

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB  
Item # 4  
11/29/01

**MEMORANDUM**

**DATE:** November 14, 2001  
**TO:** Montgomery County Planning Board  
**VIA:** John A. Carter, Chief, Community-Based Planning Division  
**FROM:** Glenn Kreger, Silver Spring/Takoma Park Team Leader  
Miguel Iraola, Planner Coordinator, Silver Spring Team

**REVIEW TYPE:** Mandatory Referral  
**PROJECT NAME:** Silver Spring District Court House  
**APPLICANT:** Maryland Department of General Services

**CASE NUMBER:** MR-01111-MDGS-1  
**REVIEW BASIS:** Article 28, Chapter 7-112 of the Regional District Act

**ZONE:** CBD-2  
**LOCATION:** Apple and Second Avenues  
**MASTER PLAN:** Silver Spring Central Business District Sector Plan

**FILING DATE:** October 1, 2001

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**STAFF RECOMMENDATION:** APPROVAL with comments:

1. The State should be prepared to reconfigure the staff parking lot and the vehicular circulation pattern behind the court house should implementation of the Georgetown Branch transitway (Purple Line) and/or trail require a portion of the site.
2. Vehicular access from Second Avenue should be limited to service vehicles and vehicles destined for the secured parking garage.
3. The State should work with the Montgomery County Department of Permitting Services to improve pedestrian crossings at the intersection of Second Avenue and Apple Avenue, specifically to improve the crosswalks and medians on Second Avenue in accordance with County road standards.

4. The State should enter into a traffic mitigation agreement or memorandum of understanding (MOU) with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT). The agreement or MOU should provide for a best faith effort to assist the Transportation Management District (TMD) in achieving and maintaining Silver Spring's traffic mitigation goal of auto drivers being no more than 50% of all employees arriving or departing during the two hour morning and evening peak periods.
5. The State should provide significant public art inside and outside the court house building. The Montgomery County Public Arts Trust should be consulted for selection and funding for any exterior public art.
6. The State should provide a tree preservation plan for review by the staff prior to construction. Ensure that the plan is followed during construction.
7. The State should prepare a new record plat for the property to remove the underlying lot lines.
8. The State should provide streetscape in conformance with the Silver Spring Streetscape Guidelines.

## **PROJECT LOCATION AND DESCRIPTION**

The Maryland Department of General Services (DGS) seeks to construct a new District Court on seven lots in the southwest quadrant of Second and Apple Avenues in the Silver Spring CBD, about one block from the Metro station (**See Attachment 1- General Location Map**). The proposed district court house will replace the current facility, which is in leased space at 8665 Georgia Avenue. The new district court house will contain four court rooms, associated support space, and offices for the Department of Public Safety and Correctional Services, the Public Defender, and the Department of General Services (DGS). The facility will serve approximately 150 employees (**See Attachment 2- Site/Landscape Plan**).

A Sunoco gas station and a small office building previously occupied the site. Both existing buildings are in the process of being demolished in preparation for the new construction. There are two mature Willow oak trees (24" and 21" DBH) along Second Avenue and a Hickory tree (48" DBH) at the terminus of Apple Avenue. The Silver Spring Metro Plaza office building is located south of the court house site along Second Avenue. The CSX/WMATA railroad tracks adjoin the site on the west. The Alexander House residential high-rise and a low-rise office development are located across Apple Avenue north of the court house site. The new Cameron Hills townhouses are located directly across Second Avenue. Public Parking Garage #7 is located diagonally across from the court house site on Cameron Street.

The gross tract area of the court house site is 65,583 square feet, or approximately 1.5 acres. Per the *Approved and Adopted Silver Spring CBD Sector Plan*, the site has CBD-2 zoning, which permits up to 4 FAR of commercial development or 5 FAR of mixed-use development. The new, 4-story court house will contain 74,047 net square feet, or an FAR of 1.13. Although the CBD-2 zone permits up to 143' in building height under the optional method of development, the proposed building is only 79' or four stories in height.

Fifty-four parking spaces are proposed on-site. Twelve (12) of these will be in secured structured parking underneath the building. Forty-two (42) parking spaces will be in a gated and fenced surface parking lot behind the building that will be accessed from Apple Avenue.

The architecture of the proposed court house is described as a modern style in order to be compatible with the architectural style of the surrounding buildings (**See Attachment 3- Building Elevations**). The building will have a distinct civic presence. The front building elevation along Second Avenue will be constructed of limestone and glass and provides the primary entrance to the building. A civic plaza in front of the building will provide public gathering space and ensure compatibility with the townhouses across Second Avenue (**See Attachment 4- Building Perspective Sketch**). A secondary entrance will serve as the main entrance after hours and will be located along Apple Avenue.

The proposed hours of operation for the facilities in the new court house are as follows:

- Courtrooms and Offices: 8:30 a.m. to 4:30 p.m.
- Public Defender, Parole & Probation: 8:00 a.m. to 8:00 p.m.
- Commissioner's Office: 24 hours

## REVIEW PROCESS

During 1998-99 the staff assisted DGS in their efforts to identify potential sites in Silver Spring for relocation of the district court house. In February 2000, the County Council approved the new Silver Spring CBD Sector Plan, which specifically identifies the site selected by DGS at Apple/Second Avenues as appropriate for the new court house (**See Attachment 5- Map 39 Silver Spring CBD Sector Plan**).

In August 2000, the staff wrote to the DGS regarding the relevant guidance in the Sector Plan and to encourage the State to consult both the staff and the community in the design of the project (**See Attachment 6- Letter Dated August 31, 2000**). In accordance with the Mandatory Referral guidelines, the staff offered to assist the DGS by identifying groups for community outreach. In January 2001, the staff also wrote to the DGS (**See Attachment 7- Letter Dated January 5, 2001**) regarding the need to provide for master planned bike trails (e.g., the Capital Crescent) and to reiterate the need for community outreach.

In May 2001, the Department of General Services submitted the site selected for the proposed court house for Mandatory Referral. The *Approved and Adopted Silver Spring CBD Sector Plan* specifically identifies the proposed site as the location for the new court house. The site location was reviewed administratively and approved in a letter from (former) Chairman Hussmann to the DGS (**See Attachment 8- Letter Dated May 9, 2001**). On October 1, 2001, the DGS submitted the design for the court house for Mandatory Referral (**See Attachment 9- Letter Dated October 1, 2001**).

## **COMMUNITY OUTREACH**

The staff met with the court house design team on May 1, 2001, to identify those community groups that needed to be contacted regarding the proposed project. The staff emphasized the need for the applicant to address the provision of bike trails, public art, parking, and the Silver Spring Wayfinding Program. Subsequent to this meeting, the applicant reviewed their plans with staff from the relevant public agencies and the Development Review Committee. The State conducted an Open House for the general community on June 20, 2001. Notices for the Open House were distributed to representatives of all adjoining property owners. Other meetings with property owners were held as requested.

The design for the new court house was formally submitted for Mandatory Referral on October 1, 2001. After reviewing the application for completeness, the staff notified all relevant community groups of the filing (**See Attachment 10- Letter Dated October 11, 2001**) in accordance with the Mandatory Referral guidelines. The DGS and their consultants reviewed the plans submitted for Mandatory Referral at a meeting of the Woodside Civic Association on October 24, 2001.

## **PROJECT ANALYSIS AND FINDINGS**

**Finding:** *The proposed project is consistent with the CBD Sector Plan recommendations for the location and design of the facility. However, there are concerns with regard to its relationship to off-site transportation facilities addressed in the Sector Plan.*

As indicated in the May 9, 2001 letter from Chairman Hussmann to the DGS, the site selected for the court house is consistent with the Silver Spring CBD Sector Plan (**See Attachment 5- Map 39 Silver Spring CBD Sector Plan**). Construction of the facility at this location is consistent with both the State's Smart Growth policy and the Sector Plan goals for the CBD, including the following:

1. Create an active, mixed-use area: A community facility will complement the existing office and residential uses in the immediate area.
2. Create a civic presence: "Civic and cultural uses will make Silver Spring a true community center." (*Sector Plan, p. 13*)

3. Provide development close to the Transit Center: The proposed court house will be an easy walk from the Transit Center via either Second Avenue or the future Capital Crescent Trail.
4. Create a green downtown: "This Plan envisions shaded, tree-lined streets and well-placed green parks and plazas." (*Sector Plan, p. 22*)
5. Make the CBD more pedestrian-friendly by improving sidewalks and urban plazas to break up the street pattern.
6. Maintain a sustained commitment of public resources in the CBD: The Sector Plan specifically recommends that a new court house, library and fire station be built.

The general design for the new court house is consistent with the site specific guidelines of the Sector Plan (**See Attachment 11- Page 122 Silver Spring CBD Sector Plan**). The size of the proposed facility is similar to what was anticipated in the Sector Plan.

