



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

MCPB No. 17-097  
Sketch Plan Amendment No. 32017005B  
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 sketch plan applications; and

WHEREAS, on November 22, 2016, by Resolution MCPB No. 16-126, the Planning Board approved Sketch Plan No. 320170050, to allow a maximum total density of 147,440 square feet of non-residential development for construction of a 173-room hotel on 0.87 acres of CR5.0 C4.0 R4.75 H145T zoned-land, located on Dixon Avenue, 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, on April 14, 2017, Starr Georgia, LLC ("Applicant") filed an application for approval to amend the previously approved sketch plan under the procedures and standard of the current Zoning Ordinance to update the data table to amend the public benefit schedule to add the Major Public Facility category and eliminate the vegetated roof category; and

WHEREAS, Applicant's sketch plan amendment application was designated Sketch Plan No. 32017005B, 8600 Georgia Avenue ("Sketch 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 binding elements and conditions ("Staff Report"); and

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

Approved as to  
Legal Sufficiency

*Christina Sone* 11/2/17

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32017005B, 8600 Georgia Avenue, for a maximum total density of 147,440 square feet of non-residential development on the Subject Property, subject to the following binding elements and conditions, which supersede the binding elements and condition 4 approved with Sketch Plan No. 320170050:<sup>1</sup>

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. The CR Zone requires properties taking advantage of FAR Averaging to exceed the minimum public benefit points otherwise required in Section 59.4.5.4.A.2 by 50%. Total points must equal at least 150 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Major Public Facility, achieved through payment of the installation of a new bike share station off-site.
- b. Transit Proximity, achieved through location within 1,000 feet of the Silver Spring Metro Station;
- c. Connectivity and Mobility, achieved through minimum parking, trip mitigation and wayfinding;
- d. Quality of Building and Site Design, achieved through structured parking, public art, exceptional design, and architectural elevations; and
- e. Protection and Enhancement of the Natural Environment, achieved through building lot terminations, energy conservation and generation, and a vegetated wall.

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

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and this Application does not alter the intent, objectives, or requirements in the originally approved Sketch Plan and all previous findings remain in effect. The Application includes public benefits that address the general incentive and density considerations required by Section 59-4.7.1.B. The public benefit schedule, shown in the following table have been updated, adding public benefit points for Major Public Facility and removing public benefit points for a vegetated roof. Regarding Major Public Facilities, the Applicant is making a financial contribution to provide a 19-dock bikeshare station off-site, including capital costs and five years of operating expenses and therefore is requesting public benefit points. Regarding the vegetated roof, the Applicant is no longer providing this public benefit due to design constraints and stormwater management requirements. The Application continues to exceed the required number of benefit categories (4 categories) and the minimum number of public benefit points (150 points)

Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Requested
<b>59.4.7.3.A: Major Public Facilities</b>	<b>70</b>	<b>10</b>
<b>59.4.7.3B: Transit Proximity</b>	<b>50</b>	<b>40</b>
<b>59.4.7.3C: Connectivity and Mobility</b>		
Minimum Parking	10	10
Trip Mitigation	20	10
Wayfinding	10	5
<b>59.4.7.3E: Quality of Building and Site Design</b>		
Architectural Elevations	20	10
Exceptional Design	10	10
Public Art	15	10
Structured Parking	20	20
<b>59.4.7.3F: Protection and Enhancement of the Natural Environment</b>		
BLTs	30	5
Energy Conservation and Generation	30	15
Vegetated Wall	10	10
<b>TOTAL</b>		<b>155</b>

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 and associated costs. The

payment will be used to increase the number of bikeshare facilities at a site nearby the Property. The Planning Board supports the Applicant's request at this time, with final calculations determined at the time of Site Plan.

#### 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 supports 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. Based on the initial calculation, the Planning Board supports granting 10 points with final parking counts to be determined at Site Plan.

*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 supports 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 will work with the Silver Spring Urban District on the wayfinding signage and placemaking for this Project. The Planning Board supports 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. The Planning Board supports the Applicant's request at this time with further details and refinement to be provided at the time of Site Plan.

*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. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. The Planning Board supports the Applicant's request at this time with further details and refinement to be provided at the time of Site Plan.

*Public Art:* The Applicant requests 10 points for installing public art on-site. The public art concept will be developed during the Site Plan process and will be presented to the Art Review Panel. The Applicant asserts that the artwork will meet the goals outlines in the CR Guidelines and the final points will be determined at the time of Site Plan. The Planning Board supports the Applicant's request at this time.

*Structured Parking:* The Applicant requests 20 points for structured parking for the parking that will be below grade. All parking spaces will be provided in a below-ground parking garage with final parking counts to be determined at Site Plan. The Planning Board supports 20 points for this benefit.

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT):* The Applicant requests 5 points for the purchase of BLT easements to be purchased or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports 5 points for this benefit at this time, with final calculations determined at Site Plan.

*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 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 Applicant anticipates achieving 15 points in this public benefit category with further details and refinement to be provided at the time of Site Plan. The Planning Board supports 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. At the time of Site Plan, the Applicant will provide additional details on meeting the vegetated wall criteria. The Planning Board supports the Applicant's request at this time.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

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 all binding site development elements shown on the latest version of the 8600 Georgia Avenue, Sketch Plan Amendment No. 32017005B, received by 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 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

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**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