



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

MCPB No. 17-098  
Site Plan No. 820170070  
8600 Georgia Avenue  
Date of Hearing: November 9, 2017

NOV 15 2017

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on April 14, 2017, Starr Georgia, LLC (“Applicant”) filed an application for approval of a site plan to construct a hotel for up to 173 rooms and 4,206 square feet of retail uses on 0.87 acres of CR 5.0: C 4.0, R 4.75, H 145T zoned-land, located at the northwest corner of the intersection of Georgia Avenue and Colesville Road (“Subject Property”), in the Silver Spring CBD Policy Area and Silver Spring CBD Sector Plan (“Sector Plan”) area; and

WHEREAS, Applicant’s site plan application was designated Site Plan No. 820170070, 8600 Georgia Avenue (“Site Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 27, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on November 9, 2017, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820170070 to construct a hotel for up to 173 rooms and 4,206 square feet of retail uses the Subject Property, subject to the following conditions:<sup>1</sup>

<sup>1</sup> For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

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Approved as to  
Legal Sufficiency:  11/8/17  
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MNCPPC Legal Department  
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

### **Conformance with Previous Approvals**

1. Sketch Plan Conformance

The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320170050 and 32017005B.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120170040 and any amendments.

### **Other Agencies**

3. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its stormwater management concept letter dated June 12, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

### **Open Space, Facilities and Amenities**

4. Public Open Space, Facilities, and Amenities

- a. The Applicant must construct the streetscape improvements including but not limited to paving, streetscape, and streetlights along the Subject Property's frontage on Georgia Avenue and Colesville Road as shown on the Certified Site Plan.
- b. Prior to the issuance of final Use and Occupancy certificate, all streetscape on the Subject Property's frontages must be completed.
- c. Prior to the issuance of final Use and Occupancy certificate, the art mural on the west wall façade and public art incorporated into the building on the Colesville Road frontage must be completed.

5. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property including, but not limited to pedestrian pathways, landscaping, and hardscape.

6. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the 2012 *CR Zone Incentive Density Implementation Guidelines* for each one:

- a. **Major Public Facilities**

The Applicant must provide payment for an off-site 19-dock bikeshare station, including capital costs and five years of operating expenses, as approved or as may be amended by MCDOT.
- b. **Transit Proximity**

The Subject Property is located within one-quarter mile of the Silver Spring Transit Center and Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Final distance calculations must be included on the Certified Site Plan.
- c. **Connectivity and Mobility**
  - i. **Minimum Parking**

The Applicant must not construct more than 28 parking spaces.
  - ii. **Trip Mitigation**
    - a) The Applicant will enter into a binding Traffic Mitigation Agreement to reduce the number of weekday morning and evening peak hour trips to the site in excess of any other regulatory requirement and the agreement must result in a reduction of at least 50% for trips attributable to the site.
    - b) Prior to Certified Site Plan, the Applicant must execute a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District (TMD). The TMAg must include trip mitigation measures recommended by MCDOT.
  - iii. **Wayfinding**

The Applicant must coordinate with the Silver Spring Urban District and the State Highway Administration (SHA) to establish a way-finding circulation system. The Way-Finding Plan may include, but is not limited to internal and external signage, banners, lighting, and design elements that efficiently direct patrons through the Property. The Way-Finding Plan will be incorporated into the Certified Site Plan and will be approved by M-NCPPC Staff before certification. The locations of the proposed signage shall be free of all obstructions and clearly visible from the directed routes.
- d. **Quality Building and Site Design**
  - i. **Architectural Elevations**

Final elevation design must be shown on the Certified Site Plan. The exterior architectural elements must be substantially similar to architectural elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
  - ii. **Exceptional Design**

The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.
  - iii. **Public Art**