The design for the court house is consistent with many of the Sector Plan recommendations regarding transportation, including the recommendations for wider, tree-lined sidewalks and a Class III bike trail on Apple Avenue. However, it does not provide the additional 10' of right-of-way along Apple Avenue called for in the Silver Spring CBD Sector Plan (**See Attachment 12- Map 34 Silver Spring CBD Sector Plan**). The staff considers this to be acceptable because we do not see a need to widen Apple Avenue. Traffic volumes on this street are light and are expected to be light in the future. The limited size of the court's surface parking lot (42 spaces) will not attract many vehicles. Future development of the Lee property on the north side of Apple Avenue could be accessed from Fenwick Lane as well as Apple Avenue.

It should also be noted that the court house project does not provide for related, off-site improvements that would be consistent with the Sector Plan, e.g., needed crosswalk and median improvements on Second Avenue. These are discussed below with regard to the "Adequacy of Transportation Systems" finding, along with the project's relationship to the future Georgetown Branch transitway and trail.

**Finding: *The proposed project is consistent with the development standards for the CBD-2 zone and the intent of the zone.***

The court house site is zoned CBD-2 (Central Business District, 2.0). The CBD-2 zone permits a wide range of uses. A civic facility is compatible with the mixed-use nature of the zone. The following table demonstrates that the proposed design for the court house is consistent with the specific development standards for the zone.

## ZONING ORDINANCE CONFORMANCE

<i>Description</i>	<i>Permitted</i>	<i>Provided</i>
Gross Tract Area:	N/A	65,583 SF (1.5079 AC)
Non-Residential Density (Standard-Commercial):	131,166 SF (2 FAR)	
Non-Residential Density (Optional -Commercial):	262,332 SF (4 FAR)	74,047 SF (1.13 FAR)

*(Continued)*

<b>Description</b>	<b>Permitted</b>	<b>Provided</b>
Min. Area of Lot Required (Optional Method):	22,000 SF	
Max. Building Coverage (75% of Net Lot):	49,187 SF	22,557 SF (34.4%)
Min. Public Use Space Required (Standard):	6,558 SF (10% of the Net Lot)	
Min. Public Use Space Required (Optional):	13,117 SF (20% of the Net Lot)	13,919 SF (21% of the Net Lot)
Max. Building Height (Standard):	60'	
Max. Building Height (Optional):	143'	79'
Min. Setback from Apple Avenue ROW:	0'	0' (Building); 8' (Parking)
Min. Setback from Second Avenue ROW:	0'	65' (Building)
Min. Setback from Adjoining Lot	15'	27'
Parking:	0 spaces (parking district)	54 spaces (total)

**Finding: *The proposed project is compatible with existing adjacent uses and structures.***

The proposed court house would be 79' in height compared to 200' for Silver Spring Metro Plaza, which adjoins the site to the south and 143' in height for Alexander House, which sits across Apple Avenue from the site. With regard to the Cameron Hills townhouses across Second Avenue from the court house, the plaza in front of the facility's main entrance and the 65' building setback should be sufficient to ensure compatibility. The additional activity and police presence at the court house may also enhance neighborhood security to the benefit of residents at both Cameron Hills and Alexander House.

**Finding: *The location of the building, open space and circulation systems will be adequate, safe and efficient.***

#### *Open Space*

The plaza in front of the main entrance to the court house will provide a pleasant public gathering place. The plaza orients to Second Avenue and serves as a forecourt for the building. The space is generally open and will have custom fabricated stone seating, pre-cast concrete pavers, lawn areas and landscaping.

The three significant trees within the street right-of-way should be preserved. The State should provide a tree preservation plan for review by staff. Include in the plan details for tree preservation and stress reduction for use prior to and during construction. The tree protection and preservation details should include a pre-construction watering and fertilizing schedule, a root pruning detail, and the State should explore innovative low-impact construction demolition methods. We strongly suggest that the applicant hire an arborist for professional assistance with tree preservation.

### *Public Art*

As an important civic facility, the court house should include appropriate public art inside and outside the building. The DGS has agreed to include public art without being specific about the type or location of the artworks. The staff recommends that the Public Arts Trust be consulted before specific works of art are selected for the exterior spaces since these will be most visible to the community.

### *Pedestrian and Bicycle Circulation*

The DGS has agreed to work with DPWT and DPS to provide a Class III (on road, signed) bike path on Apple Avenue in accordance with the CBD Sector Plan (**See Attachment 13- Map 32 Silver Spring CBD Sector Plan**). This trail will ultimately permit a bike connection between the Silver Spring Green Trail along Second Avenue and potentially the Capital Crescent Trail along the railroad tracks.

The court house project will also include wider, landscaped sidewalks along Apple and Second Avenues. The State has agreed to provide streetscaping along Second Avenue and Apple Avenue in accordance with the standards outlined in the *Silver Spring Streetscape* technical manual. This will enhance pedestrian access to the court house and pedestrian access to the future Transit Center and the Capital Crescent Trail. At the same time, the staff has recommended improvements to the crosswalks and medians at Second/Apple Avenues to facilitate pedestrian traffic between Garage 7 on Cameron Street.

The new court house will include only a limited amount of staff parking in accordance with the goal of encouraging people not to drive alone to the facility. This approach is consistent with TMD goals, but it will also cause staff and customers to search for parking elsewhere in the area. According to DPWT, Garage 7 on Cameron Street is approaching capacity and additional parking may be needed to serve development in the downtown. The staff also feels that crosswalk and median improvements are needed at Second/Apple Avenues to ensure the safety of those who do park in Garage 7 and then walk to the court house.

The DGS has responded that off-site improvements are not within their project scope. Since the new court house will be generating the need for crosswalk and median improvements, however, the staff feels that the State should share in the responsibility for providing these improvements. The staff therefore recommends that the State work with the Department of Permitting Services to improve the crosswalks and medians at Second/Apple Avenues.

### *Vehicular Circulation*

As indicated in their approved Traffic statement, the proposed court house will have an acceptable impact on the area's vehicular circulation system, particularly in light of the trips that will no longer occur due to the demolition of the existing uses on the court

house site. Most of the trips to the new facility will be relocated from the existing court house on Georgia Avenue.

The on-site vehicular circulation is acceptable since the limited on-site parking will accommodate only 54 total vehicles in the surface lot and structured parking underneath the court house. Additionally, the Second Avenue entrance will be used only by service vehicles and for access to the secured parking for judges underneath the building. This will minimize vehicle/pedestrian conflicts on both Apple and Second Avenues.

### *Parking*

The court house will have twelve secure parking spaces underneath the building. The 42 space surface parking lot will be gated, fenced and landscaped. Staff has recommended that the applicant reconsider the tree species to be provided on the parking lot to eliminate the Winter King Hawthorn trees, which have thorns. The staff has also requested that DGS add more trees in the rear of the site to soften the appearance of the building for Metro and future trail users. The applicant has agreed to consider this request. The applicant has also added a metal fence to screen the parking lot from Apple Avenue and mitigate headlights shining into existing/future development across the street.

### *Transit*

The staff has recommended that DGS enter into a formal traffic mitigation agreement or MOU for the court house and agree to participate in the TMD's annual survey of commuting behavior. We have also asked that the DGS and MTA reach an agreement regarding the ROW needed to implement the Georgetown Branch transitway and trail as it traverses the property. The Georgetown Branch alignment studies are currently under way and may not be far enough along for this issue to be resolved before the court house plans are finalized. Consequently, the State should be advised that the surface parking and driveway behind the court house may need to be reduced and reconfigured at some future point should it be necessary in order to implement the Georgetown Branch and Capital Crescent Trail. This would be particularly likely if this portion of the transit route was double-tracked. The best information at this time is that a double track trolley might require approximately 18' off the back of the parking lot, removing about 22 parking spaces or roughly half of the spaces in the surface parking lot.

### ***Finding: The applicant has met all applicable environmental requirements.***

Most of the environmental regulation for the court house project will be the responsibility of State agencies. The Maryland Department of the Environment is responsible for reviewing storm water management and the staff understands that a preliminary review has already occurred. The State Department of Natural Resources has granted a



Forest Conservation Plan exemption since the proposed project does not disturb more than 40,000 square feet of forest or more than 40,000 square feet of existing pervious area.

