (the Blair Mill L.L.C. property).
- 3) Paving and landscape and lighting along the **east side of the New Mixed Street**
- 4) **Pocket Park** next to the existing Silver Spring Square Site Plan (Canada Dry Building).
- 5) Financial contribution to Montgomery Preservation, Inc. prior to record plat
- 6) Financial subsidy for the construction of the Silver Spring Innovation Center
- 7) All Public Streetscape improvements to conform to the *Silver Spring Streetscape* Technical Manual and shall include under-ground utilities along East-West Highway

3. Staging of Amenities

The Central Plaza, West Park, Terraced Lawn and Pocket Park shall be built with the first building on site and the all streetscape improvements shall be constructed concurrently with the second building. The remaining amenity areas shall be fully constructed prior to occupancy of the adjacent building.

4. Historic Preservation

- a. A financial donation to Montgomery Preservation, Inc. for the long-term maintenance of the historic Silver Spring Train Station shall be made by the applicant prior to record plat.
- b. A trompe l'oeil painting that is representative of and commemorates the East Bound Waiting Room Building (to be removed) shall be provided by this applicant and the design concept as reviewed by Montgomery Preservation, Inc.
- c. The applicant shall provide an open iron gate at both ends of the existing pedestrian tunnel, so as to maintain a secure closure of the tunnel. Details to be provided with the landscape plan.

5. Moderately Priced Dwelling Units

The site plan shall include a phasing and unit distribution plan for the MPDUs. All MPDUs shall be provided on site.

6. Transportation Improvements:

- a. Dedicate 15 feet to provide for 90 feet of right of way for MD 410 (East-West Highway)
- b. Complete the abandonment of Blair Mill Road with the site plan approval of Silver Spring Gateway. Create a full movement intersection at New Mixed Street and MD 410 and a second right in, right- out intersection for the lower garage entry with East West Highway.
- c. Enter into a Transportation Management Agreement with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the Silver Spring Transportation Management Organization prior to record plat.
- d. Provide bicycle racks or lockers for at least twenty-five residential units, eight for the office area, and eight for the retail area.

7. Authorization to use off site land for off-site public amenity area.

Applicant to provide authorization from adjacent property owners (SSIC – Montgomery County, Mr. Soorenko (the parcels to the south) and Silver Spring Square, Ltd. to allow the Silver Spring Gateway project to utilize adjacent, off-site land for off-site amenity area that will be counted and developed as off-site amenity area proffered by this

development application. Project Plan Data Table to reflect the final square footage on site.

8. Assignment of Blair Mill right-of-way

The Preliminary Plan shall document the assignment of the abandoned Blair Mill right-of-way to either this applicant or to the adjacent parcels.

9. Maintenance Agreement

The applicant shall be responsible for maintaining the public amenity features on and off site. The development program shall reference the artist statements about maintenance. The Silver Spring Urban District shall maintain the streetscape within the public right-of-way.

10. Site Plan Issues

The future site plan proposal shall address the following items:

- a. Noise mitigation for the residential units adjacent to the train tracks.
- b. Site Plan to include consideration of detailing for: streetscape and public open spaces; public art work inclusive of a review by the Arts Panel; the waiting station trompe l'oeil painting; treatment of loading dock area as viewed from Georgia Avenue; Blair Mill Road (abandoned) and Silver Spring Innovation Center; and details of the gate for the railroad tunnel; an off-site street improvements to accommodate lane widening and crosswalk changes; cover for internal parking deck (within "U"); parking garage façade treatment for frontages adjacent to residential uses (Silver Spring Square) and adjacent to the historic Train Station and views from Georgia Avenue and Planning Board consideration of allowance of excavation prior to release of signature set approval, treatment of pedestrian passage over Internal Street, extend brick walk to gutter at intersections along East-West Highway.
- c. Coordination with MDSHA to allow on street parking on East West Highway.
- d. Development of grocery store portion of site plan to include: entry to store from Internal Street and from subsurface parking level; pedestrian circulation system within subsurface parking level; compatibility of illuminated entry store signage with adjacent residential land use.
- e. Lighting plan to reflect adequate light levels for public safety per IESNA guidelines and compatibility to adjacent residential uses.

