



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

MCPB No. 18-025  
Sketch Plan No. 320180090  
850 Sligo Avenue  
Date of Hearing: April 5, 2018

NOV 08 2018

**CORRECTED RESOLUTION**

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

WHEREAS, on January 5, 2018, Moonlight, Inc., ("Applicant") filed an application for approval of a sketch plan for construction of a mixed-use project with up to 82,941 total square feet of development, including up to 76,029 square feet of residential uses and up to 6,912 square feet of non-residential uses; on 0.46 acres of land in the CR 3.0, C-2.0, R-2.75, H-60T and Fenton Village Overlay Zones, located on the east side of Fenton Street, between Gist Avenue and Sligo Avenue ("Subject Property") in the Silver Spring CBD Policy Area and *Silver Spring CBD Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320180090, 850 Sligo Avenue ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 23, 2018, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 5, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on April 5, 2018, the Planning Board voted to approve the Application, subject to certain binding elements and conditions, on the motion of Commissioner Dreyfuss, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0;

Approved as to  
Legal Sufficiency:

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Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320180090, 850 Sligo Avenue, for construction of up to construction of a mixed-use project with up to 82,941 total square feet of development, including up to 76,029 square feet of residential uses and up to 6,912 square feet of non-residential uses, on the Subject Property, subject to the following binding elements and conditions:<sup>1</sup>

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

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

All other elements are illustrative.

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

1. Density

The Sketch Plan is limited to a maximum of 82,941 total square feet, including up to 76,029 square feet of residential development and up to 6,912 square feet of non-residential. The maximum number of dwelling units and use mix will be determined at Preliminary Plan.

2. Height

New construction is limited to a maximum height of 60 feet, as measured from the building height measuring point(s) illustrated on the Certified Site Plan. The existing building is 99 feet tall and is grandfathered may not be increased in height.

3. Incentive Density

The development must be constructed with the public benefits listed below. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the CR Zone Incentive Density Implementation Guidelines must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

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

- a. Transit Proximity, achieved through location within ½ mile of the Silver Spring Metro Station;
  - b. Connectivity and Mobility, achieved by providing minimum parking;
  - c. Quality of Building and Site Design achieved through architectural elevations, exceptional design, and structured parking;
  - d. Protection and Enhancement of the Natural Environment, achieved through building lot terminations and cool roof; and
  - e. Building Reuse, achieved by keeping the existing office building on site and incorporating it into the new development.
4. Streetscape  
The Applicant must install the Silver Spring Streetscape Standard, including undergrounding of utilities along the site frontages, including Gist Avenue, Sligo Avenue, and Fenton Street. The final extent of streetscape improvements including the undergrounding of utilities to be determined at Site Plan.
5. Building Lot Terminations (BLTs)  
Before the release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.
6. Moderately Priced Dwelling Units (MPDUs)  
The Applicant must provide a minimum of 12.5% of the total units as Moderately Priced Dwelling Units on the Subject Property. The development must provide MPDUs in accordance with Chapter 25A.
7. Public Open Space, Facilities, and Amenities  
The Applicant must provide an area equivalent to five percent of the Site Area as public open space.
8. Future Coordination for Preliminary and Site Plan  
In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan:
- a. The Applicant must ensure building compatibility to respond to the adjacent low-density residential uses that are abutting and confronting the site along Gist and Sligo avenues;
  - b. The Applicant should take steps to activate street frontages including but not limited to having residential and/or retail uses with entrances and/or openings on to the sidewalk;
  - c. Provide a Tree Save Plan focusing on impacts to trees on the adjacent residential properties;
  - d. Mitigate noise from outdoor gathering spaces;

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- e. Before the Certified Site Plan, develop a construction management plan to minimize construction impacts on adjacent homes;
- f. Address the air quality and energy efficiency recommendations of the Master Plan;
- g. Fire and Rescue access and facility details;
- h. Streetscape details;
- i. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- j. Noise analysis at the time of Preliminary Plan;
- k. Traffic Mitigation Agreement, if required, at the time of Preliminary Plan;
- l. SWM concept approval; and
- m. Certification of the forest conservation exemption.