- The Applicant must provide public art on the Subject Property, in accordance with Condition 7, as shown on the Certified Site Plan.
- iv. **Structured Parking**  
The Applicant must provide up to 28 parking spaces in a below-grade structure as necessary to achieve 20 public benefit points using the following formula from the *Implementation Guidelines*:  $[(A/P)/(A/R)]*10$ , where A=the maximum allowed spaces, R=the minimum required spaces, and P=the proposed spaces.
  - e. **Protection and Enhancement of the Natural Environment**
    - i. **Building Lot Terminations**  
Prior to issuance of any above-grade building permit (excluding demolition), the Applicant must provide proof of purchase and/or payment equivalent to 0.305 of BLTs to the MCDPS.
    - ii. **Energy Conservation and Generation**  
The Applicant must construct the building to exceed the energy-efficiency standards for the building type by 10%. Prior to issuance of final residential Use and Occupancy certificates, the Applicant must submit to Staff a Final Energy Performance Report.
    - iii. **Vegetated Wall**  
The Applicant must install and maintain a vegetated wall that covers a minimum of 600 square feet of a wall/parking garage façade that is visible from a public street or open space.

#### **7. Public Art**

- a. The Applicant must provide public art integrated into the building façade along the Colesville Road frontage on the Subject Property, in accordance with Condition 6.d.iii.
- b. Prior to Certified Site Plan approval, the Applicant must present the revised public art to the Art Review Panel. The final public art design, as reviewed by the Art Review Panel and approved by M-NCPPC Staff must be included in the Certified Site Plan.
- c. The Planning Board accepts the recommendations of the Art Review Panel in its letter dated August 14, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter.

### **Transportation & Circulation**

#### **8. Transportation**

- a. Prior to Certified Site Plan, the Applicant must enter into a Traffic Mitigation Agreement (TMAG) with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District (TMD).

9. Pedestrian & Bicycle Circulation

- a. The Applicant must provide at least 22 bicycle parking spaces for long-term private use and at least 2 bicycle parking spaces for short-term public use.
- b. Short-term public bicycle parking must be installed near the main entrance to the building and open space, as shown on the Certified Site Plan.
- c. Secure long-term bicycle parking must be installed, internal to the building, for employee use, and the short-term public bicycle parking spaces must be inverted-U racks, or Staff approved equal, installed in a location convenient to the main entrance (weather protected preferred).

**Site Plan**

10. Building Height

The development is limited to the maximum height of 145 feet, from the building height measuring point, as illustrated on the Certified Site Plan.

11. Architecture

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

12. Landscaping

- a. Prior to issuance of the final Use and Occupancy Certificate, all on-site amenities shown on the Certified Site Plan including, but not limited to, streetlights, sidewalks/pedestrian pathways, hardscape, benches, trash receptacles, and bicycle facilities must be installed.
- b. Prior to issuance of the final Use and Occupancy Certificate, all rooftop amenities must be installed.
- c. The Applicant must install landscaping no later than the next growing season after completion of site work.

13. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off fixtures.

- c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d. On the rooftop of the building, the light pole heights must not exceed the heights illustrated on the Certified Site Plan.

**14. Site Plan Surety and Maintenance Agreement**

Prior to issuance of any building permit and Sediment Control Permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59.7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, mailbox pad sites, trash enclosures, art and associated improvements.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
- d. The bond or surety must be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

**15. Development Program**

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan.

**16. Certified Site Plan**

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the forest conservation exemption letter, Art Review Panel letter, other applicable agency letters, development program, Sketch Plan resolution(s), Preliminary Plan resolution, and Site Plan resolution on the approval or cover sheet(s).
- b. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- c. Modify data table to reflect development standards approved by the Planning Board.

- d. Ensure consistency of all details and layout between Site and Landscape Plans.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of 8600 Georgia Avenue, Site Plan No. 8201700700, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

The Site Plan conforms to all bindings elements of Sketch Plan No. 320170050 and Sketch Plan Amendment 32017005B.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014, was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

- a. Development Standards

The Subject Property includes approximately 0.87 acres zoned CR-5.0, C-4.0, R-4.75, H-145T. The Application satisfies the applicable development standards as shown in the following data table:

**Data Table**

| Site Plan 820170070 Project Data Table |   |                    |                       |
|--|---|--------------------|-----------------------|
| Section 59.4                           | Development Standard  | Permitted/Required | Approved              |
|  | Net Lot Area (sf)   | n/a                | 14,342                |
|  | Dedications (sf)  | n/a                | 18,883                |
|  | Sending Sites (sf)  | n/a                | 4,732                 |
|  | Gross Tract Area (sf)   | n/a                | 37,957                |
| 4.5.4.B.2.b                            | <b>Density (CR-5.0, C-4.0, R-4.75, H-145T)</b>                                |                    |                       |
|  | Commercial FAR/GFA  | 4.0/151,828 sf     | Up to 3.88/147,440 sf |
|  | Residential FAR/GFA   | 4.75/180,295 sf    | 0                     |
|  | Total FAR/GFA   | 5.0/189,785 sf     | Up to 3.88/147,440 sf |
|  | Hotel rooms   | n/a                | Up to 173             |
| 4.5.4.B.2.b                            | Building Height (feet)  | 145                | 145                   |
| 4.5.4.B.1                              | Minimum Public Open Space (%)   | 0%                 | 0%                    |
| 4.5.4.B.3                              | Min. Building Setbacks (feet)   |                    |                       |
|  | East Side   | 0                  | 0                     |
|  | West Side   | 0                  | 0                     |
|  | North Side  | 0                  | 0                     |
|  | South Side  | 0                  | 0                     |
| 6.2                                    | <b>Parking Spaces, minimum-maximum<sup>1</sup></b>                            |                    |                       |
|  | Hotel   | 58-173             | 27                    |
|  | Meeting Space   | 9-42               | 0                     |
|  | Hotel Dining  | 6-28               | 0                     |
|  | Retail  | 15-26              | 0                     |
|  | Van Accessible Parking  | 1                  | 1                     |
|  | <b>TOTAL</b>  | <b>89-270</b>      | <b>28</b>             |
|  | <b>Loading, Car-share, Electric Charging Spaces, Motorcycle &amp; Bicycle</b> |                    |                       |
|  | Loading   | 1                  | 1                     |
|  | Bicycle-Public (short-term)   | 0                  | 2                     |
|  | Bicycle-Private (long-term)   | 22                 | 22                    |

<sup>1</sup>The Project is located within the Silver Spring Parking District and will be subject to the parking district tax regulations in lieu of providing the full minimum parking.

*Section 4.1.7.C.2.a – Building Height in Commercial/Residential, Employment, and Industrial Zones*

Pursuant to Section 4.1.7.C.2.a of the Zoning Ordinance, the Applicant is requesting approval of an alternative building height measuring point to locate the point of measurement at the curb grade along Georgia Avenue at the corner of the Subject Property closest to the adjacent development to the north (as opposed to the curb grade opposite the middle of the building facade



along Colesville Road). The height of the building from the measuring point, as shown on the Site Plan, is compatible with adjacent, nearby development and will not negatively impact the surrounding neighborhood. The difference in height from the measuring point compared to the height from the curb grade opposite the middle of the building facade along Colesville Road is only 4.5 feet. The additional height, however, is critical to the viability of the project, both to the hotel and to the ancillary retail. The Planning Board approves the alternate building height measuring point.

*Section 4.5.4.B.4 - Form Standards*

The Site Plan conforms to the intent of the form standards, including transparency, blank walls and active entrances. The Project provides significant glass features at the ground-level for transparency as well as activating features on the ground-floor level, including street activating retail uses along Georgia Avenue and Colesville Road. The west wall on the property line is not allowed by code to have windows and therefore is a solid wall. This solid wall will have an art mural on a portion of it, and the rest of the wall will have a pattern of reveals that mimics the reveals on the main facades. As conditioned, the exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

*i. Division 4.7. Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan provides the following public benefits to satisfy the requirements: Major Public Facilities, Transit Proximity; Connectivity and Mobility; Quality Building and Site Design; and Protection and Enhancement of the Natural Environment.

