

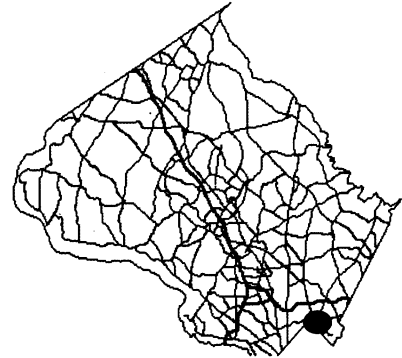


**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Consent Item #**  
**MCPB 6-21-07**

**MEMORANDUM**

**DATE:** June 8, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief *RK*  
Development Review Division  
**FROM:** Robert A. Kronenberg, Acting *RAK*  
Supervisor  
Development Review Division  
(301) 495-2187



**REVIEW TYPE:** Site Plan Amendment  
**CASE #:** 81999002G  
**PROJECT NAME:** Downtown Silver Spring-Civic Building and Town Square

**ZONE:** CBD-0.5  
**APPLYING FOR:** Approval of Parcel B, Block A of the Downtown Silver Spring – IVP Urban Renewal Plan to include approximately 41,986 gross square feet of new development for a Civic Center and 136,930 gross square feet of on-site public use space, including an outdoor seating area, pavilion, and ice skating rink .

**LOCATION:** Parcel B, Block A  
Property is located on the southeastern corner of the intersection of Fenton Street and Ellsworth Drive, in the downtown area of Silver Spring.

**MASTER PLAN:** Silver Spring Central Business District Sector Plan  
**REVIEW BASIS:** Section 59-D-3 of Montgomery County Zoning Ordinance requires submission of a Site Plan.

**APPLICANT:** Montgomery County  
**FILING DATE:** February 9, 2007  
**HEARING DATE:** June 21, 2007

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Attached is the staff report for the proposed Downtown Silver Spring – IVP Site Plan Amendment. The Planning Board public hearing for this application is scheduled for June 21, 2007. The Staff recommends approval of the building but not the ice-skating rink, pavilion and plaza area based on specific criteria outlined in the report.

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## **SUMMARY**

### Background

The applicant requests approval of an Amendment (G) to a Combined Urban Renewal Project and Site Plan for Downtown Silver Spring (the Project). Specifically, this proposal amends Parcel B, Block A, which is bounded by Fenton Street, Ellsworth Drive, and a proposed new street, Veteran's Place. This Amendment proposes to:

- Decrease the overall gross square footage of the Civic Center from 48,000 to 41,986; and
- Seek approval of the proposed Pavilion/Ice Rink as part of the overall public use space.

The overall Project was approved pursuant to the General Development Agreement for the Redevelopment of Downtown Silver Spring dated April 20, 1998 between PFA Silver Spring LC and Montgomery County, Maryland, and the Amended Silver Spring Urban Renewal Plan. The 22.5 acre site in the Silver Spring Urban Renewal Area initially proposed 297,408 gross square feet (gsf) of office space, 578,635 gsf of retail, restaurant, and multiple-screen movie theater complex, construction of the American Film Institute and renovation of the Silver Theater (AFI), 123,135 gsf of hotel (242 rooms), 234,000 gsf of (160 units) multiple family dwelling units, 32,000 gsf of civic building, and public use space and parking. To date, most of the above items have been completed, with changes as reflected in this amendment to include 228,931 gsf of office space, 507,340 gsf of retail-mixed use, and 151,130 gsf of hotel.

The site plan for the residential component (The Ellsworth) was approved in July of 2006, and increased to 237,653 gsf of multi-family dwelling units (222 units). The Civic Center, which is encompassed in this amendment, increased to 48,000 gsf in previous submittals and is now proposed for approval for a total of 41,986 gsf. The Civic Center and associated Town Square are the last phases of approval for this project. Both will be located immediately east of Fenton Street and south of Ellsworth Drive in the area formerly occupied by a public parking garage. The County demolished the garage and covered the area with artificial turf to stabilize it and facilitate its use for outdoor activities until the Civic Center and Town Square are constructed. The Town Square is proposed to include an ice-skating rink and veteran's memorial. The proposed pavilion at the ice skating rink would double as a performance venue in the non-winter months.

### Proposal

The Applicant proposes to redevelop Parcel B, Block A of the overall urban renewal project with a 41,986 square foot Civic Center with outdoor amenities. The Civic Center will replace the previously demolished Armory and provide uses for several community and government organizations. The Plan proposes a total of 136,930 gross square feet of on-site public use space to include an approximate 2,000 square foot public plaza for outdoor seating, gathering and events, and a pavilion and ice skating rink. The pavilion is the roof structure covering the skating rink.

### Public Use Space and Amenity

Approximately 136,930 square feet is to be used as public use space. Amenities, such as a pedestrian plaza, landscaping, public art, seating, special lighting, pavilion and ice rink are proposed within the public use area to accommodate public activities and to activate streetscape in the downtown Silver Spring area. The development will also provide off-site amenities including continuation of the streetscape improvements along Fenton Street, Ellsworth Drive, and a portion of the proposed new street, Veteran's Place.

### Issues

Primary issues addressed during review include the types of amenities proposed for the public use space, amount of proposed public use space that will be open for general public use, pedestrian access to the adjacent public parking garage and other areas, the amount of hardscape and greenscape proposed, community interest in the public use space, consistency of the proposed public use space with the Sector Plan, and details for the inclusion of a memorial and public art.

### Community Outreach

The Project was developed as a comprehensive urban renewal plan, including a large area encompassing several blocks within the downtown Silver Spring district. The Project has continued to evolve through the various planning and construction phases since 1998, offering opportunities at each point in the process for community input into current and future planned phases. The proposed Civic Center, classified by the applicant as a Civic Building rather than a community center, is proposing to provide space for several specific government and community organizations, with an outdoor plaza, pavilion and ice-skating rink for seasonal public activities.

Numerous meetings were held by the Applicant, with the emphasis reflecting the design of the Civic Building. Only recently, has the emphasis been placed upon the design of the space surrounding the proposed ice-skating rink. It appears that there is continued debate among the community in support of and in opposition to limiting the use of a large portion of the outdoor space to a pavilion and ice-skating rink activities. The debate over the design of the space has sparked controversy due to the popularity of the Astroturf for non-programmed vs. programmed activities, and the perception of "green space" in the CBD. There has also been community debate over whether emphasis should be placed on the overall space as a "veterans' memorial" or "town square".

### Public Art Review

The applicant has provided as part of the Site Plan details showing definitive type, location, and materials selected for the public art component. The public art component includes three reflective murals depicting local, state and federal veterans' panels. The panels will include seating, pictures, bronze relief and carved glass described and shown in detail on page L 7.03 of the Site Plan submission. The public art component, which includes a veteran's memorial to recognize veterans at the local, state, and national levels, will serve to provide aesthetic character to the public use space. The proposed art element was submitted to the Art Review Panel for their review and comment.

