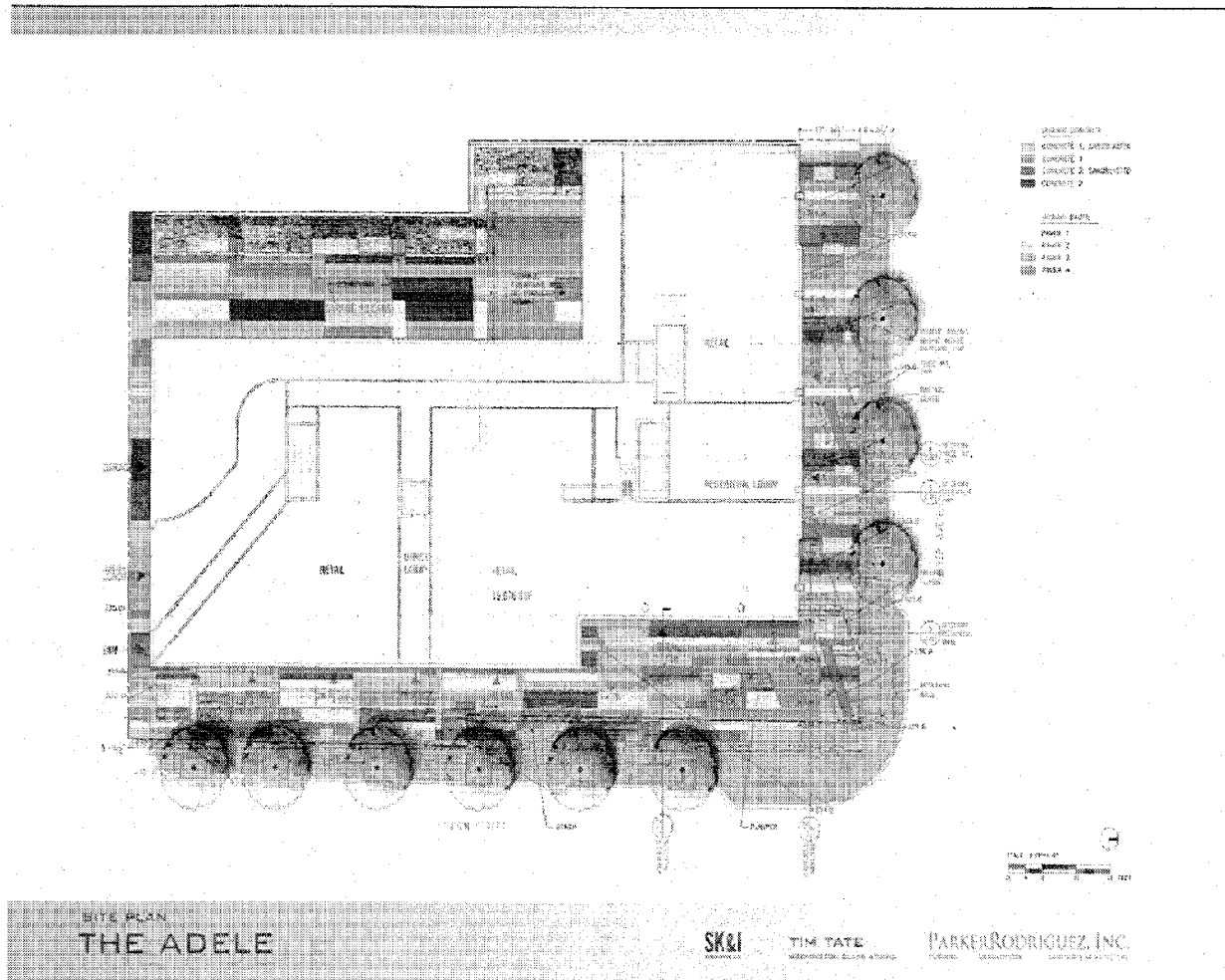


Graphic representations of the streetscape patterns and materials being used within the public use space



PROJECT DESCRIPTION: Prior Approvals

The proposed development is zoned CBD-1 (Central Business District-1). This property consists of Lots 5-7 of the original Silver Spring Park subdivision (Plat Book B, Page 47) and the Easley's Silver Spring subdivision (Lot 10, Plat Book 191, Page 93) recorded in May 1912.