Major Public Facilities

*Bike share station:* The Applicant requests 10 points for the payment of the installation of a 19-dock bikeshare station off-site. In accordance with Section 59.4.7.3.A.c. of the Zoning Ordinance, the Planning Board may approve incentive density for making a partial or full payment for a major public facility that is accepted by an appropriate public agency. The Applicant has agreed with MCDOT's request to pay the costs associated with 19-dock bikeshare station, including capital costs and 5 years of operating expenses, in lieu of providing a bikeshare facility on-site because the site is too small and building is brought to the edge of the property line. MCDOT will use the financial contribution to increase the number of bikeshare facilities at a site nearby the Property. After further review of the calculations, the Planning

Board approves 8.7 points for the payment of the installation of a 19-dock bikeshare station off-site.

Transit Proximity

The Property is located within ¼ mile of the Silver Spring Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. The Planning Board approves 40 points as suggested in the *2015 Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

Connectivity and Mobility

*Minimum Parking:* The Applicant requests 10 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 10 points for providing no more than the minimum numbers of spaces on site. The maximum allowable number of on-site spaces is 270, and the Applicant is proposing to provide 28 parking spaces. The Planning Board approves granting 10 points.

*Trip Mitigation:* The Applicant will enter into a binding Traffic Mitigation Agreement to reduce the number of weekday morning and evening peak hour trips to the site in excess of any other regulatory requirement and the agreement must result in a reduction of at least 50% for trips attributable to the site. The Planning Board approves the Applicant's request of 10 points.

*Way-finding:* The Applicant requests 5 points for providing a way-finding system that orients pedestrians and cyclists to transit facilities, downtown Silver Spring, the Silver Spring Library, the nearby Metropolitan Branch Trail, and public open spaces. The Applicant has worked closely with the Silver Spring Urban District on the wayfinding signage and placemaking for this Project. The Silver Spring Urban District issued a letter of support for the wayfinding. The Planning Board approves the Applicant's request.

Quality of Building and Site Design

*Architectural Elevations:* The Applicant requests 10 points for providing architectural elevations as part of the Certified Site Plan showing particular elements in the façade including minimum amount of transparency on the first floor, minimal spacing between operable doors, and design priorities of the applicable master plan or implementing design guidelines. As conditioned, the exterior architectural elements must be substantially similar to architectural elevations shown on the submitted architectural drawings, as included in the Certified Site Plan. The Planning Board approves the Applicant's request.

*Exceptional Design:* The Applicant requests 10 points for building or site design that enhances the character of a setting. Per the CR Guidelines, incentive density of 10 points is appropriate for development that meets all of the guideline criteria. The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; uses design solutions to make compact infill development living, working and shopping environments more pleasurable and desirable; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. As described below and as conditioned, the Site Plan meets the necessary requirements and the Planning Board approves 10 points.

- Providing innovative solutions in response to the immediate context:

While the massing of the building fills out the building envelope in an expected fashion, desirably defining this important urban corner in Downtown Silver Spring, the façade design attempts to tap into the history of Silver Spring for a thoughtful and interesting facade. The upper facade includes punched windows and material patterns that flip and undulate up the building, recalling the changing patterns of the shimmering rocks of the spring. The exterior wall panels will include a rain-screen system that uses three different finish ceramic tiles, which range from textured flat, to honed, and to polished. The tiles are gray, but in the three finishes that reflect light differently, all accented with a terracotta colored tile. These tiles will be installed in random pattern on the facade. As the sun moves over the facade, different effects of light reflectance will give the facade interest, and evoke the shimmering spring rock. The design of the building draws from its context and provides an attractive and innovative facade.

- Creating a sense of place that serves as a landmark:

The hotel is located at the “100% corner” for Downtown Silver Spring: Georgia Avenue and Colesville Road. The Applicant worked diligently with Staff in strengthening the 100% corner. Currently the Lee Building and Discovery Chanel have taken advantage of emphasizing the corner with unique corner and roof elements at this intersection. The hotel now does something similar with accentuation of the corner through the use of sun shading devises and a projecting cornice element at the roof. The first-floor canopy will also be extended around the corner at the pedestrian level. As described above, the hotel massing and façade design

fill in the existing “missing tooth” with a building that defines the corner and presents an evocative face to the important civic space of this central intersection.