**STAFF RECOMMENDATION:** Approval of Site Plan 81999002G for the 41,986 square foot civic building and walkway from Fenton Street that incorporates the public art on 1.50 acres. All site development elements as shown on the Downtown Silver Spring site plans stamped by the MNCPPC on April 16, 2007, shall be required except as modified by the following conditions:

1. Project Plan and Urban Renewal Plan Conformance  
The proposed development shall comply with the conditions of approval for Project Plan 919980050 and 91998005A as listed in the Planning Board opinions dated March 2, 1999 and September 1, 1999, respectively [Attachment A]; except as modified with the concurrent review.
2. Preliminary Plan Conformance  
The proposed development shall comply with the conditions of approval for Preliminary Plan #119981070 and 11998107R as listed in the Planning Board opinion dated September 1, 1999 [Attachment B], except as modified by the concurrent Preliminary Plan amendment.
3. Site Design  
Remove the hardscape plaza, ice skating rink and pavilion and replace this area with grass, seating, landscaping and trees to emulate a park-like setting. The new design for this urban park shall be presented to the public and then to the Planning Board for review and approval.
4. Lighting
  - a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential development.
  - b. All light fixtures within the property boundaries, with the exception of the bollards, uplights and those associated with the art element, shall be full cut-off fixtures or able to be equipped with refractors, reflectors or shields.
  - c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
5. Pedestrian Circulation
  - a. Provide a 5-foot-wide walkway from Fenton Street to the Civic Building. This walkway may be shifted or relocated to accommodate the redesign of the area associated with the ice rink, plaza and pavilion.
6. Public Art  
A public art component shall be incorporated into the development to both capture the public use space as a "town square" while at the same time invoking a visual reference of the significance of this space as a "veterans place". This will include three intimate niches that are offset from the main walkway along Ellsworth Drive "housing" three commemorative panels to celebrate and memorialize veterans at the local, state, and national levels.
7. Stormwater Management  
The proposed development is subject to Stormwater Management Concept approval conditions dated July 21, 1998 [Attachment C].
8. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting and streetscape improvements shall progress as street construction is completed, but no later than six months after completion of the building adjacent to those streets.
- b. Landscaping, lighting, seating, paving and the art component associated with the walkway to the civic building shall be completed no later than six months after completion of the building.
- c. Landscaping and lighting associated with the building shall be completed no later than six months after completion of the building.
- d. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- e. Provide each section of the development with necessary roads.
- f. Phasing of dedications, stormwater management, sediment/erosion control, community paths, trip mitigation or other features.

9. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of the certified site plans.

10. Certified Site Plan

Prior to approval of the Certified Site Plans, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Details of the design alternative for the plaza, ice skating rink and pavilion.

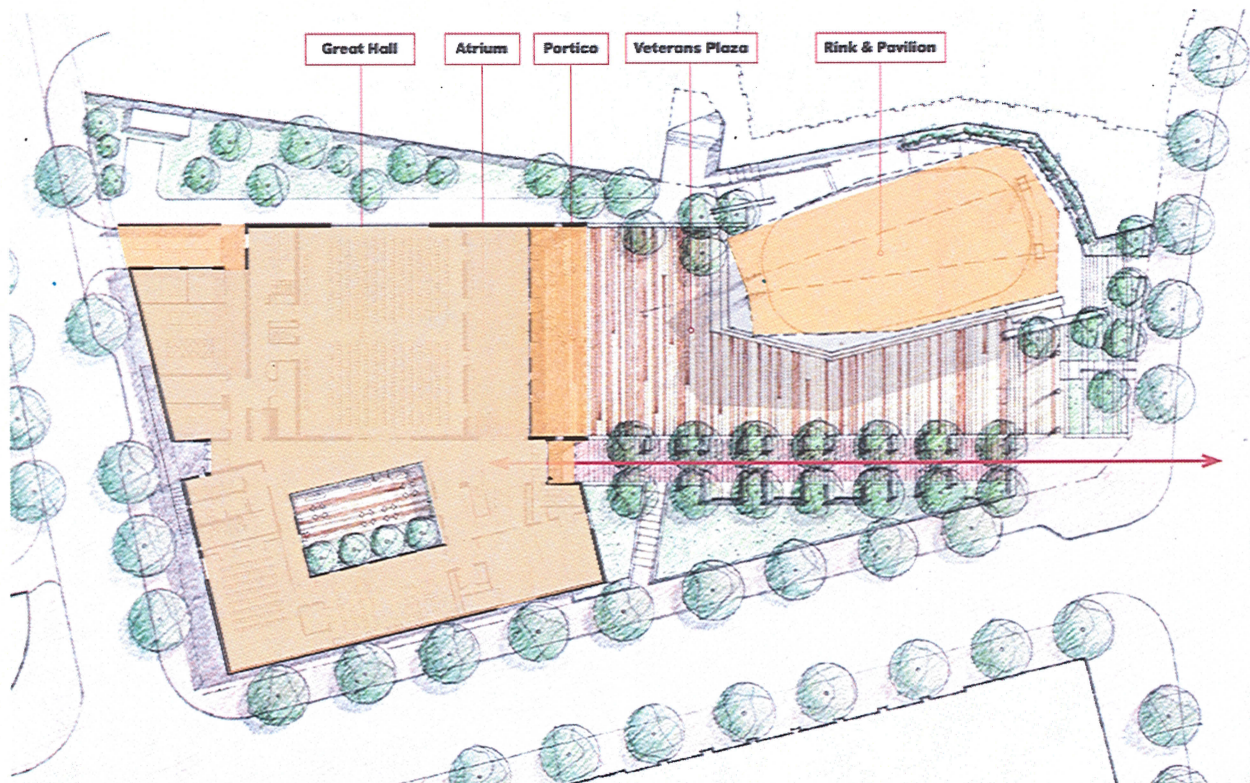
## SUMMARY OF ISSUES PERTINENT TO SITE PLAN REVIEW

### Public Use Space Amenity-Pavilion, Ice Skating Rink and Hardscape Plaza

The 1998 Project Plan and Urban Renewal Plan required the Applicant to process a site plan for the Civic Building and Town Square. The condition states:

*“Prior to issuance of building permits for Town Square and Civic Building, applicant to resubmit final design of Town Square, including Veterans’ Memorial and Civic Building, to Montgomery County Planning Board for review of Site Plan Amendment, following detailed design process involving the Veterans Memorial Advisory Committee, with representation on the Committee from the standing Advisory Committee on Optional Method Public Art in Silver Spring.”*

The applicant now proposes a total of 136,930 square feet of public use space and amenities to meet a large part of the overall public use space requirements for the Urban Renewal Project as a whole, which was developed in phases under the optional method of development. However, the proposed public use space has evolved to include a 41,986 square-foot civic building with specified uses and a pavilion/ice rink, which will also encompass a more programmed schedule of use.



The Sector Plan specifically calls for this part of the overall project to “Incorporate a civic building and public outdoor space into the project that can accommodate varied activities and commemorate Silver Spring’s veterans. Relocate the civic function components of the Armory to this facility.” It appears that although the proposed site plan meets many of these goals as stated, further consideration should be given to the ability for this space to “accommodate varied activities” as envisioned throughout this Sector Plan, and consistent with public need. Furthermore, the civic building is referred to as a place “programmed to meet a variety of community interests”. However, it appears the activities proposed provide for 2 specific user groups, neither of which previously functioned out of the Armory, and the project details do not provide for how open and accessible the facility will be for other community and civic interests.

#### Applicant Position

The Applicant believes the ice-skating rink and pavilion, along with the hardscaped plaza, will provide for various functions and events that would tie into the functions of the civic building. The pavilion would also serve as a cover for these events and encourage other activities, such as farmers markets during the months ice-skating is not feasible. The Applicant believes that the current proposal was considered by the County Council and allocated additional funding to support this program. The Applicant proceeded through a public process to select a design team to further implement the vision of the collective plaza, building and rink.