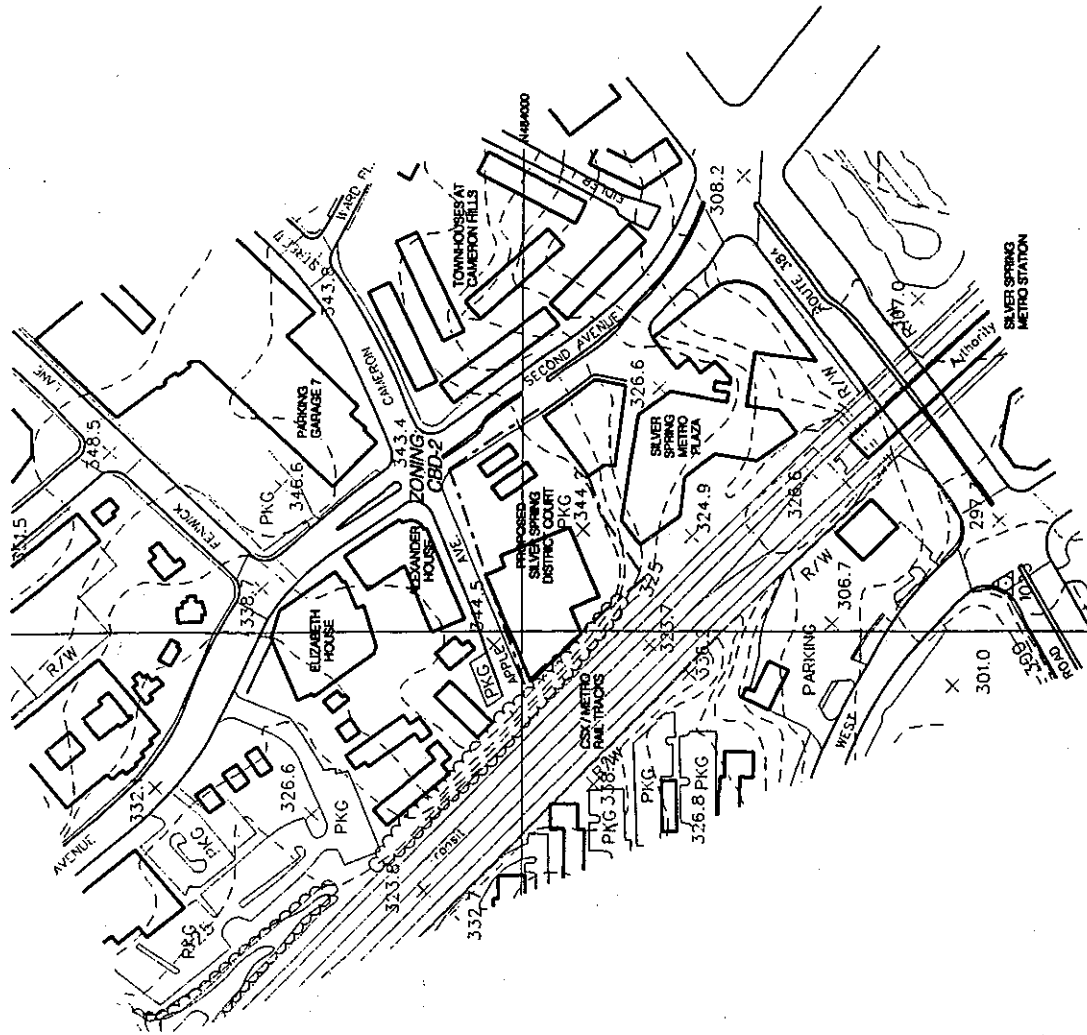
The DGS has responded to several concerns expressed by the staff. They have agreed to do the following:

- modify their lighting plan to include full cut-off light fixtures;
- ensure that all gas/oil tanks have been removed and there are no contaminated soils (part of the site was a gas station); and
- provide a tree preservation plan for approval by the staff and ensure that the plan is followed during construction of the court house.

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**Attachments**

# GENERAL LOCATION MAP



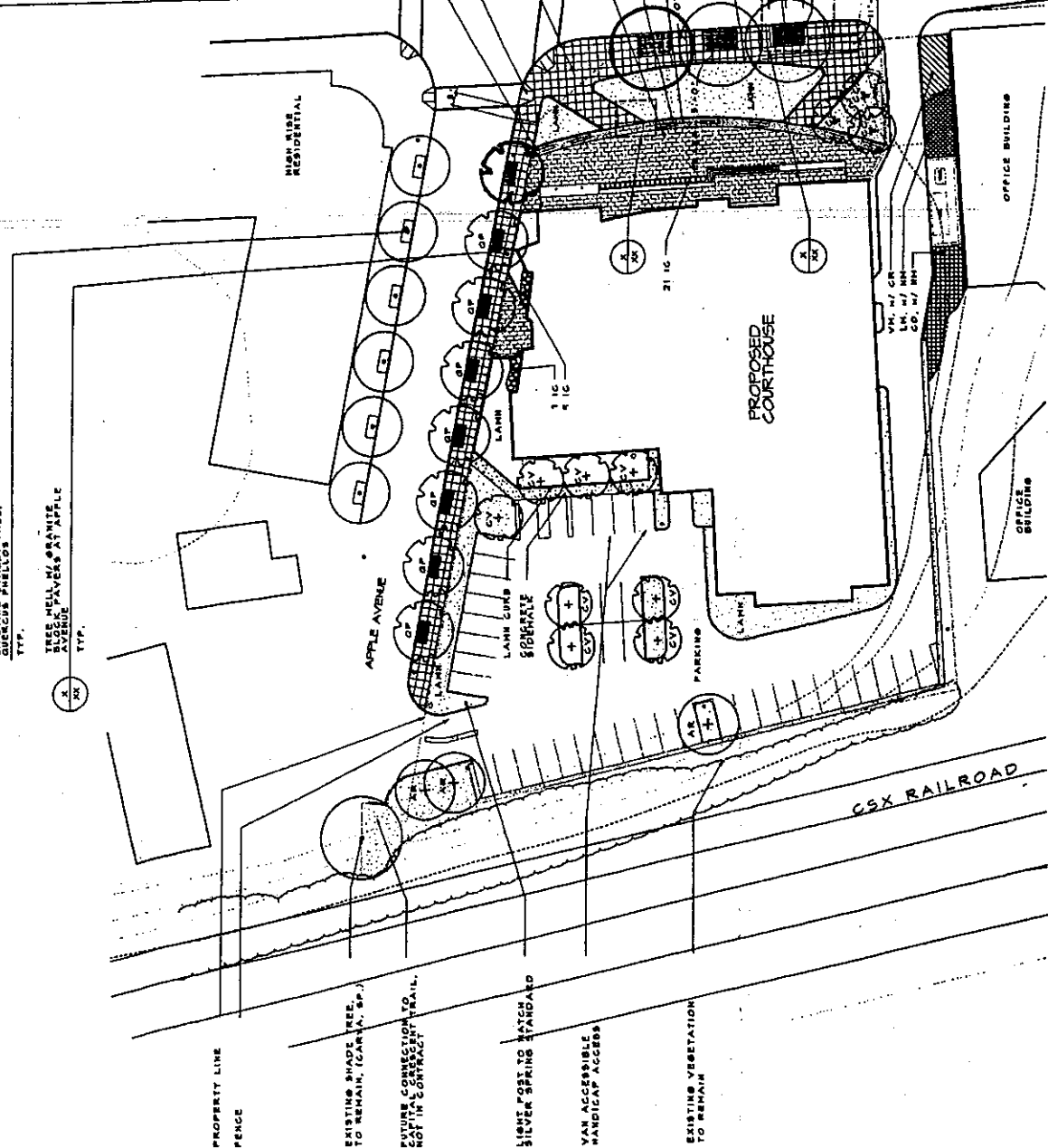
# Attachment 2- Site/Landscape Plan

## PLANT SCHEDULE

SPEC. QTY.	BOTANICAL NAME/COMMON NAME	SIZE	ROOT	COMMENTS
AR 3	RED MAPLE (LIRIODENDRON)	2 - 2 1/2" CAL.	B18	BRANCH LUBRICATOR
CC 3	COMMON YEW (TAXUS)	2 - 2 1/2" CAL.	B18	FULL GROUND COVER FORM
CO 100	COMMON YEW (TAXUS)	3 GAL.	CONTAINER	30" O.C.
CV 8	SPRING GREEN HYDRANGEA	2 - 2 1/2" CAL.	B18	BRANCH LUBRICATOR
K 21	HEALTHY GEM HYDRANGEA	18-24" HT.	3 GAL.	30" O.C.
OP 7	REDTIP DOGWOOD	2 - 2 1/2" CAL.	B18	BRANCH LUBRICATOR
OR 1000	SPRING HYDRANGEA	TOPWIRE		PLANT IN BASKET SCHEDULE
LH 400	LEPTODERMIS	1 GAL.	CONTAINER	12" O.C.
MH 1000	WINDSOR WILLOW	TOPWIRE		PLANT IN BASKET SCHEDULE
VH 500	WINDSOR WILLOW	PLANT POT	PERFORATED	3" O.C.

EXISTING STREET TREE.  
TYP.

TREE HELL W/ GRANITE  
PAVERS AT APPLE  
AVENUE  
TYP.



