

**MEMORANDUM**

DATE: June 15, 2005
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
 Michael Ma, Supervisor *MM*
 Development Review Division
FROM: Robert A. Kronenberg, RLA *RAK*
 Planning Department Staff
 (301) 495-2187



PROJECT NAME: 1200 East-West Highway
CASE #: 9-05004
REVIEW TYPE: Project Plan Review

ZONE: CBD-2
APPLYING FOR: Approval of approximately 275,000 square feet of gross floor area, including 264,400 square feet of residential space consisting of approximately 247 multi-family dwelling units, of which 31 (or 12.5% of the total number of units) will be MPDUs, and 10,600 square feet of retail space on 1.40 acres

LOCATION: Located in the northwest quadrant of the intersection of Blair Mill Road and East-West Highway in Silver Spring

MASTER PLAN: Silver Spring Central Business District
 Ripley/South Silver Spring Overlay Zone

REVIEW BASIS: Division 59-D-2 of the M. C. Zoning Ordinance requires submission of a Project Plan as part of the application for the use of the optional method of development for a CBD zoned property.

APPLICANT: Goodman East-West I, LLC

FILING DATE: March 31, 2005

HEARING DATE: June 30, 2005

Attached is the staff report for the proposed 1200 East-West Highway Project Plan. The Planning Board public hearing for this application is scheduled for June 23, 2005. The Applicant requests to postpone the hearing until June 30, 2005, to address road right-of-way issues. A draft Planning Board report for the Project Plan will be available on June 15, 2005. The Staff recommends **Approval** with conditions as delineated in the staff report.

**1200 East-West Highway
Silver Spring, Maryland**



**Staff Report
for the review of**

**Project Plan 9-05004
Utilizing the Optional Method of Development**

1200 East-West Highway

**Lessard Group, Inc., Architect/Planner
Lewis Scully Gionet, Inc., Landscape Architect
VIKA, Inc., Engineer
Linowes and Blocher, LLP, Attorney
Kimley-Horn Associates, Inc., Traffic Consultants**

**Prepared for
The Montgomery County Planning Board
June 30, 2005**

TABLE OF CONTENTS

| | |
|---|----|
| SUMMARY | 3 |
| STAFF RECOMMENDATION | 4 |
| PROJECT DESCRIPTION | |
| Site and Surrounding Area..... | 6 |
| Site and immediate vicinity..... | 7 |
| Proposed development..... | 8 |
| PLANNING AND REGULATORY FRAMEWORK | 13 |
| Master Plan | |
| Prior Approvals | |
| Preliminary Plan | |
| BASIS FOR CONSIDERATION OF ISSUES | 13 |
| REQUIRED FINDINGS | |
| Compliance with the intents and requirements of the zone..... | 14 |
| Conformance to the approved and adopted Sector Plan..... | 21 |
| Compatibility with the general neighborhood..... | 22 |
| Adequacy of existing or programmed public services..... | 22 |
| More desirable than the standard method of development..... | 23 |
| Provision of moderately priced dwelling units..... | 23 |
| Development involving more than one lot or one CBD zones..... | 23 |
| Requirements for forest conservation..... | 24 |
| Requirements for water quality resource protection..... | 24 |
| APPENDIX | 25 |
| Transportation Planning Division Memo dated June 9, 2005 | |
| Community-Based Planning Division Memo dated June 14, 2005 | |

SUMMARY

The application proposes approximately 275,000 square feet of gross floor area, including 264,400 square feet of residential space consisting of approximately 247 multi-family dwelling units, of which 31 (or 12.5% of the total number of units) will be MPDUs, and 10,600 square feet of retail space on 1.40 acres of CBD-2-zoned land in Silver Spring Central Business District. The applicant also filed a Preliminary Plan, application #1-05087, 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 a public plaza at the intersection of Blair Mill Road and East-West Highway with associated streetscape improvements. The urban plaza will also include public art incorporating glass refraction. Staff recommends approval of the Project Plan with the conditions listed in the Recommendation section below.

The Applicant has met with two community and civic groups including the Commercial and Economic Development subcommittee of the Silver Spring Advisory Board and the Urban District Advisory Board. The Applicant has contacted the Gateway Coalition, Shepherd Park and the Greater Silver Spring Chamber of Commerce for comments regarding this proposal. Additionally, the Applicant presented their art program to the Art Review Panel on May 18, 2005 for elements within the public use space. The Panel was very receptive to the concept proposed by the artist and development team and wanted the team to look at the context of the overall area and artwork recently approved and constructed within the general area.