- Enhancing the public realm in a distinct and original manner:  
In addition to the primary building facades, the project will contribute significantly to the public realm by enhancing the identity of Silver Spring from the pedestrian vantage point, both far and near. The western building façade is a party wall where windows are prohibited by building code. Upon this wall, the project will implement a large mural that will be visible from the Silver Spring Metro and Transit Station, greeting folks arriving in Silver Spring with another of the art projects for which Silver Spring is known. For pedestrians moving past the building, the lower level facades feature colored glass elements that echo the theme of the building façade above, providing a unique experience in the public realm.
- Introducing materials, forms or buildings methods unique to the immediate vicinity or applied in a unique way:  
As described above, the façade design uses materials that will visually present subtle differences with changes in the amount and quality of sunlight and precipitation, evoking the eponymous “silver spring”.
- Uses design solutions to make compact infill development living, working and shopping environments more pleasurable and desirable:  
The project site is relatively small, with building sides on two edges and main thoroughfares on the others. One of the challenges on such a site is the balance of the “back of house” service elements and the parts that attract and welcome patrons and visitors. This project achieves this balance by minimizing the individual service elements and locating them at the edges of the facades and presenting the remainder of the public realm at this important corner as a glazed, visually open pedestrian experience with entrances for the hotel and potential retail uses, made further enjoyable by the previously discussed artwork.
- Integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements:  
A particular challenge to the redevelopment of small urban infill sites is the extent to which the design can maximize stormwater management while providing on the limited site area the other services and amenities the building and market demand. This project is providing a green roof 8 inches deep over more than 3,500 sf. of the building as well as integrating planters onto the roof and terrace patios to capture rainwater and provide visual interest.

*Public Art:* The Applicant requests 10 points for installing public art on-site. The Applicant will provide public art to be integrated into the building façade along the Colesville Road frontage. The main garage entry will be painted in a colorful abstract. This will be close to the pedestrians using the sidewalk in front of the hotel. The colors of the artwork will also be incorporated into the glass of the hotel entry canopy that extends over the southwest retail and wraps the corner onto Georgia Avenue. The glass will have colorful tints that sunshine will project down into the sidewalks and building façade at different times of the day. The public art concept for this location was presented to the Art Review Panel on July 11, 2017. The Applicant is required to go back to the Art Review Panel prior to Certified Site Plan for further refinement and to determine the exact location along the frontage for the art. As conditioned, the Planning Board approves the Applicant's request.

*Structured Parking:* The Applicant requests 20 points for structured parking for the parking that will be below grade. All 28 parking spaces will be provided in a below-ground parking garage. The Planning Board approves 20 points for this benefit.

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT):* Up to 30 points can be granted for the purchase of Building Lot Termination (BLT) easements or payment to the Agricultural Land Preservation Fund (ALPF). After further review of the calculations, the Applicant must purchase of 0.305 BLT easements for 2.75 public benefit points. The Planning Board approves the Applicant's request.

*Energy Conservation and Generation:* Up to 15 points can be granted for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5% for new building. The Project has been designed to exceed the energy efficiency standards for its building type by up to 17.5%. The building construction will include a highly efficient envelope system. The exterior wall will be designed with a continuous air barrier thus eliminating air leaks and energy leaks. The main exterior wall will incorporate a rain screen which allows ventilation of air behind its skin thus assisting in the cooling during the summer. The building will have exterior insulation that meets or exceeds energy code requirements. The glazing will be insulating glass with E-coating which effectively increases its insulating value. The majority of roofs will include a green roof of lightweight soils and sedum. This system of roofs adds to the building's insulation and helps to alleviate the heat island effect of the building. The VRF is an HVAC technology that uses refrigerant as the cooling and heating medium. The refrigerant is conditioned by a single outdoor condensing unit and circulated

within the building to multiple fan coil units (FCUs). Heat recovery VRF technology allows indoor units to heat or cool as required, while the compressor load benefits from the internal heat recovery. Energy savings up to 55% are predicted over comparable unitary equipment. This also results in greater control of the building's interior temperature by the building's occupants. In addition, one section of the hotel may require cooling and another section may require heating. The VRF system allows this to happen. The system can transfer the energy from one area of a building to another as needed, thus reusing the energy created. LED lights will be installed in the building. Lights in various rooms will be on occupancy sensors and off when not used. The Planning Board approves the Applicant's request.