SCALE: 1" = 30'-0"

CONSULTANTS

ARCHITECTURE, MECHANICAL & ELECTRICAL  
HLM Design  
10th Floor  
730 North Hill Avenue  
Silver Spring, MD 20910  
Tel: 301.715.5152 / Fax: 301.715.5152

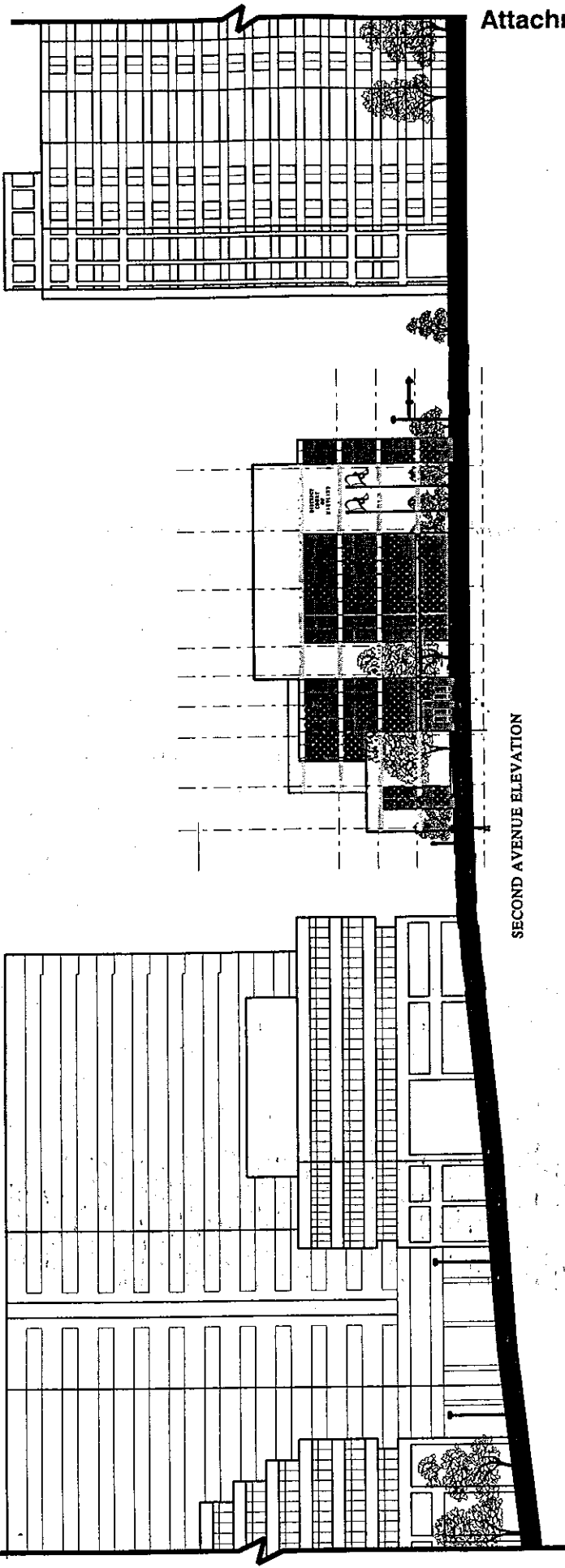
MARKER SYSTEM  
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PROJECT ADDRESS  
DATE

USING AGENCY APPROVAL  
DEPT. OF GENERAL SERVICES APPROVAL  
PROJECT MANAGER  
DATE

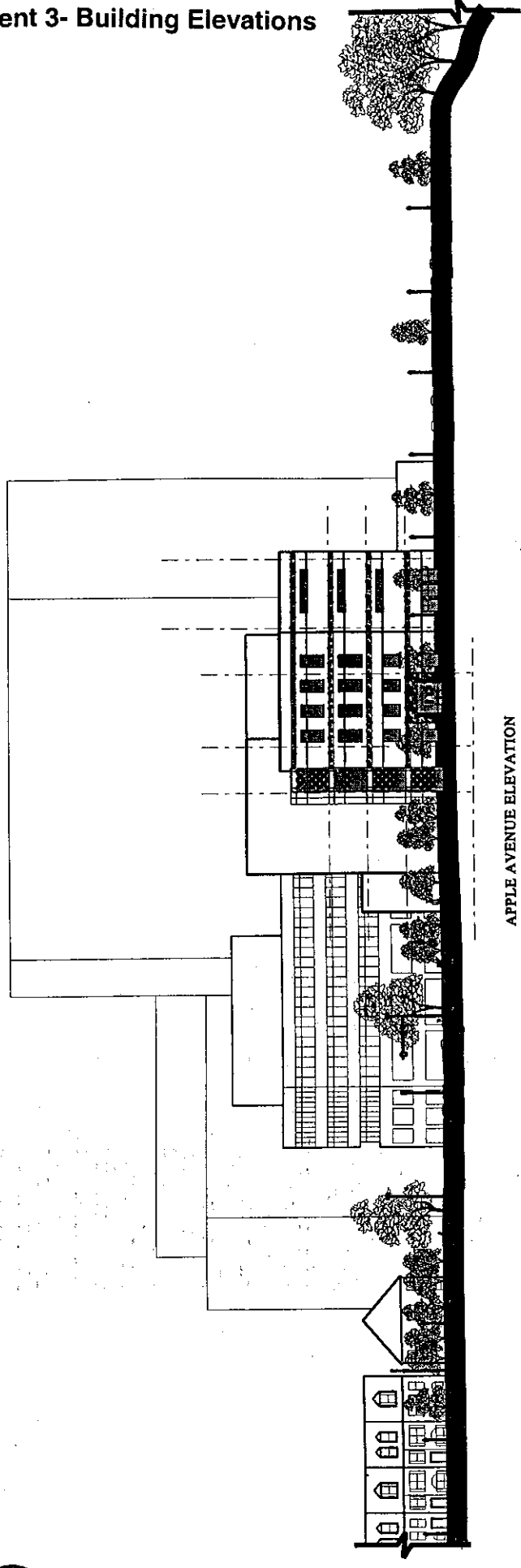
DRAWING TITLE:  
LANDSCAPE PLAN  
SILVER SPRING DISTRICT COURT  
SILVER SPRING, MONTGOMERY COUNTY, MARYLAND

PROJECT NO: LHM  
DATE: 8/18/01  
SHEET NO: 04

# Attachment 3- Building Elevations



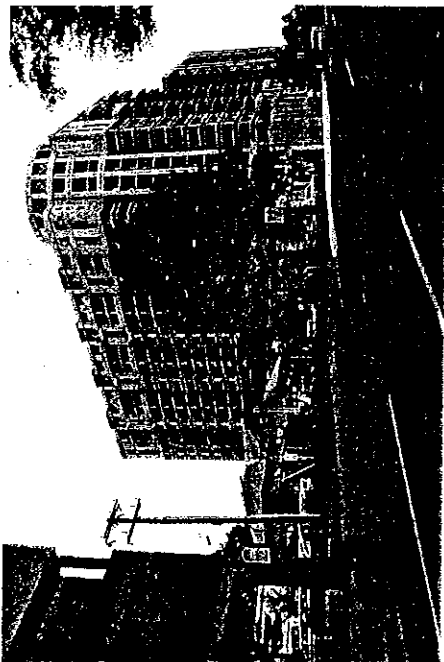
SECOND AVENUE ELEVATION



APPLE AVENUE ELEVATION

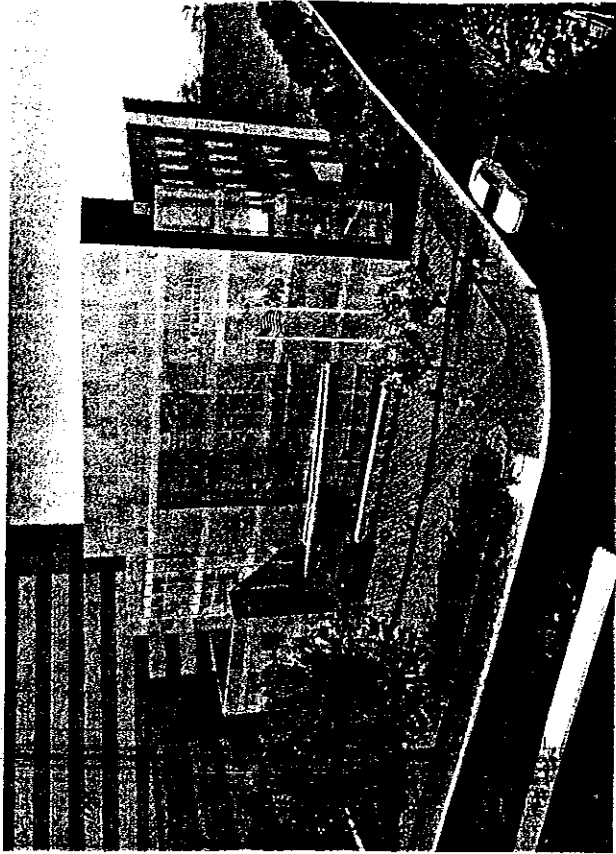
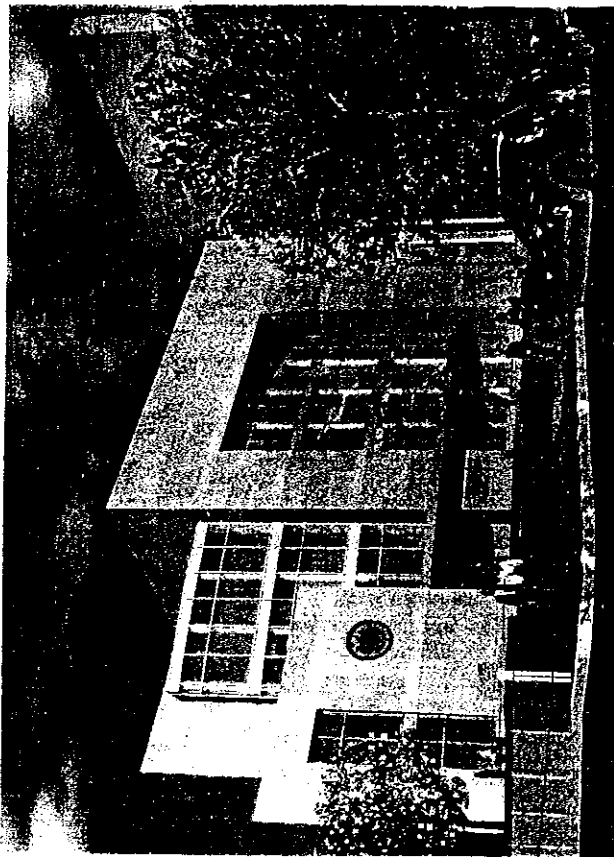
Attachment 4- Building Perspective Sketch