Project Plan

Preliminary Plan 920050030 was approved on June 10, 2005 for 96 multi-family dwelling units, including 15 MPDUs, 18,200 square feet of office use and 15,020 square feet of retail in the CBD-1 Zone.

Preliminary Plan

Preliminary Plan 120050770 was approved on June 10, 2005 for 96 multi-family dwelling units, 18,200 square feet of office use and 15,020 square feet of retail in the CBD-1 Zone.

ANALYSIS: Conformance to Development Standards

PROJECT DATATABLE (CBD-1)

	Zoning Ord. Development Standard	Approved with Project Plan 920050030	Proposed for Approval with Site Plan 820060200
Gross Tract Area (sf.):	22,000	41,743	41,743
Prior Street Dedication (sf.):		13,217	13,217
Net Site Area (after dedication)	N/A	28,526	28,526
Max. Permitted Density Calculations (du/ac.):			
Mixed Non-Residential Density (FAR/SF): [Sect. 59-C-6.234(b)(3)]	2.0 (83,486)	0.80 (33,220) 15,020 Retail/ 18,200 Office	0.80 (33,220) 15,020 Retail/ 18,200 Office
Residential Density (FAR/SF):	3.0 (112, 251)	2.2 + bonus density (2.68) (112,251)	2.2 +bonus (2.68) (112,251)
Total Density (FAR/SF):	3.0 <u>+ bonus density</u> (145,471)	3.0 <u>+ bonus density (3.48)</u> (145,471)	3.0 <u>+bonus(3.48)</u> (145,471)
MPDUs (%):	15 (15 MPDUs)	15 (15 MPDUs)	15 (15 MPDUs)
Public Use Space (% of net lot area):			
On-Site	20% or 5,705 sf	20% or 5,705 sf	20% or 5,705 sf
Off-Site		23.7% or 6,763 sf	23.7% or 6,763 sf
Total On and Off-Site Public Use Space		43.7% or 12,468 sf**	43.7% or 12,468 sf**
Total Amenity Space (Private)		51.2% or 14,603 sf	51.2% or 14,603 sf

	Zoning Ord. Development Standard	Approved with Project Plan 920050030	Proposed for Approval with Site Plan 820060200
Max. Building Height (ft.): Section 59-C-18.192 (b) (1) ¹			
Fenton Street	60	60	60
Thayer Avenue	90	90	90
Parking:			
Residential Uses (Mkt. Rate)			
1 BR @ 1.25 sp./unit (48 x 1.25)	60 spaces		
2 BR @ 1.50 sp./unit (29 x 1.50)	44 spaces		
3 BR @ 2.00 sp./unit (4 x 2.00)	8 spaces		
Residential Uses (MPDUs)			
1 BR @ 0.625 sp./unit (11 x 0.625)	7 spaces		
2 BR @ 0.75 sp./unit (4 x 0.75)	3 spaces		
(10% credit for residential in CBD 122 x .10 = 12)			
Residential subtotal:	110 spaces	122 spaces	122 spaces
Office Uses:			
(18,000 gsf @ 2.4 sp./1000)	44 spaces		
Retail Uses:			
(15,020 gsf @ 5 sp./1000)	<u>76 spaces</u>	<u>49 spaces</u>	<u>49 spaces</u>
Total Parking Spaces:	230 spaces	171 spaces*	171 spaces*

* The proposed development is within the Silver Spring Parking District and is not required to provide any parking on site; however, the project is subject to the Parking District Tax.

** The applicant is making a monetary contribution of \$70,000 toward the general park fund for park projects in the Silver Spring CBD as part of the off-site public use space.

¹ (1) Building Height in the Overlay Zone:

- (A) along the east side of Georgia Avenue must not exceed 90 feet; along the west side of Fenton Street must not exceed 60 feet; within the area between Georgia Avenue and Fenton Street must not exceed 60 feet but may increase up to 90 feet for projects that are at least 33% residential and where the additional height is placed closest to Georgia Avenue and decreases as you move east to Fenton Street; and
- (B) along the east side of Fenton Street must not exceed 45 feet for all uses except housing, which must not exceed 60 feet.