9. Transportation

The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated March 5, 2018, and does hereby incorporate them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Sketch Plan approval.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 0.46 acres in the CR 3.0, C-2.0, R-2.75, H-60T and Fenton Village Overlay Zones. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

**Data Table**

<b>Project Data Table for the CR 3.0, C-2.0, R-2.75, H-60T Zone and FVOZ</b>		
<b>Development Standard Section 59 – 4.5.4</b>	<b>Permitted/Required</b>	<b>Approved</b>
Tract Area: Previous Dedications: Site Area:	n/a	27,647 sf or 0.63 AC 7,714 sf or 0.17 AC 19,933 sf or 0.46 AC
<b>Maximum Density (CR)</b> <i>Non-residential (C)</i> <i>Residential (R)</i>	<b>82,941 sf (3.0 FAR)</b> 55,294 sf (2.0 FAR) 76,029 sf (2.75 FAR)	<b>Up to 82,941 sf (3.00 FAR)</b> Up to 6,912 sf (0.25 FAR) Up to 76,029 sf (2.75 FAR)
Building Height (feet)	New Building: 60 feet Existing Building: 99 Feet	New Building: 60 feet Existing Building: 99 Feet
Minimum Public Open Space	5% of Site Area	5% of Site Area

The Sketch Plan conforms to the intent of the CR zone as described below.

- a) *Implement the recommendations of applicable master plans.*

**Silver Spring CBD Sector Plan General Recommendations**

For the general goals of the Plan, the Sector Plan's vision for Silver Spring's future is "to create a development environment that invites revitalization" (page 28). The Sector Plan outlines six themes: transit-oriented downtown, commercial downtown, residential downtown, green downtown, civic downtown and pedestrian-friendly downtown that guide the vision for the Silver Spring CBD, which applies to the Project. As discussed below the Applicant will implement the recommendations of the Sector Plan.

***Transit-Oriented Downtown***

The site is situated at the corners of Fenton Street, Gist Avenue, and Sligo Avenue: a southern gateway to the CBD. The Sector Plan's transit-oriented downtown theme strives to balance the needs of commuter and local traffic, of walkers and drivers and to maximize the investment in Silver Spring's transit infrastructure. "Creating a transit-oriented community is not only a transportation effort but also a land use effort" (Sector Plan, page 16). The Plan further states that transportation choices go beyond the car to link local and regional buses, trains, bikes and foot travel. The Property is ½ mile from the Silver Spring Transit Center and the forthcoming Purple Line station at the Silver Spring Library as well as other important

regional transit options including Metrobus, RideOn, and the VanGo Circulator. The future Purple Line will have a station less than ½ mile from the site. As conditioned, the development will create an attractive pedestrian environment defined by well-designed buildings providing pedestrian residential, retail, and service entrances, and other visual interest. The existing Capital Bikeshare station at the corner of Fenton Street and Gist Avenue will remain.

#### *Commercial Downtown*

The Sector Plan states “Commercial activity – a mutually supportive mix of office, stores, and other business enterprises – is the defining feature of a successful downtown” (Sector Plan, page 18). The potential for a non-residential component (retail and/or restaurant) on the ground floor may provide commercial services for the residents and surrounding neighborhood.

#### *Residential Downtown*

The Sector Plan’s residential downtown theme seeks to create a mix of housing choices supported by parks, shopping, cultural, civic and employment uses with transit. “A green and pedestrian-friendly downtown will create parks, plazas, and streets of a desirable residential community” (Sector Plan, page 19). The Project will provide up to 76,029 square feet of residential uses (with final unit count and unit mix to be determined at Site Plan) with 12.5% on-site MPDUs and up to 6,912 square feet of non-residential uses.

#### *Civic Downtown*

The civic downtown theme envisions formal or informal, large or small, public or private civic spaces, where people meet, cross paths and gather (Sector Plan, page 21). As conditioned, the Project provides additional housing, which will facilitate the Sector Plan’s goal of returning the CBD to the center of community life, and encourage more economic and social connections. The streetscape improvements will activate the street. Through this activation, the streetscapes will serve as a place for informal social interactions and will add to the variety of the civic spaces in the CBD.

#### *Green Downtown*

The green downtown theme of the Plan envisions shaded, tree-lined streets and well placed green parks and plazas, creating a comprehensive system of open spaces that provide economic, environmental and aesthetic benefits throughout downtown. The Plan states “Landscaped plazas are incorporated into building and site design to create visual and physical

respite, to create formal and informal gathering places, and to complement street and building design” (Sector Plan, page 23).

The Project provides streetscape improvements along all three frontages and will be lined with wide sidewalks, and paving, street trees, lighting, and underground utilities, in accordance with the Silver Spring streetscape standards. Additionally, the Project provides a setback on the eastern property boundary, which will incorporate landscaping and serve as a transitional buffer to the abutting residential homes.