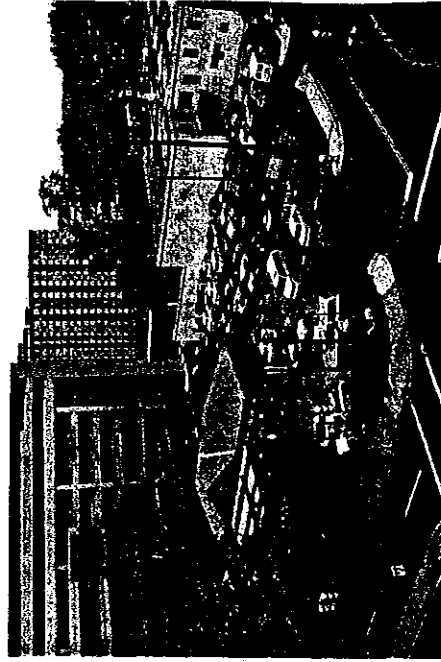
existing

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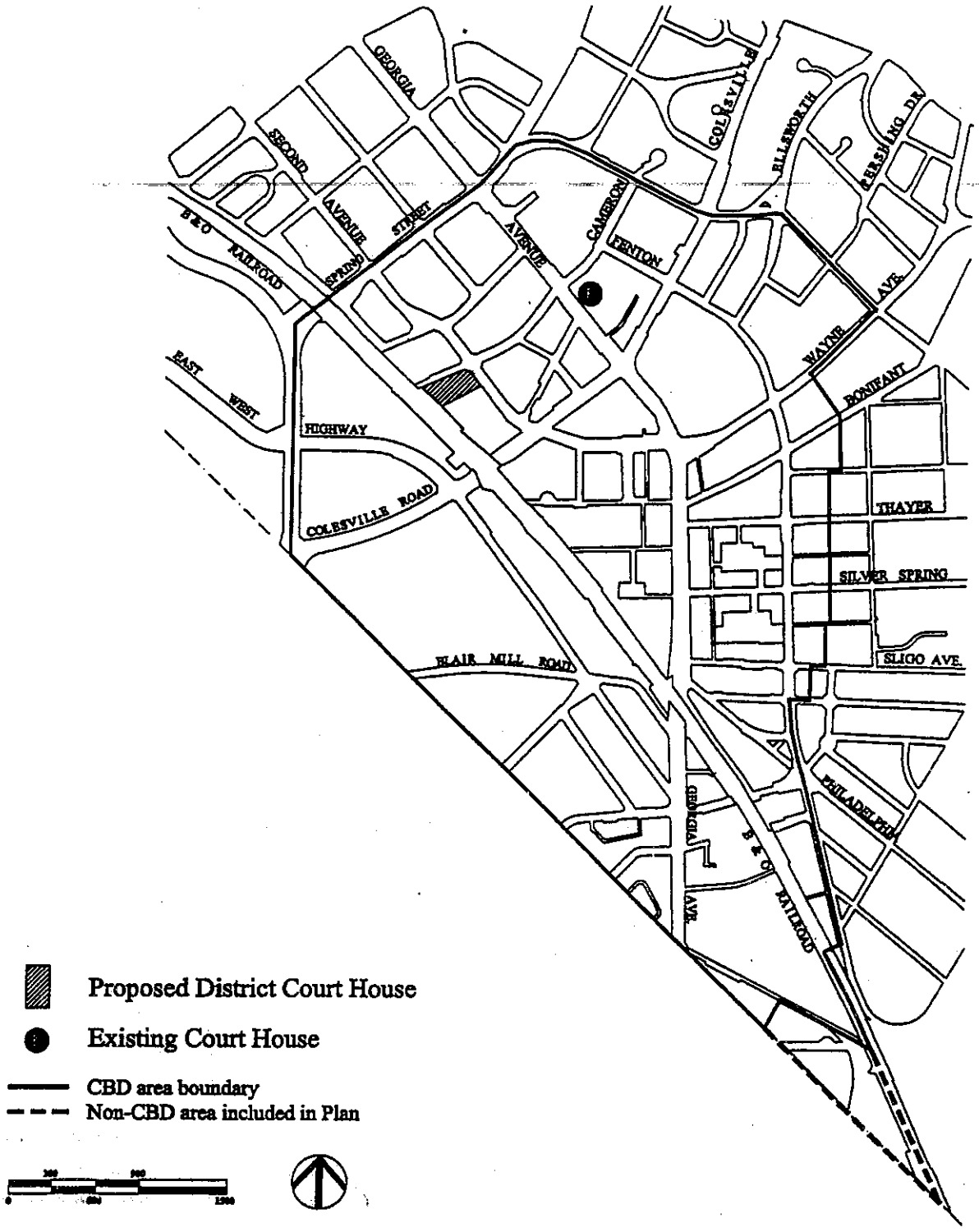


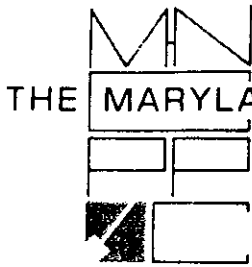
DISTRICT COURT OF MARYLAND  
Silver Spring, Maryland

June 20, 2001



Map 39 Proposed Site for the District Courthouse





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

August 31, 2000

Mr. Barry Miller, RA  
Capital Projects Team Leader  
Department of General Services  
301 W. Preston Street  
Baltimore, MD 20201

Dear Mr. Miller:

Thank you for updating me regarding the development of the new district courthouse in Silver Spring. I have revised the information in the Silver Spring Central Business District (CBD) Sector Plan to reflect the current schedule and project scope.

Enclosed is the general information which you requested concerning the review role of the Maryland-National Capital Park and Planning Commission (M-NCPPC) pursuant to the State Code. For a project such as the proposed courthouse, we would expect a submission under the Mandatory Referral Process at the schematic design stage. However, we would encourage you to consult us early regarding the site and its context to ensure that all relevant local planning considerations are addressed during the design process. For example, you should be aware that important bike trails are planned on three sides of the subject property. (The trail along the east side of Second Avenue has already been constructed and the regional trail along the west side of the property is the subject of an ongoing Facility Plan study by M-NCPPC.)

The Montgomery County Council (and the Planning Board) have indicated through the recently adopted Silver Spring CBD Sector Plan that they have high expectations for the site of the new courthouse:

The new courthouse should be designed to create a distinct public presence. A courthouse is a traditional downtown public use and, as with other facilities in this Plan, offers an opportunity to bring jobs and services downtown. A new courthouse also offers an opportunity to create an attractive and visible public presence through the building's siting, design and landscape. *(February 2000 Approved and Adopted Sector Plan for the Silver Spring CBD and Vicinity)*

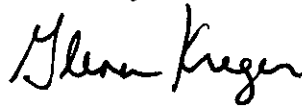
The Apple Avenue site is strategically located near the future Silver Spring Transit Center and the newest residential development in the downtown. A well designed project with pedestrian and bike connections to the larger circulation system is an important component of the downtown revitalization.



The Silver Spring Team at M-NCPPC worked with Lisa Ward to identify potential locations for a new district courthouse and we now look forward to working with you on the design of this project. We are very familiar with the downtown Silver Spring area and I believe that our suggestions will be helpful to you. We would also be happy to assist you with community outreach regarding the courthouse development. As you may know, the Silver Spring community takes an active interest in any facility proposed for construction in the downtown.

I expect that our staff review of the new courthouse will be entrusted to Miguel Iraola, the urban designer for the Silver Spring Team. Please contact him at (301) 495-4512 at your convenience. Miguel and I would also be happy to tour the site with you and brief you on the surrounding developments in downtown Silver Spring.