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
Demand Points					
Demand per 100 d.u.					
HR (96)	3.84	3.84	3.84	73.92	44.16
*Housing type: High-Rise Residential > 5 stories					
Total Required Points	3.84	3.84	3.84	73.92	44.16
Supply Points					
Indoor Community Space (1)	0.38	0.58	1.15	22.18	17.66
Sitting Area (2)	2.0	2.0	3.0	10.00	4.0
Pedestrian System	0.38	0.77	0.77	33.26	19.87
<u>Indoor Fitness Facility</u>	<u>0.00</u>	<u>0.38</u>	<u>0.38</u>	<u>14.78</u>	<u>6.62</u>
On-Site Total Supply Points	2.77	3.73	5.30	80.22	48.16
% of demand met on-site	72	97	138	109	108

Note: The Applicant is taking credit for off-site recreation facilities located in Bullis Local Park, including a tot lot, open play area I and bike system. The maximum credit that can be applied to the supply points is 35%, according to the M-NCPPC Recreation Guidelines. The above calculations do not include the Applicant's \$70,000 contribution to acquisition of or improvements to Silver Spring CBD parks.

ANALYSIS:

Conformance to Master Plan

The Site Plan is in conformance with the Silver Spring Central Business District and Vicinity Sector Plan (February 2000), including the provisions in the Fenton Village Overlay Zone. A description of the themes and goals for Silver Spring are outlined within the Sector Plan Conformance standards below.

The approved CBD Sector Plan recommended CBD-1 (Central Business District, 1.0) zoning for this site. This zoning was enacted through the Sectional Map Amendment (SMA) adopted July 18, 2000 per County Council Resolution 14-600.

The proposed site plan conforms to the uses permitted in the existing CBD-1 Zone. The plan proposes approximately 145,471 gross square feet of development, including 96 residential condo units, of which 15 will be MPDUs, 15,020 square feet of retail and 18,200 square feet of office, on approximately 0.96 acres. The applicant is receiving a 22% density bonus for providing additional MPDUs on the site.

The proposed development is utilizing the optional method of development in the CBD-1 zone. The minimum required public use space for this project is 5,705 sf (20% of the net lot area). The project proposes 5,705 sf or 20% of the net lot area on site, dedicated to public use space, in addition to the 6,763 sf or 23.7% proposed for off-site streetscape improvements within the right-of-way of Fenton Street and Thayer Avenue. The total public use and amenity space provided by the applicant for this development is 12,468 sf or 43.7% of the net lot area.

Sector Plan Conformance:

The Silver Spring Central Business District and Vicinity Sector Plan approved by the County Council on February 1, 2000, outlines six themes, which articulate the shared goals and vision for a revitalized Silver Spring. Four of these six themes (*i.e. a Residential Downtown, a Green Downtown, a Commercial Downtown and a Pedestrian-friendly Downtown*) directly apply to this development. The Sector Plan does not specifically identify the proposed project site as a potential housing site. However, the Sector Plan does encourage housing as an important component of the revitalization efforts and recommends height incentives for the construction of new housing in Fenton Village.

The proposed project will include new public open space and an art amenity. This project encourages the development of active urban streets by providing a street-facing building entrance and easily accessible and highly visible public spaces as activity generators. This proposal improves the quality of the pedestrian environment by providing the Silver Spring streetscape treatment required for optional method projects. The proximity to transit facilities and to the downtown employment core will reduce the dependency on the automobile for the residents of the development.

Overall, the development of the Project will significantly further the objective of stabilizing the Core's residential component, while providing an appropriate transition between the mix of commercial uses north and south of the project to the predominately residential neighborhoods to the east of the site.

A. Compatibility: While the proposed project is larger than most existing buildings on Fenton Street, staff believes that the proposed building height and land uses satisfactorily meet the compatibility requirements of the Fenton Village Overlay Zone and the Silver Spring Sector Plan for future redevelopment.

B. Building height in the Fenton Village Overlay Zone

The Fenton Village Overlay Zone is located south of Wayne Avenue, north of Gist Avenue and east of Georgia Avenue, encompassing the CBD 0.5 properties east of Fenton Street and the CBD-1 properties along the Fenton Street corridor. The intent of the Fenton Village Overlay Zone is to encourage redevelopment by providing flexibility in development standards and uses, while addressing compatibility with nearby uses and incorporating design elements, streetscape and public use spaces. The major provisions within the overlay zone that affect this development include the limitation of building height for new construction fronting along the east side of Georgia Avenue to 90 feet and 60 feet for properties fronting on the west side of Fenton Street.