*Vegetated Wall:* The Applicant requests 10 points for the installation and maintenance of a vegetated wall that covers at least 30% of any blank wall or parking garage that is at least 300 square feet in area and visible from a public street or open space. The CR guidelines recommend 5 points for development that meets the requirement and additional points if other criteria are met including: greater percent of coverage, southern or western exposure, plants with varying flowering seasons, and integration into an overall energy or environmental site design program. The Application provides a 600-square foot vegetated wall along the northwest side of the 3<sup>rd</sup> level roof through the use of greenscreen planters with 8-foot screens. On the southwest side of the terrace, greenscreen planters will be supplemental with alternating tree planters to provide vertical relief, seasonal interest, and canopy. The Planning Board approves the Applicant's request.

| Public Benefits Calculations  |                          |           |            |
|---|--------------------------|-----------|------------|
| Public Benefit  | Incentive Density Points |           |            |
|   | Max Allowed              | Requested | Approved   |
| <b>59.4.7.3.A: Major Public Facilities</b>                              | <b>70</b>                | <b>10</b> | <b>8.7</b> |
| <b>59.4.7.3B: Transit Proximity</b>                                     | <b>50</b>                | <b>40</b> | <b>40</b>  |
| <b>59.4.7.3C: Connectivity and Mobility</b>                             |                          |           |            |
| Minimum Parking   | 10                       | 10        | 10         |
| Trip Mitigation   | 10                       | 10        | 10         |
| Wayfinding  | 10                       | 5         | 5          |
| <b>59.4.7.3E: Quality of Building and Site Design</b>                   |                          |           |            |
| Architectural Elevations  | 20                       | 10        | 10         |
| Exceptional Design  | 10                       | 10        | 10         |
| Public Art  | 15                       | 10        | 10         |
| Structured Parking  | 20                       | 20        | 20         |
| <b>59.4.7.3F: Protection and Enhancement of the Natural Environment</b> |                          |           |            |
| BLTs  | 30                       | 5         | 2.75       |

|                                    |    |            |               |
|------------------------------------|----|------------|---------------|
| Energy Conservation and Generation | 30 | 15         | 15            |
| Vegetated Wall                     | 10 | 10         | 10            |
| <b>TOTAL</b>                       |    | <b>155</b> | <b>151.45</b> |

b. General Requirements

i. *Site Access*

Access for bicyclists and pedestrians will be provided along the Property frontages on Georgia Avenue and Colesville Road. Drivers will access the parking garage via the driveway off Colesville Road. Both movements will be restricted to “right-in/right-out” operation due to the existing median on both frontage roadways. In addition to the site access points described above, the development provides a 10-foot wide lay-by on Colesville Road to permit drop-off and pick-up of the hotel’s guests. This lay-by will also provide a means of ingress directly into the parking garage entrance without the need for vehicles in the lay-by to re-enter southbound travel lanes of Colesville Road. The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

ii. *Parking, Queuing, and Loading*

A driveway from Colesville Road will provide vehicular access to the structured below-grade parking garage containing up to 28 parking spaces. A second driveway from Georgia Avenue, at the northeast corner of the site will provide loading access. All of the parking for the Project is provided underground, and the Applicant anticipates that there will be one level of parking. The Project meets the bicycle parking requirements, providing 22 long-term spaces and two short-term spaces along Georgia Avenue.

iii. *Open Space and Recreation*

Under the Optional Method of Development in the CR Zone (given that the lot area for each property is under one acre and only two existing right-of-way frontages), the Applicant is not required to provide on-site public open space.