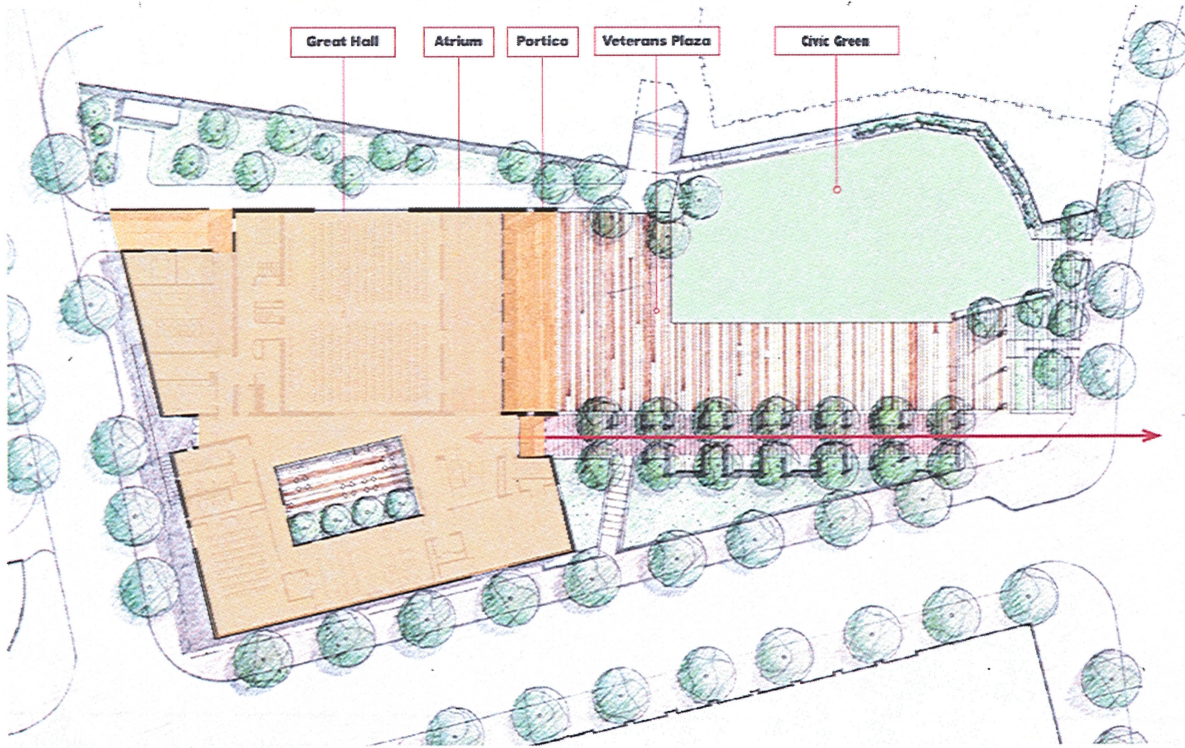
The Applicant has also voiced concern over the costs associated with maintaining a green area that will be programmed for community events and concerts, and feels that a hardscape plaza fits into the urban fabric of the CBD. The Applicant also believes that this venue will attract many different kinds of users and groups to further accelerate commerce and the viability of the downtown Silver Spring area.

#### Community Position

The Silver Spring community is comprised of a variety of civic groups, businesses and residents, who have expressed both support and opposition to the current proposal. The primary focus for debate has been over the function of the present day artificial turf. The proposal has sparked debate on both sides as to the need for the ice rink and hardscape plaza, costs associated with the maintenance of an ice rink or grass, whether the ice-rink will be sustainable financially and the programming efforts involved for such a space in the downtown.

Those in opposition to the proposal believe this is an over design of the space, citing to the current fondness for the artificial turf and the non-programmed nature of the green space, which has brought together a variety of users, especially teens and families.