Properties not fronting on Fenton Street or Georgia Avenue may go up to 90 feet if the proposed development is at least 33 percent residential and where the increased height is placed toward Georgia Avenue. Neither the Master or Sector Plan nor the Fenton Village Overlay Zone provide guidelines that offer specific

transitions or step backs from the required 60 feet on Fenton Street to the 90 feet closer to Georgia Avenue.

- C. **Sector Plan Street Rights-of-Way:** The existing Fenton Street right-of-way varies from 72-80 feet. The existing right-of-way for Thayer Avenue is 60 feet. The Sector Plan recommends an 80-foot right-of-way for Fenton Street, requiring an additional 8 feet of dedication for a portion of the street. Thayer does not require additional dedication.
- D. **Streetscape:** The applicant proposes to improve the west side of Fenton Street and the south side of Thayer Avenue extending by approximately 125 feet to the entrance of the county parking lot, using the Type B treatment recommended in the *Silver Spring Streetscape* (April 1992) technical manual. The Fenton Street frontage will be improved by replacing the existing concrete paving and ornamental fencing with brick and expanding the sidewalk to 26 feet wide. The applicant proposes to implement some non-standard paving elements within the street rights-of-way located in proximity to their main public space.

Local Area Transportation Review

A traffic study was submitted with the preliminary plan of subdivision to evaluate the effect of the proposed development on the area transportation system. A total of five intersections were studied and included in the traffic analysis, including Georgia Avenue and the intersections of Bonifant Street and Thayer Avenue, as well as Fenton Street and the intersections of Bonifant Street, Thayer Avenue and Silver Spring Avenue. The five study areas were found to operate within the congestion standard of 1,800 Critical Lane Volume (CLV), therefore the application passed the LATR guidelines.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

If approved in accordance with recommended conditions, the proposed development is consistent with the approved Project Plan (920050030) in land use, density, location, and building height and development guidelines.

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-1 Zone and Fenton Village Overlay Zone as demonstrated in the project Data Table on page 16. The project is supporting the major provisions of the Fenton Village Overlay Zone by providing more than the 33 percent residential use called for by the Master Plan to allow increased height from Fenton Street to Georgia Avenue. The proposed development is compatible with the existing development occurring in downtown Silver Spring and should encourage redevelopment of adjacent properties in the CBD and specifically Fenton Village.

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

The Applicant is proposing to construct a building that is 60 feet in height along the frontage of Fenton Street, a portion of which is approximately 24 feet from the actual pavement edge. The building massing along Fenton Street steps back by 12 feet toward Georgia Avenue to a height of 80 feet. The intersection of Thayer and Fenton addresses the height limitations by holding the building corner approximately 12 feet back from the major portion of the building frontage along Fenton Street and transitioning to a 90-foot roofline for the frontage along Thayer.

The residential portion of the building facing Fenton Street is elevated above the ground and cantilevers five feet above the public use space with a 2-story clear area for pedestrians. The units portray a loft-like quality, designed to establish a connection with the surrounding neighborhood. The front portion of the building steps from 60 feet to 90 feet to architecturally accentuate the prominent corner of the site through building articulation and varied massing.

- b. Open Spaces

The proposed public use space must be easily and readily accessible to the general public and used for public enjoyment. All streetscape improvements shall be in accordance with the *Silver Spring Streetscape Plan (April 1992)* Technical Manual or as amended.

The applicant shall provide 20 percent (5,705 sf.) of on-site public use space and 23.7 percent (6,763 sf.) of off-site public use space. Additional off-site improvements are being provided along the south side of Thayer Avenue from the subject site to the existing alley toward Georgia Avenue.

The Applicant has been granted conditional approval from the Montgomery County Department of Permitting Services (DPS) for Stormwater Management by letter dated March 10, 2005. The project plan is proposing to implement green roof technology on a portion of the building rooftop. Approval of a Stormwater Management concept is required prior to submittal of the Site Plan application.

c. Landscaping and Lighting

The proposed landscaping on the site consists of the standard Silver Spring streetscape for of shade trees spaced 30 feet on center for both Thayer Avenue and Fenton Street. Willow Oaks are proposed for Fenton Street and London Plane trees are proposed for Thayer Avenue in the standard 5 x 8 foot tree pits. The trees are set in amended soil panels with granite setts.