Sincerely,

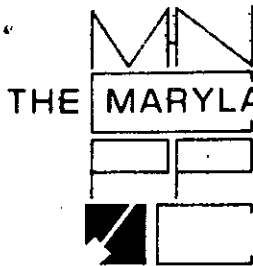


Glenn R. Kreger, Team Leader  
Silver Spring/Takoma Park

GRK:ha: a:\kreger1\courthouse.wpd

Attachments: Mandatory Referral general information  
CBD bike plan

cc: Miguel Iraola  
Rachel Newhouse  
Margaret Rifkin



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

January 5, 2001

Mr. Barry Miller, RA  
Capital Projects Team Leader  
Department of General Services  
301 W. Preston Street  
Baltimore, MD 20201

Dear Mr. Miller:

This letter is to update you on developments relating to the design of the new district courthouse at Apple and Second Avenues in Silver Spring. As I mentioned to you in my letter of August 31, 2000 (attached), the new Silver Spring CBD Sector Plan envisions the courthouse as contributing an important civic component to the Core through the building's architectural and urban design. I am enclosing a copy of the interim reference edition of the new Sector Plan for your information and review.

As I also mentioned in my previous letter, pedestrian and bike connections will be important aspects of the courthouse project. The facility plan for the Capital Crescent/Metropolitan Branch Trail, which will adjoin the courthouse on the west, is nearing completion. It is currently scheduled for presentation to the Montgomery County Planning Board on January 25. (The date and time can be confirmed with the project manager for the trail, Rachel Newhouse, at 301/650-4388.) After the Planning Board approves the trail alignment, the County Council will be asked to fund the detailed engineering and construction of the trail. I anticipate that the Montgomery County Department of Public Works and Transportation will be charged with implementing the project.

The portions of the Capital Crescent Trail that have been constructed so far in Bethesda are extremely popular and well utilized. Completion of the trail project through Silver Spring (and on to Union Station in the District of Columbia) continues to be a high priority. I expect that the supporters of the Trail will be interested in the design for the new courthouse insofar as it provides for the adjoining trail. The staff at M-NCPPC has been working closely with the bike community on the new master plan and the facility plan for the trail. We would be happy to put you in touch with them at the appropriate time.

I would also recommend that you plan to consult the residents of Alexander House and the new Cameron Hills townhouses, as well as the Woodside Civic Association, early in your design process. We have several contacts in the community and would be happy to help you with community outreach. The Silver Spring Citizens Advisory Board will also want to review the project before the design is finalized.

Please contact me at 301/495-4653 or Miguel Iraola at 301/495-4512 to let us know how we can be of assistance.

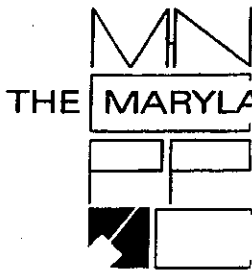
Sincerely,



Glenn R. Kreger, Team Leader  
Silver Spring/Takoma Park

GRK:ha: a:\kreger2\Miller.doc  
Attachment and Enclosure

cc: Gary Stith  
Rachel Newhouse



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board  
Office of the Chairman

May 9, 2001

~~Mr. Barry Miller, RA~~  
Capital Projects Team Leader  
Department of General Services  
301 W. Preston Street  
Baltimore, MD 20201

SUBJECT: Mandatory Referral # 01105-MDGS-2

Dear Mr. Miller:

Thank you for your letter of May 2, 2001, regarding the Mandatory Referral for the State's acquisition of property at Apple and Second Avenues in the Silver Spring Central Business District (CBD). The February 2000 Approved and Adopted Silver Spring CBD Sector Plan specifically identifies this site as appropriate for construction of a district courthouse (see attachment). Consequently, the Montgomery County Planning Board supports this site selection.

The Planning staff looks forward to working with you and your project team on a courthouse that will create a civic presence in downtown Silver Spring. Please coordinate with Glenn Kreger (301-495-4653) and Miguel Iraola (301-495-4512) of the Silver Spring/Takoma Park Community-Based Planning Team. I also encourage you to consult the community early in your design process for this project. Glenn and Miguel can assist you in your outreach efforts.

Sincerely,

William H. Hussmann  
Chairman

WHH:GRK:ha: a:\kreger2\courthouse site selection.doc  
Attachments

cc: Montgomery County Planning Board  
Tom Massey, HLM Design

*Parris N. Glendonine*  
Governor

*Alanen Kennedy Townsend*  
Lt. Governor



*Pete N. Ricketts*  
Secretary

*Richard F. Polara*  
Deputy Secretary

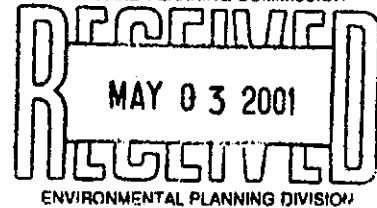
## MARYLAND DEPARTMENT OF GENERAL SERVICES

FACILITIES OPERATIONS & MAINTENANCE • FACILITIES PLANNING, DESIGN & CONSTRUCTION  
FINANCE & ADMINISTRATION • PROCUREMENT & LOGISTICS • REAL ESTATE  
MARYLAND STATE AGENCY FOR SURPLUS PROPERTY

May 2, 2001

Mr. Glenn Krieger, Silver Spring Tacoma Park Team Leader  
Community-Based Planning Division  
Maryland - National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION



Re: **SITE SELECTION**  
**SILVER SPRING DISTRICT COURT**  
**SILVER SPRING, MONTGOMERY COUNTY, MARYLAND**

Dear Mr. Krieger:

The Department of General Services (DGS) has acquired the three properties between the Southwest corner of Second Avenue and Apple Street, and the Metro/Rail line for the development of the new Silver Spring District Court House.

For the record, the selection and acquisition of this site by the DGS for use as the future home of the new District Court is consistent with the planning objectives and usages as stated for this site by all planning agencies associated with the ongoing rejuvenation of Downtown Silver Spring.

With this information at hand, DGS respectfully requests the Mandatory Referral to the Planning Board by the MNCPPC on DGS's site acquisition and, at a later time, our development plans for the site. This request is based upon the mandatory referral process as stated in Section 7-112 of the State Code.

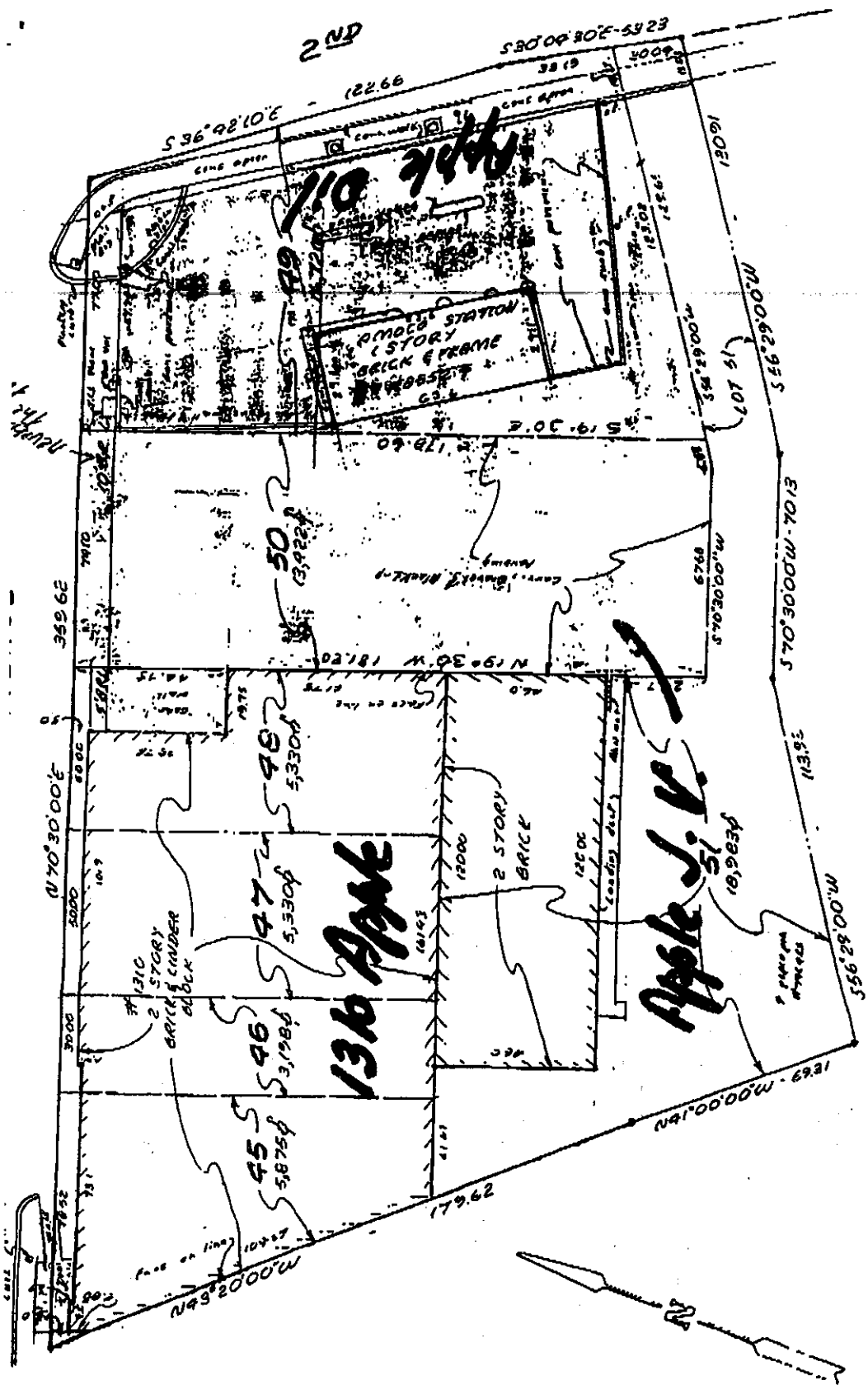
We look forward to a successful cooperative effort with MNCPPC in the development of Maryland's newest District Court. Should you have any questions please contact me in Baltimore at 410-767-4446. Specific project questions may also be addressed directly to our Architect, Mr. Thomas J. Massey, Vice President at HLM Design, Inc. in Bethesda. Mr. Massey can be reached at 301-718-9313. I would ask however, that you be kind enough to copy me on all correspondence with Mr. Massey as a matter of courtesy. Thank you very much.