PROJECT DESCRIPTION: Surrounding Area

Lot Description

The property is generally bordered by: the existing Blair Mill Road, East-West Highway, Georgia Avenue and the CSX/WMATA rail lines. The property is comprised of ten individual properties, a portion of the Silver Spring Innovation Center site, and the portions of Blair Mill Road to be abandoned. Blair Mill Road, as it traverses the property, has been conditionally approved for abandonment by the Montgomery County Council and will revert to private ownership in conjunction with the development process.

As part of the abandonment of Blair Mill Road, the owner of the Silver Spring Square project, will accept the ownership reversion from centerline of the adjoining Blair Mill Road right-of-way. However, the portion of the abandoned Blair Mill Road adjacent to the County-owned land being developed with the SSIC will be assigned to the Applicant and is included as part of the property, see attached authorizing letter.

Adjacent Land Uses

The property is adjoined to the north by the Silver Spring Square multifamily site plan. Further to the north by Foulger Pratt's residential high-rise, to the south by existing commercial uses, a proposed Arts Alley (discussed in more detail below) and Georgia Avenue; to the east by the WMATA/CSX rail lines; and to the west, across East-West Highway, by Discovery Communications and the M-NCPPC Acorn Park.

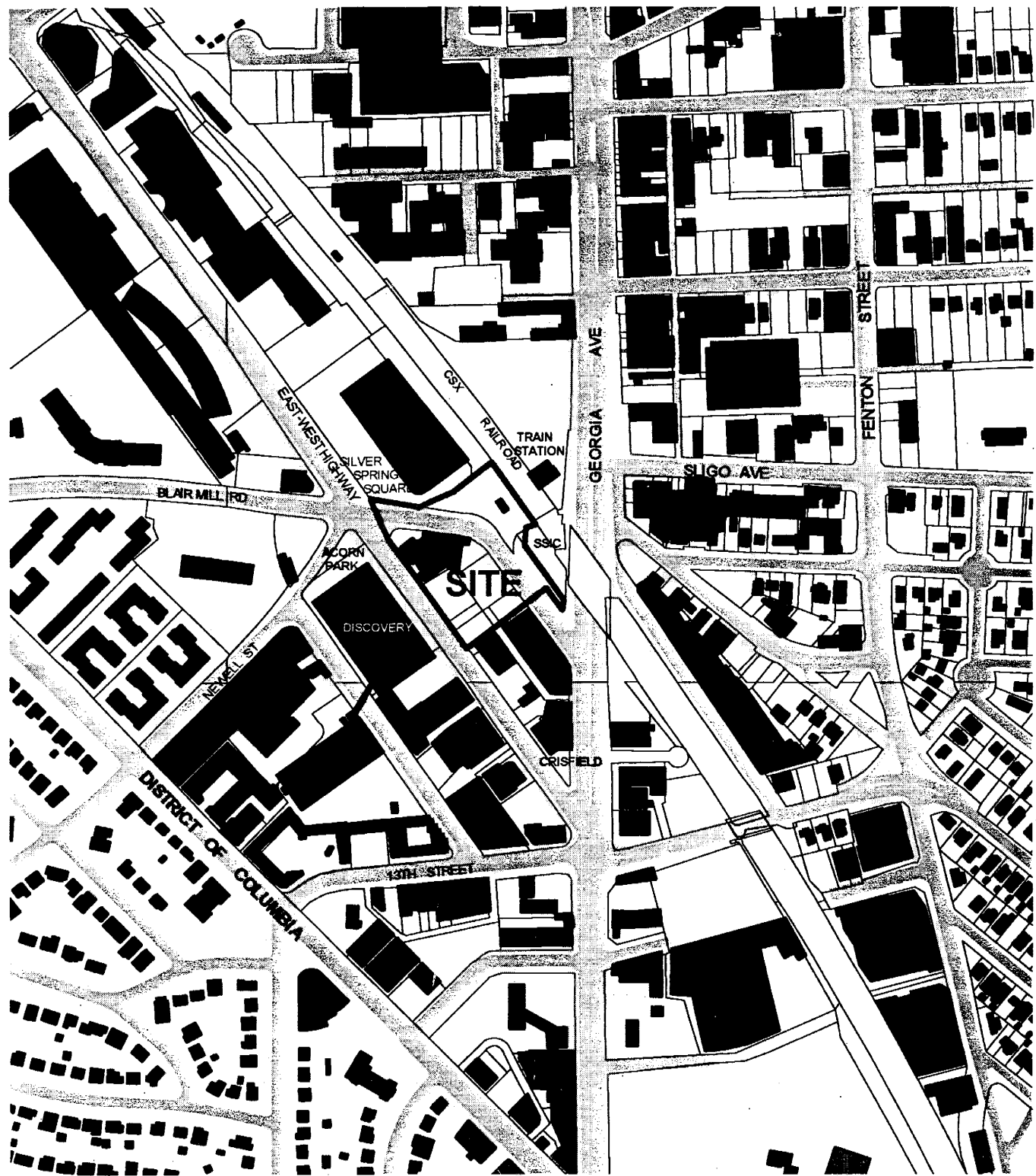
East West Highway has been improved with the Silver Spring Streetscape adjacent to new development to the north. The abandoned Blair Mill Road will be improved as an internal street adjacent to the southernmost retail properties and Silver Spring Innovation Center at Georgia Avenue. The East West Highway right-of-way, south, but adjacent to the project, is unimproved and not dedicated to the full width of the right-of-way.