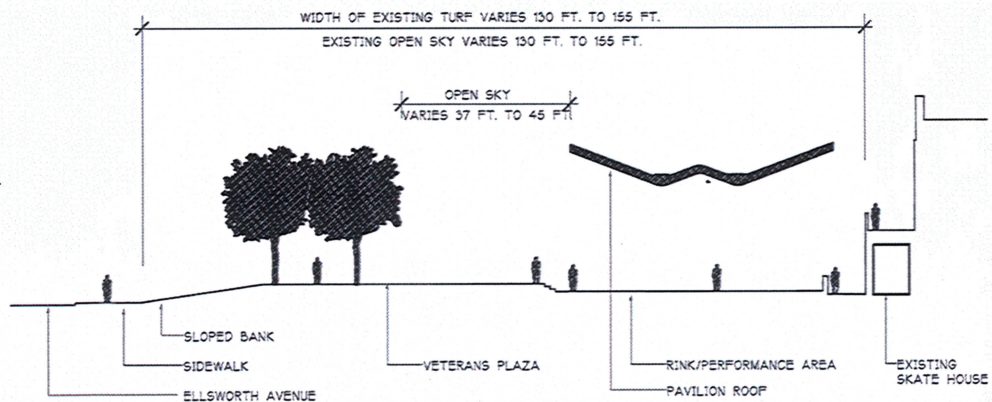




Site Plan

14 September 2006 One Veterans' Plaza

Illustrative of ice-rink replaced by a civic green

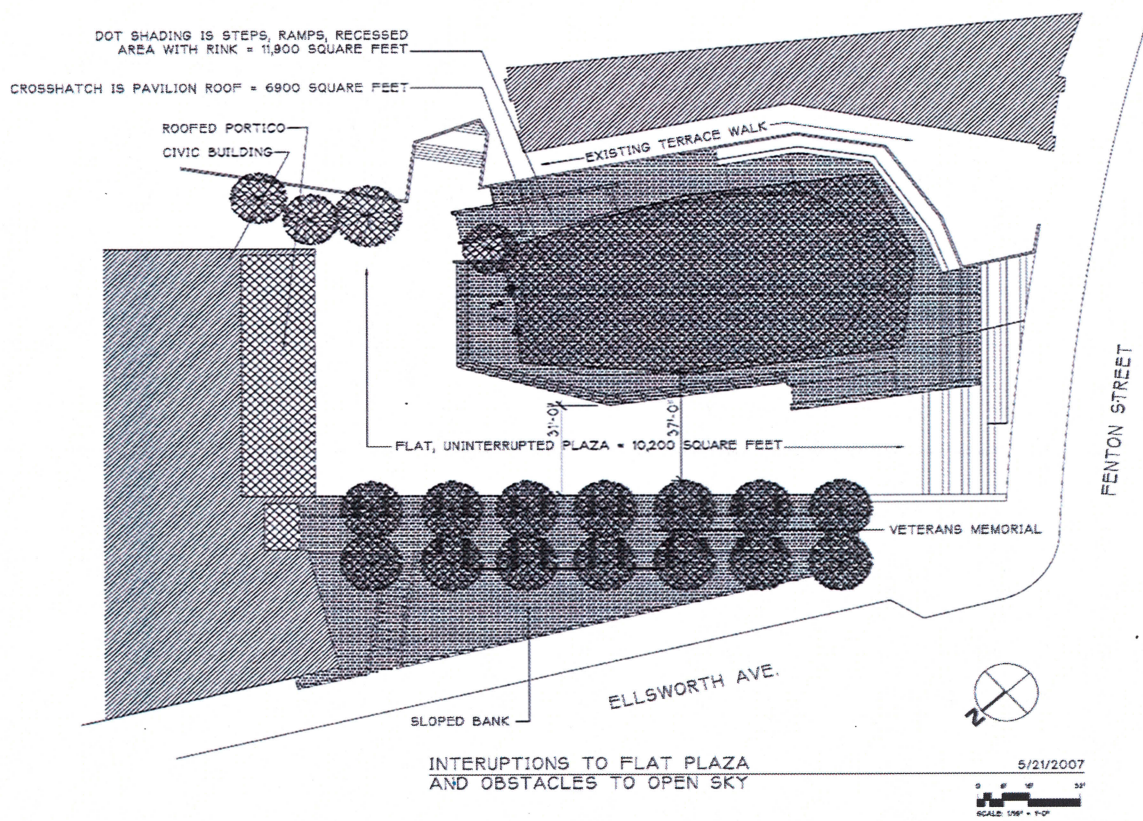


INTERRUPTIONS TO FLAT PLAZA  
 AND OBSTACLES TO OPEN SKY

5/21/2007



The previous slide plan view drawing below are illustrative drawings by a resident indicating potential interruptions or obstacles to the open sky with dimensions



Those in support of the proposal believe this application was prepared and selected with the support of the community during a design process. Many believe the rink and pavilion will continue to provide for a variety of users for the revitalization efforts of the Silver Spring downtown. Concerns have been expressed by the Applicant and the County as to the maintenance costs associated with grass in an area that will provide for heavy pedestrian activity during events hosted on this site.

#### Staff Position

If uses for this space are not made primarily available for the general public, those specific uses should be subtracted from the overall public use space required in meeting the minimum threshold of the Project as a whole. Further, there appears to be outstanding community concern over how the public use space will be developed and function to allow for general public use. To

that issue, the current proposal for a Civic Building, Plaza, and Ice Rink with a Pavilion does not appear to be in compliance with the Project Plan and Urban Renewal Plan, which requires a number of findings directed toward compliance with the goals and objectives of the Silver Spring CBD Sector Plan. Staff is not in support of the ice-skating rink, pavilion and hardscape plaza, based upon the following conclusions and language in the Sector Plan:

The proposed plaza does not appear to meet the intent of the Plan, page 22, which “envisions shaded, tree lined streets and well-placed green parks and plazas” specifically as it relates to the limited amount of “green” space being provided as part of the overall plaza. This page further describes the detail in which the Plan envisions the “green” area, as it should be provided, calling for “every opportunity...to add landscaping and green respites to the CBD’s hardscaped environment.” As the core of the revitalization area for this project, it appears the proposed Plan would add to, not lessen, the “hardscaped environment”.

The Plan (page 23) provides further definition, stating that “grassy and shaded, parks can offer visual, physical, and recreational alternatives to the hard-edged urban environment.” It also states, “Parks of various sizes and character should be located throughout the CBD.” However, it appears from the proposed Plan the plaza will be the third “hardscaped” park setting located within the CBD, thus limiting the variety envisioned in the Plan, and further perpetuating the “hard-edged urban environment”.

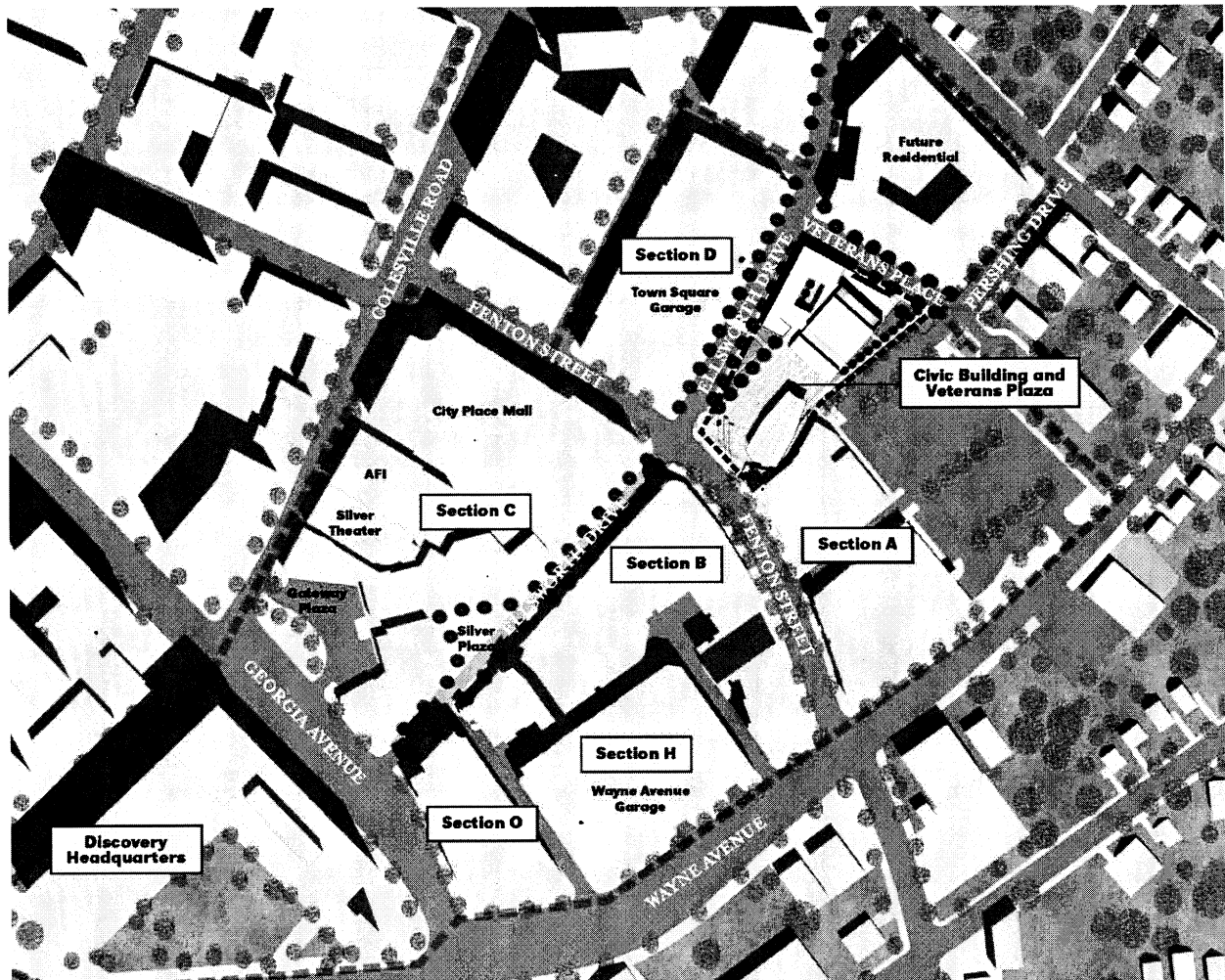
The Plan (page 36) states, “The Core will be rejuvenated as Silver Spring’s varied and active town center, with housing, office, and retail development in a pedestrian friendly environment, enhanced with parks and open spaces.” However, it appears the proposed uses for the Civic Building, Plaza, and Ice Rink, limit to some degree the continued use of the current public open space to specific defined types of uses for defined user groups that may serve to limit a high level of public participation in an open setting.