Under the Optional Method of Development in the CR Zone (given the land area and some existing and planned right-of-way frontages), the Applicant is required to provide 5% of the net lot area as public open space. The Sector Plan and Fenton Village Overlay Zone encourage the transfer of public open space requirements off-site (see section 4.9.8.A.4). Thus, given the constrained site, the Applicant will provide off-site public open space improvements in accordance with Section 6.3.6.C of the Zoning Ordinance and consistent with the recommendations of the Fenton Village Overlay Zone.

#### *Pedestrian-Friendly Downtown*

The pedestrian-friendly downtown theme of the Sector Plan encourages the development of active streets and sidewalks, busy with people walking to shop, commute, or for pleasure. The Sector Plan states “An urban area’s greatest economic asset, and strongest physical definition comes from its pedestrian environment” (Sector Plan, page 24).

The project will provide additional housing within walking distance to existing retail, restaurant, and office uses. This proximity to existing and civic and commercial uses will promote pedestrian activity and street activation. The proposed building placement also enhances the pedestrian environment by locating the buildings directly along the street edge to create a continuous building line and define the pedestrian environment. The main pedestrian entrance to the lobby has been located on Fenton Street to provide additional activation along this prominent frontage. Additionally, the precedent images provided by the Applicant demonstrate the intention of the building design to incorporate appropriate transparency and articulation to activate the street and create a comfortable pedestrian scale.

Furthermore, in the pedestrian-friendly downtown theme, the Sector Plan states “The design of the pedestrian-scaled environment combines buildings and streets, active sidewalks, and open spaces detailed with street furniture

and landscaping to provide a safe, pleasant and interesting environment” (Sector Plan, page 14). The theme encourages sidewalks, and streets scaled to walkers, and street crossings should promote safety and access for pedestrians.

The building massing as illustrated by the Applicant shows the maximum building height allowed by the zone. The adjacent neighbors have concerns about the build height at the eastern edge of the property as well as well as how the building sits closer to Gist and Sligo avenues when compared to the existing homes on these streets. Staff shares the concern that the building massing will need to be compatible with the surrounding homes. The recommendation includes a condition to identify the specific issues to be addressed at Site Plan.

Additionally, the loading dock has been strategically located to minimize pedestrian-vehicular conflicts in response to comments received from the community. Access to parking and loading will continue to be studied and be determined at the time of Preliminary and Site Plans.

#### Silver Spring CBD Sector Plan Site-Specific Recommendations

##### *Land Use and Zoning: Fenton Village Overlay Zone*

The Subject Property is within the Fenton Village Overlay Zone (FVO) portion of the Silver Spring CBD. While there is flexibility in the type of development permitted in this area, the FVO is in place to ensure that new development is compatible with nearby uses. More specifically, the FVO encourages a mix of housing and commercial uses but will limit building heights to ensure compatibility with adjacent residential neighborhoods. Open space is allowed to be transferred to other sites in the same district.

As conditioned, the Project will improve upon the existing street frontages of Fenton Street, Gist Avenue, and Sligo Avenue providing an enhanced pedestrian environment. The site access is broken into two locations on the site because of the limit from the existing building and to reduce its impact in one point of the project. Loading and trash activities will occur from Sligo Avenue opposite to where commercial uses already are located. The residential vehicular access point is located from Gist Avenue. Although the Board supports the access concept for two access points on Sligo and Gist avenues, both Planning Staff and MCDOT has encouraged the Applicant to design the residential loading to be designed in a way to encourage vehicles leaving the site to drive toward Fenton Street and not drive through the single-family neighborhood.



### *Urban Design Recommendations*

The Sector Plan provides general urban design recommendations for redevelopment projects in the Fenton Village Overlay Zone. These recommendations encourage the creation of local retail neighborhood that serves residential core CBD employees (page 90). Other relevant recommendations include:

- *Examine the potential for housing in Fenton Village (FVO), particularly in the transition area between the commercial and residential areas.*

While this project is proposing housing in the FVO, the is work to be done regarding the transition to address building massing next to single-family homes that are adjacent to the development.

- *Upgrade the physical appearance of Fenton Street through streetscaping, landscaped parking lots, infill development that helps define the street.*

As submitted in the Sketch Plan, this project is an infill project that renovates the existing office building and builds upon an existing surface parking lot. The new building is located directly along the street edge at Fenton Street, Gist Avenue, and Sligo Avenue. The project proposes to improve the sidewalk to the streetscape design standards for new street trees.