PROJECT DESCRIPTION: Site and immediate vicinity

The property is currently the site of several surface parking lots, a vacant former auto showroom, an auto repair shop, and the vacant eastbound train waiting station. The grade of the property generally slopes down from the southeast corner of site to the northwest corner of the site – a six-foot change in grade.

The property is located in the South Silver Spring District of the Silver Spring CBD, as designated within the Silver Spring CBD Sector Plan Approved and Adopted February 2000 the property is zoned CBD-2 (Central Business District), and it is overlaid by the Ripley/South Silver Spring Overlay Zone and within a State Enterprise Zone and designated as an Arts and Entertainment District as established by state and local legislation and regulations. The property is a true "gateway" to Silver Spring and to Montgomery County.

VICINITY MAP



Scale: 1" = 400'

MONTGOMERY COUNTY



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PROJECT DESCRIPTION: Proposal

The property will be developed with a mixed-use commercial and residential project, comprised of 555,399 gross sf (4.47 FAR), public use space and other on and off site amenities, streetscape and landscape, and parking on site sufficient to accommodate these uses, the SSIC and adjacent commercial uses. The project proposes 22.5 % on-site public amenity area and 16.6% off site amenity area for a total of 39.1% of the net lot for off site improvements.

Open spaces

The proposed project is organized around several significant front door public spaces:

Central Plaza – a circular terrace between this project and Silver Spring Square site plan featuring the Canada Dry building as a centerpiece,

Terraced Lawn - in front of the grocery store;

West Park - an urban park that blends the open spaces of Silver Spring Square with the open spaces of this proposal;

Pocket Park – a small park with a more private outdoor area.

The project is further organized around vehicular and pedestrian circulation systems for the site:

Internal Street connects the above open space areas to the adjacent Arts Alley and the lower parking lot for the grocery store, and

New Mixed Street - a private mixed street through the Project that connects Georgia Avenue and the Arts Alley to East West Highway and provides access to the loading/service area and the upper parking levels for resident and adjacent retail areas.

Public Art

The Artwork will include sculpture pieces that resemble “outdoor furniture.” They will be placed throughout the open space areas adjacent to East-West Highway and the Silver Spring Square site plan. See attachment. Sculptor and artist Carolyn Braaksma has been engaged to design the art objects. The art work has been favorably reviewed by the Montgomery County Planning Board Art Panel. Their enthusiastic response to the design included comments on the size and placement of the pieces for the artist to resolve. See attached memo and sketches.

The art objects will include historical references of form and pattern in the design of over-sized art-deco furniture, including two types of chairs and a large ornamental sofa. Two (2) large couches, six (6) small “art deco” chairs, and three (3) large “upholstered” chairs for a total of eleven (11) art pieces are proposed. These art pieces serve a dual purpose as ornamental art objects and functional park seating. Locations for the art objects are a joint design effort by the artist, the landscape architect, and the owner.

The seating reflects the architectural style of the Canada Dry building near the site. Both the form of the seating and the surfaces reference the Art Deco Period in art and architecture. The “upholstered” chairs bring the living room outside. One can put two chairs together for a conversation or a tête-à-tête -add a table between and you can “do” lunch, play chess or sip coffee. The seating is an emulation of actual Art Deco style chairs – sometimes biomorphic, sometimes streamlined and angular, but rendered in durable outdoor materials. At first glance the outer surface of the chair is concrete. However, some surfaces of the chair will have the pattern of Deco style upholstery that will be cut from stone and terrazzo, or cast in the concrete surface. Individual chairs may sit on a plinth of glass block that is lit from beneath.