The Sector Plan (page 22) refers to incorporating “nature into the City as good economic sense”, while page 64 refers to a disparity between the demands of goods available to meet the public need and the economic viability of the proposed uses. These two thoughts within the Plan, although referring to open space and retail separately, should be considered in the deliberation of meeting the public need with the proposed open space improvements for this phase in particular. This includes evaluation of the public demand for additional hardscape plazas and/or an ice rink, to ensure that if provided it is a demand of the public that needs to be met. This is important given the limited amount of available passive and recreational “green” open space in downtown Silver Spring.

The Staff recommendation is for the applicant to design a setting reminiscent of an urban park that will offer the green respite that is desperately needed in the downtown Silver Spring community. The space should be designed to be open to the public at all times and allow for a variety of non-programmed activities.

## PROJECT DESCRIPTION      Surrounding Area

The property is located in the southeastern corner of Ellsworth Drive and Fenton Street, within the downtown Silver Spring area of the Silver Spring CBD. It is part of an overall plan for redevelopment of approximately 22.5 acres. The property has a gross tract area of approximately 1.5 acres. The property is surrounded by a proposed residential structure across proposed Veteran's Place to the east, a public parking garage with retail uses across Ellsworth Drive to the north, a shopping center to the south, and additional retail uses across Fenton Street to the west.



**PROJECT DESCRIPTION**      **Site Description**

The property consists of approximately 1.5 acres of vacant land that abuts public streets on three sides. The site is located at the southeastern corner of Fenton Street and Ellsworth Drive in the eastern downtown area of the Silver Spring Central Business District, and is zoned CBD-0.5. The site contains one parcel of property, which is presently vacant and used for non-programmed public use space. There is pedestrian access to all sides of the property, which is utilized by the general public for access to and from surrounding retail uses.

The property is slightly sloping from the northern edge along Ellsworth Drive to the existing shopping center along the southern boundary, and contains some high and low points from east to west. There are no landscaping features and few defined streetscape improvements on the property. The property is covered by artificial turf and is currently used for general outdoor public activities.

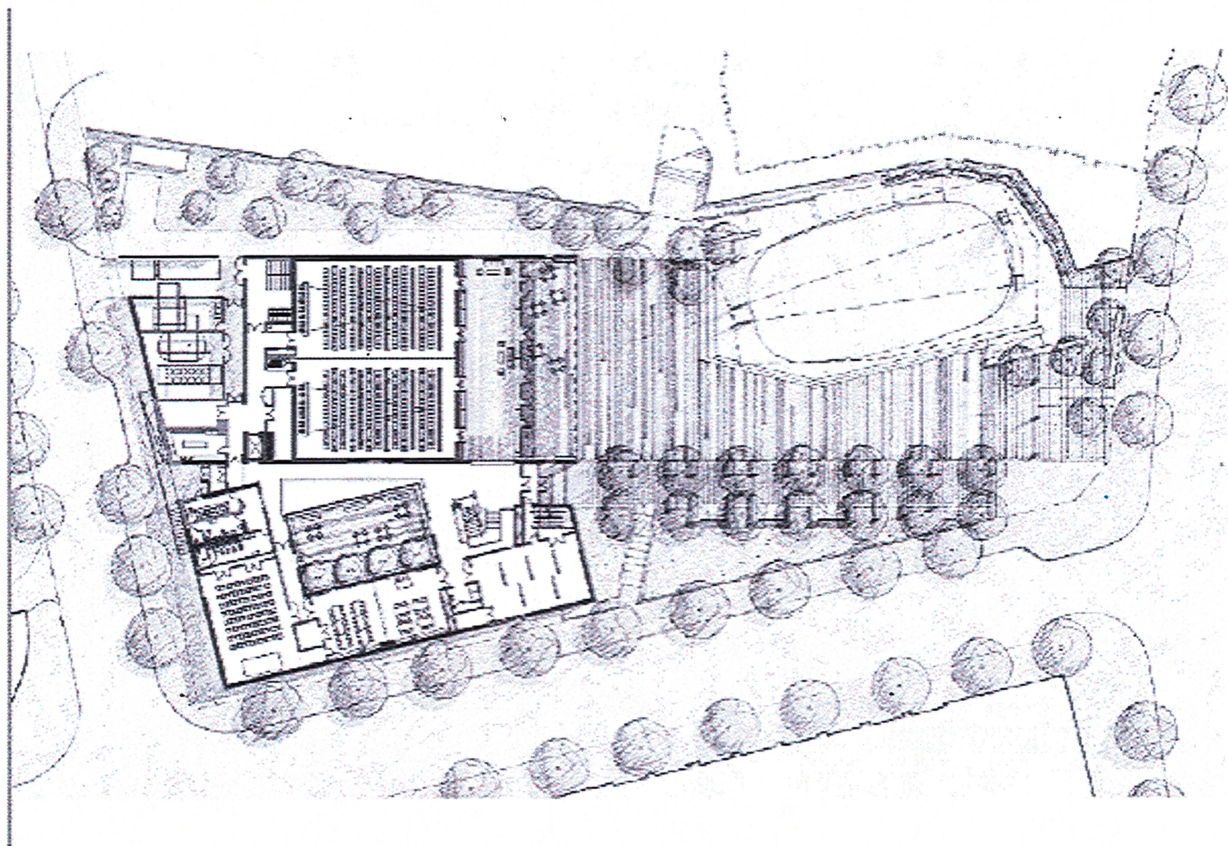


View: Looking southealy across existing Ellsworth Drive toward the proposed public plaza and Civic Building.

## PROJECT DESCRIPTION      Proposed Development

The following narrative is a description of the Applicants' proposal followed by a summation of the issues relating to the recommendations by Staff.

This Site Plan consists of primarily public investment in a Civic Building, public plaza, pavilion and ice rink that is strategically located to include cultural programming of events and activities that will encourage community activity within the downtown. Construction of the Civic Building is listed as a specific goal of this recommendation as well as use of the plaza for a farmers market. Farmers would access the pavilion from Veterans Place. It also meets the goal of "creation of civic and cultural facilities through the use of the optional method of development". However, it appears that instead of providing a "greener and more varied space", this Site Plan provides a covered ice-rink, possibly to meet the Plan goal of finding a "suitable CBD location for a covered in-line skate facility".



This project provides for a Civic Building as part of the Silver Spring Redevelopment project. The Civic Building will be a focal point for County services and community events. Managed and scheduled by the County government and the community use of public facilities, the building will provide community meeting space to replace space that was previously provided by the Armory, a multi-media resource center, and office space for the Regional Services Center staff. The Civic Building will be located adjacent to the proposed Veterans' Plaza, which will

provide outdoor space for community events. The downtown project is part of a multi-phased effort by Montgomery County to support the retail-oriented redevelopment of the Silver Spring Central Business District (CBD).

The open area at the corner of Fenton Street and Ellsworth Drive, known as Veterans Plaza, will front the Silver Spring Civic Building. This three-quarters of an acre space will function as a public use space for various user groups and activities throughout the year. Much of the surface will be brick. However, the Plaza will be trees near Fenton Street and to the north near the stairway leading from the adjacent parking lot, and include a veteran's memorial as part of the walkway from Fenton Street. The plan also proposes a pavilion/ice skating rink that will provide ice skating activities during the winter months and concerts and other activities during the warmer seasons.