Sincerely,

Barry I. Miller, RA, NCARB,  
BPW Capital Projects Team Leader,  
Project Manager

cc: Mr. Thomas J. Massey, V.P., HLM Design Inc.

MNCPPC/WFD



*Parris N. Glendening*  
Governor

*Kathleen Kennedy Townsend*  
Lt. Governor



*Peta N. Richkus*  
Secretary

*Richard F. Pecora*  
Deputy Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES

FACILITIES OPERATIONS & MAINTENANCE • FACILITIES PLANNING, DESIGN & CONSTRUCTION  
FINANCE & ADMINISTRATION • PROCUREMENT & LOGISTICS • REAL ESTATE  
MARYLAND STATE AGENCY FOR SURPLUS PROPERTY

October 1, 2001

Mr. Glenn Kreger, Silver Spring/Takoma Park Team Leader  
Community-Based Planning Division  
Maryland - National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: **REVIEW OF PROJECT**  
**SILVER SPRING DISTRICT COURT**  
**SILVER SPRING, MONTGOMERY COUNTY, MARYLAND**

Dear Mr. Kreger:

The Department of General Services (DGS) would like to take this opportunity to request a review of the above referenced project, the construction of the new Silver Spring District Court, the Maryland National Capital Park and Planning Commission as part of the Mandatory Referral Submission process.

We thank you for your continued cooperative effort on behalf of the M-NCPPC in the development of Maryland's newest District Court. Should you have any questions please contact me in Baltimore at 410-767-4446. Specific project questions may also be addressed directly to our Architect, Mr. Thomas J. Massey, Vice President at HLM Design, Inc. in Bethesda. Mr. Massey can be reached at 301-718-9313. I would ask however, that you be kind enough to copy me on all correspondence with Mr. Massey as a matter of courtesy. Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry I. Miller".

Barry I. Miller, RA, NCARB,  
BPW Capital Projects Team Leader,  
Project Manager

cc: Mr. Thomas J. Massey, V.P., HLM Design Inc.

MNCPPC.WPD



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

October 11, 2001

Mr. Bruce Lee  
LDG, Inc.  
Lee Development Group  
Lee Plaza, Suite 200  
8601 Georgia Avenue  
Silver Spring, MD 20910

Dear Mr. Lee:

This letter is to notify you that the Montgomery County Planning Board has received a Mandatory Referral application, pursuant to Section 7-112 of the state law, for the project described below. The Mandatory Referral law requires all federal, state, and local governments and public utilities to submit proposed projects in the regional district for review and approval by the Planning Board. The Board's approval and comments are advisory in that the statute allows the applicant to overrule the Planning Board's decision and proceed.

The hearing date listed in this notice is tentative and subject to change; no further notices will be sent out. The final notice of hearing will be published in the Planning Board's weekly agenda, which can be viewed on the Board's web page at [www.mc-mncppc.org](http://www.mc-mncppc.org). Any further information can be obtained by contacting the project manager listed below.

Please notify your neighbors and fellow civic association members of this notice. The Planning Board encourages community input on all projects submitted for its review, including mandatory referrals, and welcomes citizen participation in its review processes. If you or other members of your community would like to review the Mandatory Referral application or express any concerns or comments, please contact the project manager identified below.

**PROJECT:** District Court House/Silver Spring (Apple and Second Avenues)

**APPLICANT:** Maryland Department of General Services

**ADDRESS:** 301 W. Preston Street  
Baltimore, MD 20201  
Attn: Barry Miller

**APPLICATION NUMBER:** 01111-MDGS-1

**MASTER PLAN:** Silver Spring CBD Sector Plan

**SCHEDULED FOR:** November 29, 2001 (tentative)



HEARING LOCATION: **M-NCPPC, 8787 Georgia Avenue, Silver Spring, MD 20910 (southeast corner of Georgia Avenue and Spring Street)**

CONTACT PERSON: **Glenn Kreger  
(301) 495-4653 or [glenn.kreger@mncppc-mc.org](mailto:glenn.kreger@mncppc-mc.org)**

The Planning Board encourages the participation of individuals with disabilities in all its program and services. For information on meetings in progress, call 301-495-1333. For other information, call 301-495-4600 or the TTY (teletypewriter used by the people with hearing or speech impairments) at 301-495-1331. Meeting agendas and other planning and parks information are available on the Internet at [www.mc-mncppc.org](http://www.mc-mncppc.org)

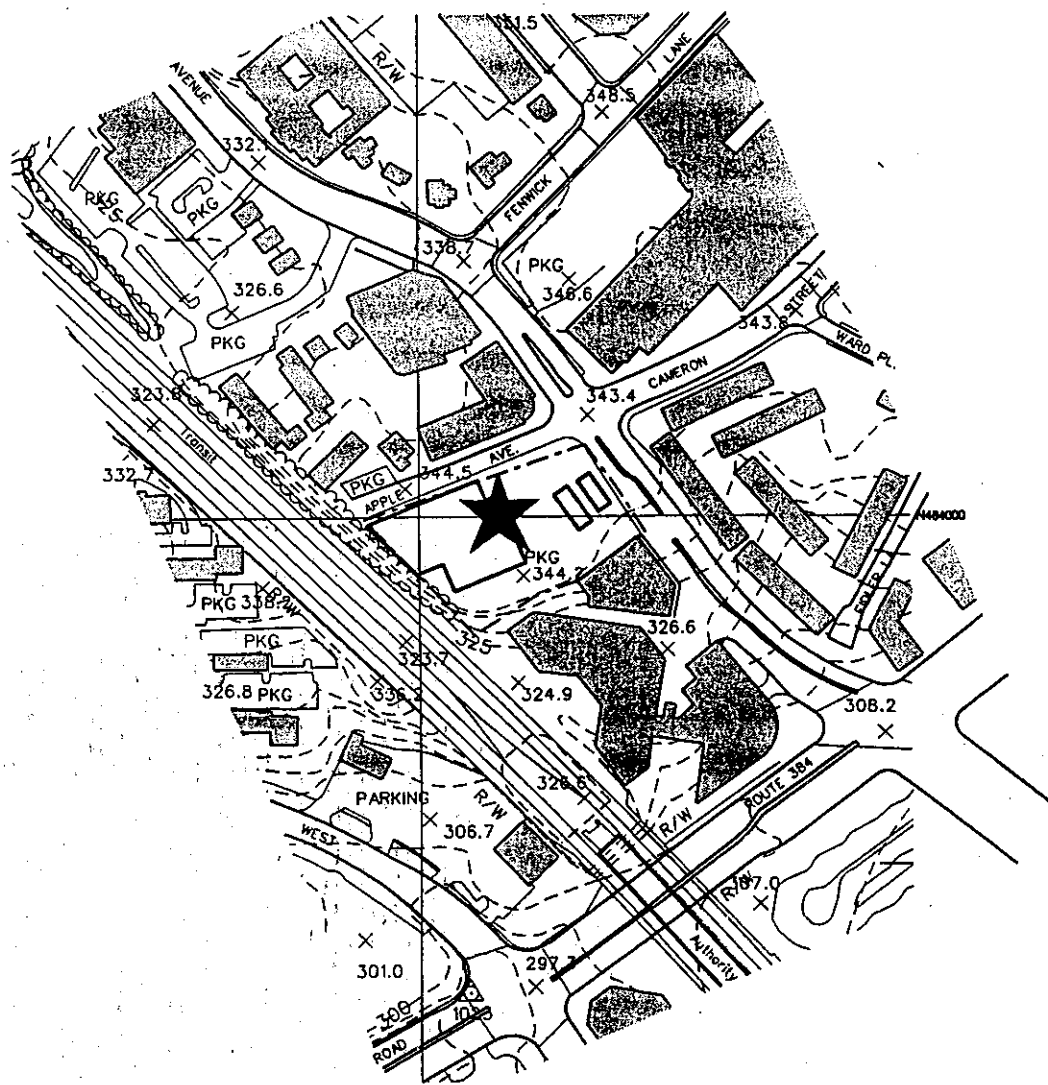
Sincerely,



Glenn Kreger  
Team Leader  
Silver Spring/Takoma Park Team  
Community-Based Planning Division