The materials palette for the objects includes pre-cast concrete, metal, glass-block w/ lighting incorporated, and the surfaces are decorated with colorful mosaic/terrazzo designs

These forms and materials will also influence the detailing of the central plaza paving by the project landscape architect. Other site furnishings will be selected by the landscape architect that is sympathetic to the theme; i.e. planters, benches, lights, etc. This will help “knit” the design together over a larger area.

Architecture

The project architecture will consist a “U”-shaped, 15-story residential high-rise building stacked over a multi-level parking garage and grocery store and an “L”-shaped, 15-story residential high-rise building as follows:

- 1) The “U”-shaped residential building has frontage along the front amenity areas and is located adjacent to the Canada Dry building near the rear of the property. Configured as a courtyard or “U”-shaped building, it “wraps” around two of the four sides of the parking garage to screen it from the Lawn Terrace and Central Plaza. The façade at the ground floor of the grocery store will be visible to the street and open space areas, as the storefront faces the Terraced Lawn and Central Plaza; visitors will be able to look down through the glass storefront at the main level of the grocery store one level below. Other ground floor spaces includes residential lobby space and potentially residential common areas such as leasing offices.
- 2) The “L”-shaped residential building is located along the southeast edge of the property, fronting on East-West Highway, the New Mixed Street; and the Internal Street. Its ground floor spaces consist of flex residential/retail space, with building lobby/residential common areas and/or ground floor retail. Additionally, this building provides a corridor for the Internal Street that creates an exterior pedestrian and vehicular connection that links the Terraced Lawn and amenity areas to the Arts Alley.

The massing of the residential buildings steps back above the grocery store to create a “podium” to define a pedestrian scale and create an architectural and programmatic variety at the lower levels. Consistent with the urban design vision for the revitalization of South Silver Spring, the project provides tapered building heights at a 2:1 slope along East West Highway from 90 feet immediately adjacent to the right of way up to 143 feet to contribute to the coherent and attractive streetscape and to allow abundant light and air.

The project will derive its character from the mid-twentieth century architectural styles of Silver Spring, Art Deco and Art Moderne, which are exemplified by such buildings as the Silver Theater and the Canada Dry Building, as well as from the “edgy” urban aesthetic suggested by the industrial history of the site. The diverse open spaces will have their own distinct architectural identity that will contribute to the diverse and rich neighborhood character.

Parking

The parking garage is seven levels above grade with two levels below grade, providing a maximum of 924 spaces. The total parking quantity provided within the parking garage exceeds the zoning requirements, and parking counts are based on the shared parking formulas for mixed-use development specified therein, plus accommodates the provisions for 75 spaces to support the existing commercial uses to the south of the site, and an additional 48 spaces for the Silver Spring Innovation Center.

Vehicular access to the Project’s parking structure is provided from two locations and is intended to be clearly identifiable and convenient for residents, employees and retail customers. Entrances are located from the abandoned Blair Mill Road near the SSIC and Georgia Avenue, from the entrance drive at East-West Highway and from the internal street adjacent to the grocery store entry.

Service and Loading

The residential buildings, the office building, and the retail component will share a central off-street service area with five loading docks, discreetly located at the rear of the parking facility and the adjacent to the SSIC service area.

Phasing

The design of the Project allows for the flexibility of phased or non-phased development to respond to current market conditions. If phased, the first phase could be the residential high-rise building stacked over the parking garage and grocery store; the second phase could be high-rise residential building closer to East-West Highway.

Historical Marker for the Train Station

The applicant will provide an interpretive historical marker, e.g., a “trompe l’oeil” mural, to commemorate the (non-historic) eastbound train waiting station on the façade of the parking garage facing across the CSX tracks towards the Silver Spring Train Station.

Site Amenities

The amenities proposed with the Project Plan approval are as follows:

On-site Public Use Space and Amenities

- 1) **Central Plaza** along East-West Highway that serves as a central unifying element to link the Project with the adjacent Silver Spring Square project
- 2) **West Park** - an urban park that blends the open spaces of Silver Spring Square with the open spaces of this proposal
- 3) **Terraced Lawn** – sitting and dining areas in front of the grocery store
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