## **Building Design**

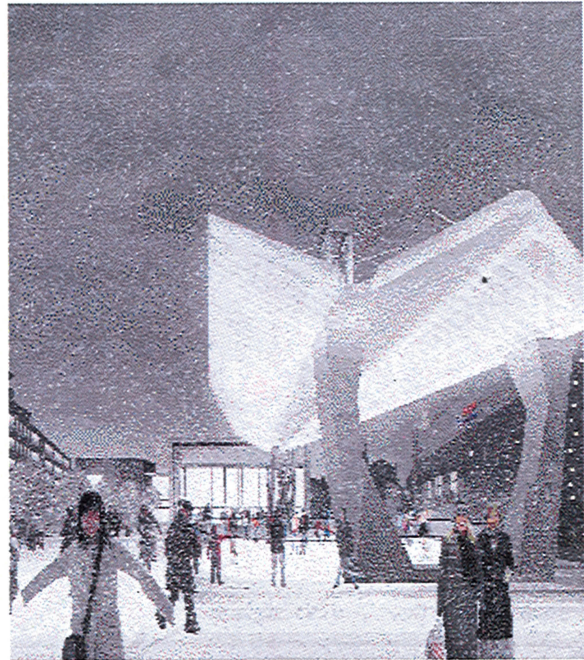
### Civic Building

The Civic Building will consist of 41,986 gross square feet of building area, including several floors that will provide space for various government and community organizations and agencies. The building will contain an interior courtyard surrounded by the various offices and walkways. The lower level will consist of space for the County, and basic building functional systems. The Plaza level will include the great hall, prefunction exhibit area, activities spaces, courtyard, and public facilities. The upper level will house various offices and activity rooms for the Civic Building, Silver Spring Regional Center (SSRC), and additional public facilities, and include access to the great hall. The building will have frontage on both Ellsworth Drive and Veterans Place with direct pedestrian access out to the public plaza. .



### Pavilion/Ice Skating Rink

The proposed pavilion will be made of translucent panels to allow light through, and will be approximately 22' in height. It will cover nearly half of the overall plaza area, with a concrete base for an ice skating rink for 4-5 months, and additional plaza space 7-8 months out of the year. The pavilion will be located adjacent to the existing shopping area along the property's southern boundary, and allow for the public to view the space from above with the offset in elevation between the shopping area and ice rink. The plaza will be designed to incorporate the pavilion into the overall public use space and connect it to the great hall and exhibit areas leading into the Civic Building.



### **Public Use Space and Amenities**

The applicant is providing a total of 268,758 square feet or 28.8% of on-site public use space as part of the overall Urban Renewal Project. In addition there are 107,278 square feet of off-site public use space within the Project. This specific Site Plan addresses a large part of that overall on-site public use space requirement. The public use space provided in this block contains a civic building, public plaza, public art, pavilion, and ice skating rink, located in the center of the overall Project. The total public use space provided is based on the net lot area of the entire Urban Renewal site. Off-site public use space consists of various streetscape improvements, existing and proposed, as well as some smaller areas of public use space and amenity features. These public use spaces and amenities include: public art, landscaping, lighting, seating, decorative pavers, retail façades, and receptacles and many other items consistent with the Silver Spring Streetscape Plan.

This proposed public space includes a Civic Building to house various government and community organizations, a great hall, exhibit area, courtyard, and other public use spaces, movable tables and chairs placed throughout the Plaza, a pavilion that will provide a shaded and protected area where people can congregate, benches tucked in and around the trees and public artwork of the Veterans Memorial, programmed space to include numerous weekly, monthly and annual festivals, concerts, and other cultural and community events throughout the seasons, and an Ice Skating rink that will operate between November and March. In brief, this property will serve as the focal point of all public use space activities envisioned to occur within the urban renewal area that encompasses the overall project.





### **Pedestrian and Vehicular Access**

Given its central location and proposed functions, the property will be served in large part by pedestrian access. Users will also have access to public parking facilities located in the adjoining shopping area lot and the public parking garage across Ellsworth Drive. The Site Plan is designed to locate service entrances along side streets, such as the proposed Veteran's Place and Pershing Drive.

The sidewalk and streetscape improvements are designed to improve current pedestrian circulation and provide more convenient access to the adjoining retail, residential, and business uses. The Plaza is designed in part



to provide a connection to the plaza to the public parking garage to the north, the residential areas to the east, the shopping area to the south, and entertainment activities further downtown, to the west. Also provided in the plan is the ability for vehicles to directly access the public plaza space and ice rink area apparently to serve public functions and events.

## **PLANNING AND REGULATORY FRAMEWORK**

The site contains approximately 1.5 acres of property. It presently consists of vacant ground covered with an artificial turf base, which is used primarily for general public use activities. The application is part of the overall redevelopment of 22.5 acres in the Silver Spring CBD for an Urban Renewal Project.

### **Prior Approvals**

Project Plan and Urban Renewal Plan 91998005- approved September 17, 1998

- 1,175,935 gsf of retail, office, entertainment, restaurant, hotel, and housing, and 354.023 gsf of public amenities on 22.5 acres in the CBD-0.5, CBD-1, CBD-2, and CBD-R2 zones.

Project Plan and Urban Renewal Plan 91998005A- approved July 22, 1999

- Move hotel from southeast corner Georgia Avenue/Ellsworth Drive to northwest corner Fenton Street/Wayne Avenue; expand Georgia Avenue office component from northeast corner Georgia Avenue/Wayne Avenue to entire frontage of Georgia Avenue between Wayne Avenue/Ellsworth Drive; and increase Project gross floor area ratio from 1,178,570 sf. to 1,20,198 sf.

Preliminary Plan 19980170- approved September 17, 1998

- 507,340 sf of retail, 297,408 sf of office, 48,000 sf of civic center, 242 hotel room, and 160 dwelling units.

Site Plan 819990020- approved September 17, 1998

- 1,175,935 gsf of retail, office, entertainment, restaurant, hotel, and housing use, and 354,023 sf of public amenities on approximately 22.5 acres in the CBD-0.5, CBD-1, CBD-2, and CBD-R2 zones.

Site Plan Amendment 81999002A- approved July 22, 1999

- Change mix of office, retail, hotel, civic, and residential uses within approved FAR and square footage totals. Increase overall amount of public use space, amenities, and parking.

Site Plan Amendment 81999002B- approved January 4, 2001

- Approval of final design of a major public amenity space-Silver Plaza on Ellsworth Avenue.

Site Plan Amendment 81999002C- approved July 29, 2003

- Minor architectural modifications to buildings within Section B, modifications to certain streetscape elements, site plan data table update.