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# GENERAL LOCATION MAP





Sally Sternbach  
Silver Spring Regional Advisory Board  
1503 Noyes Drive  
Silver Spring MD 20910

Sarah Brookhart  
Woodside Civic Association  
8825 First Avenue  
Silver Spring MD 20910

Paul Williamson  
Cameron Hills HOA  
8511 Cameron Street  
Silver Spring MD 20910

Wayne Phyllaier  
Capital Crescent Trail Coalition  
12 Grace Church Road  
Silver Spring MD 20910

Manager  
Alexander House Apartments  
8560 Second Avenue  
Silver Spring MD 20910

Gary Stith  
Director  
Silver Spring Regional Center  
8435 Georgia Avenue  
Silver Spring MD 20910

Residents  
Associate  
Elizabeth House  
1400 Fenwick Lane  
Silver Spring MD 20910

Lana Walker  
Georgian Towers Tenants Association  
8715 1st Avenue  
Apt. 1113C  
Silver Spring MD 20910

Cris Bombaugh  
Greater Silver Spring Chamber of Commerce  
8601 Georgia Avenue  
Suite 203  
Silver Spring MD 20910

Manager  
The Charter House  
1316 Fenwick Lane  
Silver Spring MD 20910

Mike Madden  
Project Manager  
Maryland Mass Transit Administration  
William Donald Schaefer Tower  
6 St. Paul Street  
Baltimore MD 21202-1614

Cynthia Rubenstein  
Allied Civic Group  
8907 Garland Street  
Silver Spring MD 20910

Ida Ruben  
Maryland General Assembly  
100 James Senate Office Bldg.  
Annapolis MD 21401

Elnora Harvey  
Chair  
Silver Spring Citizens Advisory Board  
8435 Georgia Avenue  
Silver Spring MD 20910

## Public Safety

Montgomery County is divided into five police districts. The CBD is part of the Silver Spring police district, which stretches roughly along US 29 from the Howard County line to the District line. The police station for this district is located at 801 Sligo Avenue. Funds have been allocated to study the potential relocation of this station, but relocation is unlikely in the near future.

While this 27-square-mile area is only 7 percent of the County, it is the most densely populated police district and generates many service calls. To cover this area effectively, the Police Department has created two substations, one at Castle Boulevard in the Fairland planning area, and a second in the CBD at the corner of Georgia Avenue and Colesville Road in the vacant Silver Spring Shopping Center. Though this is a temporary location—the satellite station will likely be displaced by redevelopment of the Urban Renewal Area—the Police Department plans to relocate its CBD satellite station.

The relocated satellite station should be visible and accessible by the community. To help the officers best perform their duties, a single CBD location is preferred over smaller sub-stations located throughout the downtown. The satellite station should accommodate about 30 officers on a shift schedule, with space to store bikes and other gear, with parking directly accessible.

The CBD's parks are also covered by the Maryland-National Capital Park Police, located on Layhill Road. Statistics indicate that crime in the CBD's parks is not high, but a perception of danger can diminish park use. The Park Police have begun an inventory of all CBD park facilities to identify opportunities for incorporating Crime Prevention Through Environmental Design (CPTED) principles. CPTED elements include lighting and landscaping to address residents' safety concerns and help park police in their patrol efforts.

## District Court

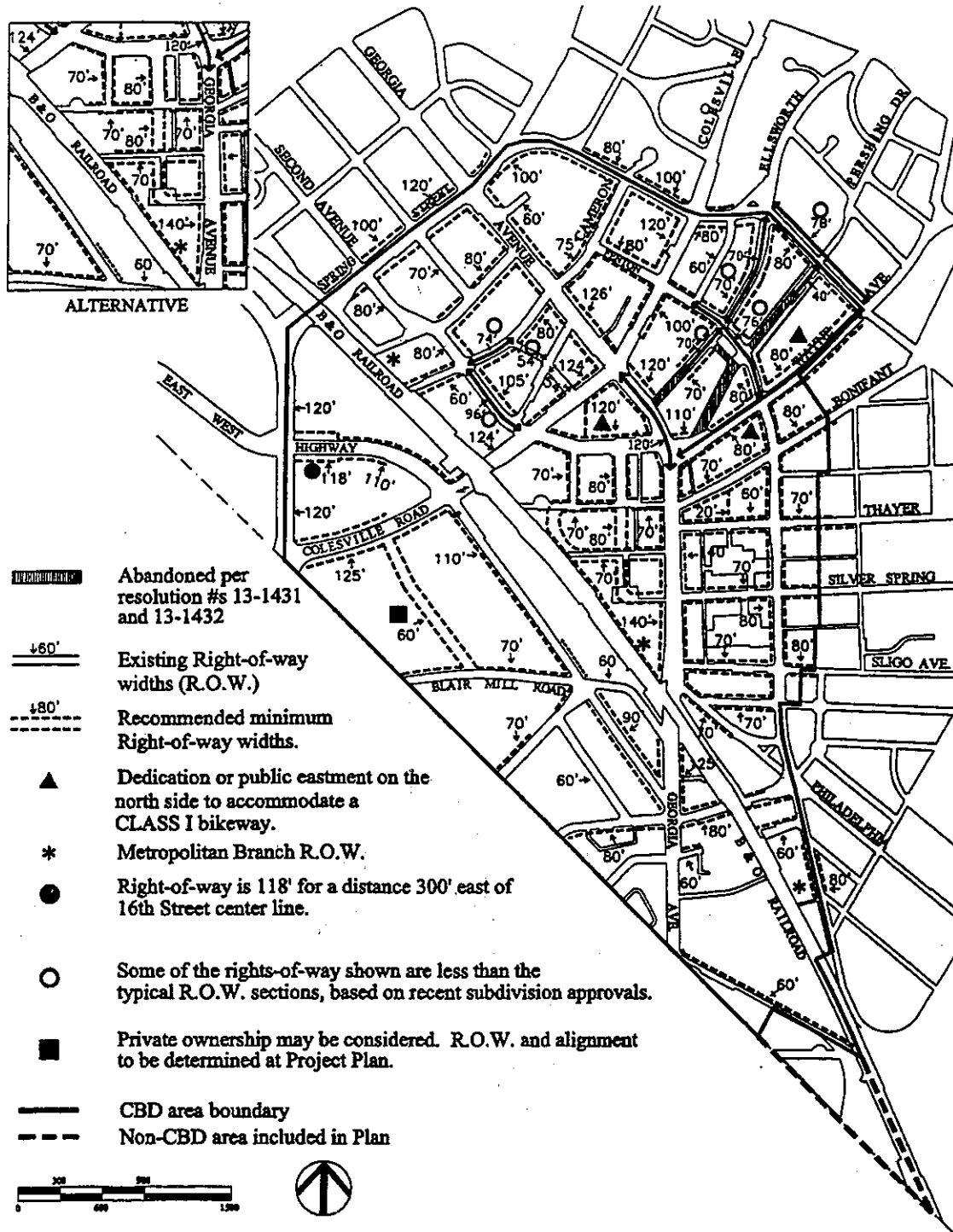
The Silver Spring Courthouse is a satellite facility of the State's District Court 6, located in Rockville. The CBD facility is located at 8665 Georgia Avenue and handles criminal, non-jury cases, traffic cases, civil cases, and landlord-tenant matters. The Georgia Avenue facility is leased and has three courtrooms and about two dozen employees.

The District Court has recently acquired property at Apple Avenue/Second Avenue to build a new courthouse. The new facility will house approximately 67,000 square feet with four courtrooms. It will be owned rather than leased by the District Court and will have more employees to manage expanded court operations. Planning and design of the building is expected to begin in Fiscal Year 2001 with construction in Fiscal Year 2003.

The new courthouse should be designed to create a distinct public presence. A courthouse is a traditional downtown public use, and as with other public facilities in this Plan, offers an opportunity to bring jobs and services downtown. A new courthouse also offers an opportunity to create an attractive and visible public presence through the building's siting, design, and landscaping.

# Attachment 12- Map 34 Silver Spring CBD Sector Plan

## Map 34 CBD Rights-of-Way



Map 32 CBD Bikeway Network Plan