Since the development is a commercial use, it is not required to provide recreation facilities. Amenities will be provided for hotel guests, including meeting spaces, rooftop terrace and fitness center. The rooftop terrace provides space for planned events, outdoor grilling, social gatherings and lounging through the use of

outdoor seating, and dining furnishings. A pergola will also provide shade and canopy for the users of the space.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for residents and visitors to the Project. The Project will include new streetscaping along the Georgia Avenue and Colesville Road frontages, with widened sidewalks, street trees, and lighting. Brick paving, planting, and outdoor lighting will comply with the Silver Spring Streetscape Guidelines.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept on June 12, 2017. According to the approval letter, the stormwater management concept meets stormwater management requirements via ESD to the MEP via the use of green roof.

b. Chapter 22A, Forest Conservation

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

The Project provides adequate, safe, and efficient parking and circulation patterns. Access for bicyclists and pedestrians will be provided along the Property frontages on Georgia Avenue and Colesville Road. Vehicular access to the parking garage is provided via the driveway on Colesville Road. A second driveway from Georgia Avenue, at the northeast corner of the site will provide loading access. All of the parking for the Project will be located underground, and the Applicant anticipates that there will be one level of parking. The Project is located within the Silver Spring Parking District and will be subject to the parking district tax regulations in lieu of providing the full minimum parking. The Project meets the bicycle parking requirements, providing 22 long-term spaces and two short-term spaces along Georgia Avenue. The Project will



improve upon the existing street frontages along Georgia Avenue and Colesville Road adjacent to the Property, through new, wider sidewalks and attractive streetscaping features.

The Application's infill development, building form, orientation, and massing effectively integrates with the Project's amenities. Although, no on-site open space is required for the development because the Property is less than one acre in size and has only two existing right-of-way frontages, amenities will be provided for hotel guests, including meeting spaces, rooftop terrace and fitness center. The rooftop terrace provides space for planned events, outdoor grilling, social gatherings and lounging with outdoor seating, and dining furnishings that will allow hotel guests to enjoy views of the Silver Spring CBD. A pergola will also provide shade and canopy for the users of the space. The Project provides a safe and well-integrated building, open spaces and site amenities.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Approved and Adopted *Silver Spring CBD Sector Plan* is organized around six themes, five of which are applicable to the Project, including a transit oriented downtown, commercial downtown, green downtown, civic downtown, and pedestrian friendly downtown. (Sector Plan, pp. 14-25)

The Sector Plan identifies Silver Spring as a transportation center where regional train, bus, road and trail systems come together. (Sector Plan, p. 13) The Project will be less than a mile walking distance from the Silver Spring Metro and from the multi-modal Paul S. Sarbanes Transit Center that includes the MARC commuter rail station, WMATA Metrobus, Montgomery County Ride-On Bus service, and the University of Maryland bus. The future Purple Line stop will be located near the Silver Spring Metro Station. The Project is also within walking distance to the proposed Purple Line Station that will be located adjacent to the new Silver Spring Library, approximately 1,530 feet from the site.

Improved and varied community facilities add value to existing businesses and residences in the CBD and help implement one of the Sector Plan's stated Community Goals: "Silver Spring should be an active place with mixed uses attracting people at all times of the day, week and year" (Sector Plan, p. 15). The Sector Plan also identifies four specific revitalization areas in the CBD: Ripley, South Silver Spring, Fenton Village and the Core, as vital strategic target areas in which to achieve the public goal of downtown revitalization (Sector Plan, p. 14). The Sector Plan is quite specific throughout its text regarding the Core,

which includes the Property, noting its objective "to recreate the Core as the active center of downtown Silver Spring, ensuring that development contributes to the [Sector] Plan's vision for downtown Silver Spring" (Sector Plan, p. 4). The location of the Property in the Core of the CBD makes it an appropriate candidate for a mixed-use project. The Project will help to create a vibrant, more active atmosphere with street level retail. Visitors to the hotel will arrive at all times of the day and night, creating activity at this prominent corner.