Site Plan Amendment 81999002D- approved August 5, 2004

- Revise the building entrance location of the office building within Section B; incorporate element modifications, changes to street light fixture types along Wayne Avenue



<b>Development</b>								
Gross Floor Area (sf)								
Office		210,800	297,408			297,408	202,896	228,931
Retail-Mixed Use (Retail, Restaurants, Theatres)		578,635	507,340			507,340	500,606	507,340
Hotel (242 Rooms)		123,135	151,130			151,130	97,716	
Civic Building		32,000	48,000			48,000	48,000	48,000
Residential		234,000	236,320			236,320	236,320	
(# of Units)		160	160			160	160	222
<b>GFA Total</b>		<b>1,178,570</b>	<b>1,240,198</b>				<b>1,085,538</b>	
<b>Floor Area Ratio (FAR):</b>	2.29	1.20	1.27					
<b>Max. Building Hgt:</b>								
CBD-2 Zone (Section C)	200	200	200			200	200	
CBD-1 Zone	143	143	143			143	143	
CBD-0.5 Zone	90	90	90			90	90	
CBD-0.5 Zone	60 (if compatible)	60 (if compatible)	60 (if compatible)			60 (if compatible)	60 (if compatible)	55 (as measured from Pershing Drive)
<b>Residential Multi-family (DU):</b>								
One-bedroom		87	87			87	87	
Two-bedroom		73	73			73	73	
<b>Total # of Units</b>		<b>160</b>	<b>160</b>			<b>160</b>	<b>160</b>	<b>222</b>
<b>MPDUs</b>		Exempted by MCDHCA	Exempted by MCDHCA			Exempted by MCDHC A	Exempted by MCDHC A	31
<b>Min. Setbacks from street (ft.):</b>	Not Specified	0	0	0	0	0	0	0
<b>Amenities and Facilities</b>								
Public Use Space								
Net Lot Area (sf)		932,591				932,659	932,659	
Public Use Space Req./Provided		186,532	261,235			273,558	279,753	

Percent		20	28			29.3	29.99	
On-site outdoor seating facilities		Not Specified				10,000	10,000	
Off-site Improvement Req./Provided (sf)		92,788				96,173	96,173	
Replacement of Armory		69,696	69,696			69,696	69,696	69,696
Replacement of Kughn Park		10,890	10,890			10,890	10,890	10,890
<b>Total Amenities and Facilities Provided</b>		267,118	354,023			379,731	385,926	
<b>Parking Requirements :</b>								
Parking Required (Office, Retail, Civic)	3,600	3,600						
Parking Required (Residential)	175	175						
<b>Parking Required:</b>	3,775	3,775						
<b>Parking Provided:</b>								
Garages [Blocks B(2) & D(1)]			3,153	3,513				
Structured [Office Block B(1) & Residential]			436	526				
Surface Lots (Block A & C)			314	314				
<b>Total Parking Provided:</b>			3,903	3,993				

**PROJECT DATATABLE FOR BLOCK E (Civic Building and Town Square)  
 (CBD-0.5)**

	Zoning Ordinance Development Standard	Proposed for Approval with Site Plan 81999002G
Gross Tract Area of Overall Development (sf./ac.):	20,000 (0.51 ac.)	980,100 (22.5 ac.)
Net Lot Area of Overall Development (sf.):		932,659
Net Lot Area of Subject Block (sf/ac):		66,288 (1.52 ac.)
Proposed Civic Building (sf.):	48,000	41,986
On-site Public Use Space (sf):	13,258 (20%)	66,288
Off-site Public Use Space (sf):		<u>10,748</u>
Total On and Off-Site Public Use Space And Improvements (sf):		77,036
Max. Building Height (ft.)	90	44'
Setbacks (ft):		
Ellsworth Drive	Not Specified	2
Fenton Street	Not Specified	211
Pershing Drive	Not Specified	20
Veterart's Place	Not Specified	3

**ANALYSIS: Master Plan**

The Site Plan incorporating the civic building and veteran's memorial is in conformance with the Silver Spring CBD Sector Plan (2000); however, the same statement cannot be made with respect to the plaza, ice rink and pavilion, and the goals of the Approved and Adopted Silver Spring CBD Sector Plan.

The civic building and town square, as it is referred to in the Sector Plan and original Project Plan, constitute the majority of the public use space requirement for the Downtown Silver Spring Optional Method Project. The civic building will replace the functions of the Silver Spring Armory, which was demolished as a result of the approval for this project. The town square was intended to replace the public use space at Kughn Park, which had a raised stage with a lawn panel/seating area, ringed by planters.

The county demolished the garage and park and covered the area with artificial turf to stabilize it and provide a better facilitation of the space for events such as the Jazz festival, until the civic building and town square are constructed. The artificial turf has proven to be very popular among families and teens as a place for social and casual interaction. Many members of the community value the green area in the downtown, since the closest area in the CBD that could provide for activities such as the ones that currently exist is Jesup Blair Park, which is a fair distance from any of the activity and residences in the CBD proximity.

The Civic Building serves to meet the theme of providing civic facilities as a "regenerated" center to replace the Armory, and will serve to create social connections within the community through the uses provided in the building as well as outside in the plaza and pavilion areas. However, greater detail should be provided as to the level of flexibility that will exist in the Civic Building. Further, as noted previously in this report, the Site Plan does not use this space to "create a variety of civic spaces" different from other civic spaces already created in this Sector because it primarily consists of hardscape plaza features.

Community-Based Planning Staff has provided a memo (Attachment C) outlining the relevant planning documents, history of the project and analysis of how the themes and goals in the CBD are not being achieved by this proposal.

**FINDINGS:** For Site Plan Review

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan;*

Project Plan 919980050 for the Downtown Silver Spring development was approved by the Planning Board on September 17, 1998 and subsequently amended over the years to accommodate changes in retail and commercial space, an increase in residential as well as changes to the public use space for the project. The plan encompassed a 22.5-acre area, including the subject block, which is approximately 1.5 acres. Other parcels within the overall project area were approved for a mix of retail, entertainment, office, hotel and public uses such as the Silver Plaza, a public plaza in the center of the retail and an entertainment district.

The proposed site plan amendment seeks to implement the last phase of development for the overall Downtown Silver Spring Project by providing a Civic Building, hardscape plaza, skating rink and pavilion. The Civic building is generally in compliance with the previously approved overall Urban Renewal Project; however, the public use space, specifically as it relates to the pavilion/ice rink and plaza, are not consistent with the original plan approvals.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the CBD-0.5 Zone as demonstrated in the project Data Table on pages 19-22.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. Buildings and Structures

The proposed 2-story civic building is located on the northern edge of the block, closest to the future Veteran's Place connection. The proposed building will provide a foreground to the approved residential building in block E by creating a separation to the existing residential neighborhood on Cedar Street.

The civic building is adequate, safe and efficient in terms of location, massing, design and context to the surrounding buildings; however, the pavilion and skating rink does not provide for an efficient use of the space.



The skating rink does take up a significant portion of the public use space and the pavilion could be a possible obstruction to the patrons and pedestrians for the shops located on the mezzanine level to the east.

b. Open Spaces

The applicant is providing a total of 268,758 square feet or 28.8% of on-site public use space as part of the overall Urban Renewal Project. In addition there are 107,278 square feet of off-site public use space within the Project. This specific Site Plan addresses a large part of that overall on-site public use space requirement. The public use space proposed in this block contains a civic building, public plaza, public art, pavilion, and ice skating rink, located in the center of the overall Project. The total public use space provided is based on the net lot area of the entire Urban Renewal site. Off-site public use space consists of various streetscape improvements, existing and proposed, as well as some smaller areas of public use space and amenity features. These public use spaces and amenities include: public art, landscaping, lighting, seating, decorative pavers, retail façades, and receptacles and many other items consistent with the Silver Spring Streetscape Plan.