The landscaping associated with the private amenity area in the southwest quadrant of the building consists of ornamental shrubs, groundcover and grasses. The retail frontage along Fenton Street includes shrub planter areas with benches to help separate the public and private realm and provide seating areas for pedestrians and retail patrons.

The plaza will be interactive for pedestrians, storefront patrons and residents of the building, specifically those walking from the metro through the site to the restaurants and downtown area. The proposed plaza will consist of specialty paving and lighting, landscaping and other design elements such as the glass art elements integrated into the railing retail frontage to invite the public into the space and blend architectural features relating to the building design.

The lighting plan consists of the standard Washington Globe fixture spaced at 60 feet on-center between the street trees on Thayer Avenue and Fenton Street.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table on page 14. The recreation facilities provided for the residential component consist of an indoor fitness facility, indoor community space, two seating areas and a pedestrian system.

The recreation amenities will need to conform to the square footage requirements as specified in the M-NCPPC Recreation Guidelines. The proposal is taking credit for off-site recreational facilities as permitted in the guidelines and is

making a contribution of \$70,00 toward park improvements in the Silver Spring CBD.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

The 20-foot alley is also one of the access points that serves the Lot 3 County Parking lot, as well as the primary entrance into the parking garage for the subject development. The apron to the garage will contain the brick pavers and granite sets for a continuous treatment from the improved Fenton Street right-of-way to extend pedestrian connectivity to the existing facility. The site is located within the Silver Spring Parking Lot District, allowing the applicant to provide less parking in the CBD and encouraging the use of the local public parking facilities.

The Fenton Street frontage will be improved by replacing the existing concrete paving and ornamental fencing with brick and expanding the sidewalk to 26 feet wide. The existing Fenton Street right-of-way varies from 72-80 feet. The existing right-of-way for Thayer Avenue is 60 feet. The Preliminary Plan required an additional 8 feet of dedication for a portion of Fenton Street. Thayer did not require additional dedication during the preliminary plan of subdivision.

The applicant proposes to improve the west side of Fenton Street and the south side of Thayer Avenue and extending by approximately 125 feet to the entrance of the county parking lot.

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

The project is complementary to the range of commercial and residential characteristics of the surrounding neighborhood. The design and scale of the project, pedestrian and vehicular circulation and improvements to the streetscape provide an enhancing and interactive relationship with the downtown Silver Spring and Fenton Village. The proposed development is compatible with the existing development occurring in downtown Silver Spring and encourages redevelopment of adjacent properties in the CBD.

The surrounding and adjacent properties are a mix of different uses, building heights and massing that is integral to the vitality of an urban downtown area. The applicant presented a building massing study showing the varying building heights along Fenton Street and Thayer Avenue up to Georgia Avenue. The adjacent 2-story Thai market building to the north and recently renovated 3-story Grand Design mixed-use office and retail building as well as the 3-story Safeway store directly opposite the property on Thayer Avenue add to the diversity of height and massing in the Fenton Village. The buildings along the west side of Fenton Street also vary in height from 1-4 stories and consist of mixed-use office, retail and residential uses. The east side of Fenton Street is

comprised of lower scale 1-4 story office and retail uses, in proximity to the project, with the exception of the Silver Spring Towers, a 13-story apartment complex near the northeastern intersection of Fenton Street and Thayer Avenue. Most of the buildings transition from 3 and 4-stories to the 1-2 story residential homes east of the CBD boundary line, which is representative of the scaled zoning transition from CBD-1 to CBD-0.5 from west to east.

Staff believes the transitional step in height from 60 to 80 feet on Fenton Street and 60 to 90 feet on Thayer Avenue meets the objectives of the Overlay Zone and is compatible with the existing and proposed surrounding development in Fenton Village. The majority of the building is set back 8 feet from the Fenton Street right-of-way, expanding the sidewalk to 26 feet from the edge of curb on Fenton Street to the face of the proposed building. The 60-foot portion of the building steps back an additional 12 feet and transitions to a height of 80 feet. The prominent intersection transitions from 60-90 feet, with the 90 feet closer toward Georgia Avenue.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The property is exempt from the forest conservation requirements.

APPENDICES

- A. Planning Board opinion for Project Plan 920050030
- B. Planning Board opinion for Preliminary Plan 120050770.
- C. Memoranda from agencies