The Project will contain several "green elements", including a green roof for stormwater management and a vegetated wall. The building's "L" shape plan will frame a third-floor courtyard that will contain a green roof to filter rain water from the roofs, as required for stormwater management, as well as the vegetated wall. While not directly accessible for guest use, this space will assure air and light for guest rooms facing the courtyard, as well as an improved view from these rooms and the adjacent Twin Towers apartment complex. In addition, the Project is being designed to exceed the energy efficiency standards for its building type by 17.5%, through such features as a highly efficient building envelope system, the main mechanical system will be a VRF system, a Variable Refrigerant Flow system, and energy efficient lighting.

The Sector Plan also includes some very specific Urban Design Guidelines one of which applies to the Property "Redevelopment of the northwest corner of the intersection of Georgia Avenue and Colesville Road should recognize that site's critical visual significance and make safe and attractive connections to the Urban Renewal site and to the Silver Triangle" (Sector Plan, p. 83). The hotel recognizes the visual significance of the site by providing a building that carefully addresses the urban context and streetscape. The building design incorporates a two-story base to help establish a pedestrian-friendly scale along the frontages. The retail space provided along both roadways, will also help to activate the sidewalk with more pedestrian activity. The facades include punched windows for hotel guestrooms facing the streets and interior courtyard. The southwest facade along the property line has no windows and rises above the single-story retail buildings on the adjoining site. A mural is planned for this southwest wall. As envisioned, the mural will have an image of importance to Silver Spring and will also serve as a wayfinding marker for the urban context, especially for those approaching from the Metro or Transit Center along Colesville Road, whether by foot or by vehicle.

In addition, the development will make safe attractive connections to the "Core" area, described in the Urban Design Guidelines as the Urban Renewal Site and Silver Triangle. Pedestrian circulation will be greatly enhanced by new sidewalks along both street frontages, replacing the existing substandard sidewalks. Furthermore, the existing curb cuts on Georgia Avenue and

Colesville Road will be consolidated into two points of ingress and egress. The Project will provide an entrance ramp into a parking garage and a loading area with "right-in" access from Colesville Road, which has a divided median accommodating traffic in an east-west direction in this area. The addition and enhancement of sidewalks, and the consolidation of four vehicular entrances, will be of immense benefit to the surrounding community, increasing the ease and safety of traversing the frontages of the Property. In addition, the lay-by along Colesville Road, which can accommodate two vehicles, will offer a refuge for guests and visitors to the Property and are intended to prevent congestion along the roadway from those stopping or being dropped off at the hotel. These improvements will help to reduce pedestrian and vehicular conflicts, making for a more "pedestrian-friendly downtown," and will increase the efficiency of vehicular circulation in the area.

The Site Plan substantially conforms with the recommendations of the Sector Plan.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The development in the Site Plan will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. Additionally, health clinics, police and fire rescue services are currently operating within the standards set by the Growth Policy Resolution currently in effect. The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development with this Project. Dry utilities including electricity, gas, and telephone are also available to the Property.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Project will provide a new commercial hotel and retail uses close to various transportation opportunities, complementing the nearby residential and commercial uses. The Project's design and scale is compatible with the existing buildings and approved or pending adjacent development, including the various nearby high-rise commercial and multifamily residential buildings. The Property is adjacent to the existing Twin Towers apartment complex, zoned CR-8.0, C-6.0, R-7.5, H-200T. On the southwest is a small commercial complex zoned CR-5.0, C-4.0, R-4.75, H-145T. Across Georgia Avenue to the north is the Lee Office Building zoned CR-8.0, C-6.0, R-7.5, H-200T. To the south across

Colesville Road is the Discovery Communications Headquarters Building zoned CR-5.0, C-4.0, R-4.75, H-200T. Diagonally across the intersection is Downtown Silver Spring, zoned CR-5.0, C-4.0, R-4.75, H-200T. The new hotel and retail uses on the Property will also contribute to a more vibrant Core area as it is anticipated that guests, visitors, and employees will expand the existing customer base of service businesses located in the Core area and bring enhanced business opportunities to existing restaurants, shops and service providers. The Site Plan is compatible with other uses and other site plans, as well with existing and proposed adjacent development.

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

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 15 2017 (which is the date that this Resolution is mailed to all parties of record); and

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

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, November 9, 2017, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board