The issues addressed during review include right-of-way dedication along East-West Highway and Blair Mill Road, public use space and the amenity package, including the public art.

STAFF RECOMMENDATION

The staff recommends **Approval** of Project Plan 9-05004, which includes approximately 275,000 square feet of gross floor area, including 264,400 square feet of residential space consisting of approximately 247 multi-family dwelling units, of which 31 (or 12.5% of the total number of units) will be MPDUs, and 10,600 square feet of retail space on 1.40 acres with the following conditions:

1. Development Ceiling

The proposed development shall be limited to 275,000 gross square feet of development, including approximately 264,400 square feet of residential space and 10,600 square feet of retail.

2. Building Height/Mass

The height of the proposed building shall not exceed 143 feet.

3. Transportation Improvements

- a. Dedicate an additional 25 feet of right-of-way to provide for a total of 100 feet right-of-way on the southwest side of East-West Highway.
- b. Dedicate an additional 3 feet of right-of-way to provide for a total of 63 feet of right-of-way on the north side of Blair Mill Road.
- c. Provide a 10-foot-wide Class I bikeway (off-road, shared use path) plus a 5-foot-wide sidewalk, for a total width of 15 feet along the East-West Highway frontage.
- d. Provide a Class III bikeway (on-road, signed shared bikeway) along Blair Mill Road.
- e. Provide standard full width Silver Spring streetscape improvements on East-West Highway (Type "B" modified) and Blair Mill Road (Type "B").
- f. Coordinate with the Maryland State Highway Administration (SHA) regarding the approved changes to the pedestrian crosswalks, curb ramps and other street improvements resulting from the Silver Spring Gateway and Silver Spring Square (The Silverton) projects.
- g. Prior to building permit approval, the Applicant shall finalize and execute the Traffic Mitigation Agreement.

4. Moderately Priced Dwelling Units (MPDUs)

The applicant shall provide 31 MPDUs (or 12.5% of the total number of units) on-site, consistent with the requirements of Chapter 25A.

5. Public Use Space

- a. The Applicant shall provide 24 percent of on-site public use space and 36 percent of off-site public use space.
- b. The proposed public use space must be easily and readily accessible to the general public and used for public enjoyment. All streetscape improvements shall be in accordance with the *Silver Spring Streetscape (April 1992) Technical Manual* or as amended.

6. Streetscape

- a. The Applicant shall provide the full streetscape improvements along the southwestern boundary of East-West Highway and north side of Blair Mill Road frontage using the *Silver Spring Streetscape (April 1992) Technical Manual*. The following elements are proposed: stone, precast concrete, brick pavers, street trees, lighting, and any other details that are necessary, including the undergrounding of utilities along the frontage of the property, to fulfill the Silver Spring streetscape standards.
- b. Off-site improvements shall be provided along the property frontage of East-West Highway and Blair Mill Road.

7. Public Art

A public art program shall be provided to include a vertical light refracting glass element in the public plaza that encompasses the intersection of East-West Highway and Blair Mill Road. The vertical element will be linked to the ground plane of the plaza through integrated glass elements in the pavers, seating and planters.

8. Staging of Amenity Features

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

9. Maintenance and Management Organization

Initially, the Applicant, and subsequently, within ninety days of formation, the Condominium Association shall become a member and enter into an agreement with the Silver Spring Urban District for the purpose of maintaining public open spaces and participating in community events.

10. Coordination for Additional Approvals Required Prior to Site Plan Approvals

The applicant shall secure the following additional approvals prior to Site Plan Review:

- a. Coordinate with the Silver Spring Regional Service Center on the placement of the proposed Type C1 (Sign #40) and Type D2 (Sign #73) way finding sign located on East-West Highway. Locate these signs within the public right-of-way.
- b. Present the public art components to the Planning Board Art Review Panel for review and comment to be available to the Planning Board.
- c. Coordinate with the M-NCPPC staff and the Montgomery Department of Public Works and Transportation (MCDPWT) staff regarding the final design and extent of the non-standard elements as part of the proposed streetscape improvements.
- d. Request a waiver for all non-standard elements and non-standard streetscape improvements as well as a maintenance and liability agreement with the MCDPWT.
- e. Enter into a maintenance agreement with the Silver Spring Urban District for maintenance of all or some of the streetscape improvements.