This proposed public space includes a Civic Building to house various government and community organizations, a great hall, exhibit area, courtyard, and other public use spaces, movable tables and chairs placed throughout the Plaza, a pavilion that will provide a shaded and protected area where people can congregate, benches tucked in and around the trees and public artwork of the Veterans Memorial, programmed space to include numerous weekly, monthly and annual festivals, concerts, and other cultural and community events throughout the seasons, and an Ice Skating rink that will operate between November and March. In brief, this property will serve as the focal point of all public use space activities envisioned to occur within the urban renewal area that encompasses the overall project.

The public plaza component of this Site Plan proposes to be lined with trees and incorporate some grass areas around the perimeter. However, much of the open space will be hardscape in character, which may not provide the greatest aesthetic benefits to the downtown. Further, the Sector Plan does not envision this space to include an ice-rink, but rather to be more open, green, and non-programmed for those areas outside and adjacent to the Civic Building. The current proposal would not meet the Sector Plan theme of providing a green space "alternative to the hard edge urban environment", creating "formal and informal gathering places" that provide "visual and physical respite". The open space has not been adequately designed to offer the green respite needed for the bulk of the public use space and amenity area designated by the overall downtown project.

This Site Plan provides for much of the public use space that will provide a large open area between the built up surroundings and should be “greener” in nature to incorporate an urban park-like setting rather than an ice-skating rink and hardscape plaza.

c. Landscaping and Lighting

The streetscape improvements to Fenton Street, Ellsworth Drive and Veterans Place will greatly enhance the appearance of downtown Silver Spring and complement the overall connections to the four public roadways that bound this property, through the implementation of the Silver Spring Streetscape standards. The streetscape proposed for Veterans Place, Ellsworth Drive and Fenton Street includes shade trees in the standard 5' x 8' tree pits with the amended soil panels to encourage growth in an urban setting, as well as the Washington Globe light fixtures and the Beldon brick identified in the Silver Spring Streetscape standards. The street trees and lamps on Ellsworth have been modified to include American elm trees and dual light fixtures to match existing conditions north of the site. The street trees for the two other public roads include willow oaks and the standard Washington Globe fixtures.

Foundation planting along the building frontage includes a mix of shrubs and groundcover to complement the streetscape elements. The walkway from Fenton Street to the building integrates the public art element, seating areas and a mix of landscape and lighting treatments to present a pedestrian scale to the civic building.

This Site Plan provides for a significant amount of landscaping and streetscape along the periphery of the defined public use space. Screening, lighting, and signage are incorporated into the streetscape as well as the interior public use space areas, and will be consistent with Silver Spring Streetscape Plan.

Lighting within the public realm will conform to the Silver Spring Streetscape Standards, or as modified with the project plan to include dual overhead fixtures along Ellsworth Drive. Lighting within the walkway will include pedestrian level lighting such as bollards and uplighting to accent the trees and artwork.

Landscaping and lighting associated with the civic building, walkway and various streetscapes are adequate, safe and efficient; however, the ice rink, pavilion and plaza do not conform to the town square concept envisioned by the Project Plan and Sector Plan. Furthermore, the plaza area should contain more green area, landscaping and trees to accommodate the Town Square vision.

d. Recreation

Recreation facilities are not required for commercial applications; however, this application proposes a skating rink as a key feature in the downtown Silver Spring project. While the skating rink provides opportunities for programmed events during a portion of the year, the open area that could be accommodated in this space could provide more use and enjoyment for many different age groups and user groups.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

The property within this Site Plan will be surrounded on three sides by streets, providing efficient vehicular access with public parking areas located within close proximity. Also located in this area are several access points to public transportation systems.

This Site Plan includes improvements to pedestrian access as part of the overall development proposal, with walkways, stairs, and sidewalk enhancements to lead pedestrians throughout the plaza and other amenity areas. It maximizes existing infrastructure by providing no parking on site, thus requiring users to either walk or ride transit to the area, or use the adjacent public parking garage. Congestion may be realized during larger community events, which is inevitable dependent upon the success of such events, but healthy in maximizing public use of the space.

The plan does not provide any vehicular access points to the site. Parking will be provided off-site in the adjacent public parking garage. The loading area is located along the newly proposed street, Veteran's Place, located off of the main thoroughfares of Ellsworth Drive and Fenton Street.

The proposed pedestrian enhancements will allow for more definitive connections to the transit facilities in the CBD, primarily through the design and layout of the walkways throughout the proposed uses providing pedestrian direction to transit facilities and services.

The primary pedestrian access into the building is the walkway from Fenton Street, which will integrate public art, seating, lighting and landscaping into the pedestrian experience and provide for an important connection. An additional pedestrian connection is provided from Ellsworth Avenue to provide for access from the commercial venues and the public parking garage. On the east side an existing stairwell provides access from the church, grocery store and commercial businesses.

The proposed pedestrian and vehicular circulation plans carefully link to the existing pathways off the property to provide a seamless network that improves the experience for all modes of traffic. When implemented, it will bridge the gap that currently exists in that area by providing a well-defined pedestrian connection between the residential portion of the subject site and neighborhoods to the north and northeast of the site and the downtown Silver Spring retail, entertainment, and recreational and business features.

An off road bikeway is proposed along the south side of Veteran's Place to complete the last leg of the Green Trail within the limits of the Downtown Silver Spring project area.

The original Traffic Mitigation Agreement is being revised with this application to include the additional residential units and incorporate the reduction in the office square footage.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The subject block is one parcel of a comprehensively designed, 22.5-acre, mixed-use development, planned and developed by a public/private partnership. The project is based upon goals developed over a multi-year period as part of the Urban Renewal Area and Silver Spring Business District Sector Plan processes. Subsequent approvals precede the subject proposal and have already established a general compatibility of the proposed civic building with the surrounding development. However, the skating rink and pavilion do not offer the same compatibility when considering location, height of the proposed pavilion to the shops on the mezzanine level and function of the rink and pavilion during the seven to eight months that it will not be operational.

The height of the proposed civic building is compatible with the adjacent residential units across Veteran's Place in terms of height, land use and architectural treatment. The building height approved with the project plan permitted 90 feet; however, the proposed development has reduced the building height to 44 feet. The height of the pavilion could potentially be in conflict with eye level of the pedestrians on the mezzanine level in the adjacent shops and will obstruct views into the plaza area. The hardscape area, which is the plaza area surrounding the ice rink and civic building, would better serve as green space to provide opportunities for non-programmed activities and an urban park to relieve the hard urban edge currently proposed.

The proposed site design and use of the subject property is not compatible with the existing and planned development on the surrounding properties and others in the vicinity of the site.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The NRI/FSD and Final Forest Conservation Plan have been revised to correct the overall acreage of the site since the public right-of-way was greater prior to abandonment and re-subdivision. However, the original boundaries of the overall project remain the same. Forest conservation requirements continue to be met through street tree plantings within the public right-of-way and the preservation of existing mature trees along Wayne Avenue and next to St. Michael's Church.

The protection of water resources is accomplished through the provision of existing on-site water quality controls via Best Management practices, including bioretention, stormwater treatment systems, surface and structural filters. The Project also provides erosion and sediment control measures to contain all excavated material on-site and to prevent runoff into the public rights-of-way and storm drain systems during construction in accordance with the requirements of Chapter 19 of the Montgomery County Code.

The proposed stormwater management concept consists of (1) on-site water quality and recharge control via grass swales, dry swales, a modified dry swale, drywells and a surface sand filter. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.