- *Limit building height on the east side of Fenton Street to 60 feet for buildings with residential uses. Projects proposed along the east side of Fenton Street should make a transition between the commercial district and the adjacent single-family homes, creating compatibility through height changes, siting, and green, landscaped buffers.*

The building will step down the height from Fenton Street toward the existing single-family homes. Additionally, a landscaped buffer area will further address the transition between the buildings and the existing homes.

### *Circulation Systems Recommendations*

The Sector Plan recommends creating a system of trails and bike routes, implementing streetscape to create a safe and pleasant pedestrian environment to assess, and where appropriate, reuse public parking facilities, and to make circulation improvements to local roads. (Page 93)

The Project is located within ½ mile of the Silver Spring Transit Center and the forthcoming Purple Line station at the Silver Spring Library. The Project will provide significant improvements to the pedestrian environment and will improve both pedestrian and vehicular circulation at this transit-oriented location. Vehicular access to the Property is currently provided through four access points, along Gist Avenue, Fenton Street, and Sligo Avenue. The Project will result in improved vehicular access through the consolidation of access points from four to two. The Project will utilize the access point off Sligo Avenue for loading and service activities, and the easternmost access point along Gist Avenue for resident/visitor parking. The vehicular access point on Fenton Street and the westernmost point along Gist Avenue are to be closed.

The streetscape along all frontages will be upgraded in conformance with the Silver Spring Streetscape Standards and include underground utilities, sidewalks, street trees, and adequate street lighting to ensure safety.

### *Housing*

The housing objective of the Sector Plan is to develop new residential projects to provide housing and encourage maintenance of existing housing, creating Silver Spring as an even more desirable residential market. The recommendations include:

- provide housing choice and market-feasible development options, including apartments and townhouses;
- rezone CBD properties to encourage residential development; and
- convert selected public-sector surface parking lots to housing.

Although this site is not identified in the Sector Plan as a potential housing site, the Project promotes this goal by providing diverse housing opportunities through a variety of unit sizes and layouts (the exact unit mix will be determined at the time of Site Plan). The additional housing provided by the Project will attract a wide demographic and will facilitate the availability of new housing in a range of types and rents within walking distance of transit. And because the Project includes MPDUs (up to 12.5%), it will facilitate economic diversity located near transit and important services.

In conformance with the objectives of the Sector Plan, the additional residential development will activate the urban environment and contribute to the creation of a "thriving downtown residential community." Additionally, as discussed above, the building has been designed to promote compatibility with the surrounding single-family residential homes and will create an approachable residential urban scale.

*Environmental Resources*

The Sector Plan calls for new and existing development to help create a clean and attractive downtown that contributes to the environmental quality of the larger community. The Sector Plan suggests the following recommendations for new development:

- *Encourage the use of alternatives to automobile transportation to reduce air pollution;*

The residential development, within walking distance to transit and the existing office and commercial uses in the CBD, will allow residents to utilize alternative modes of transportation for work trips and daily living. Additionally, to further promote alternative means of transportation, both short-term and long-term bicycle parking will be provided in conformance with the requirements of Section 6.2.4.C of the Zoning Ordinance.

- *Enhance water quality through a variety of stormwater management techniques.*

Currently, there are no known stormwater management facilities on the Property. As such, the redevelopment provides an important opportunity to improve the treatment of stormwater runoff. Specifically, the Project would allow for the introduction of Environmental Site Design ("ESD") to the maximum extent practicable.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Property is currently comprised of an existing empty office building and associated surface parking lot. The Project will renovate the existing building into residential use and develop the parking lot with new mixed-use development. The Project includes ground-floor non-residential uses, upper-level residential units, public open space, and residential amenity space. The Project meets the objective of this finding.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project encourages such development by proposing approximately 85 residential units including 12.5% MPDUs on-site, offering housing

opportunities for a range of incomes proximate to the numerous transit options of downtown Silver Spring. The potential for a non-residential component (retail and/or restaurant) on the ground floor may provide commercial services for the residents and surrounding neighborhood, though the Applicant is continuing to evaluate the market demand for non-residential uses on the Subject Property. The Project will satisfy the intent of the Commercial/ Residential Zone with or without a non-residential component due to its role as a transition between the Central Business District and residential neighborhood.

The Project facilitates all modes of transportation – pedestrian, bicycle, and vehicular, and transit. It will provide wide sidewalks along Fenton Street, Gist Avenue, and Sligo Avenue. The Project does not propose any parking between the building and the street frontages.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Project includes a mix of uses on-site, including a significant amount of new residential development and, potentially, non-residential use with a building height of up to 60 feet. The existing office building will be renovated into residential use. The specific use mix and project density will be determined at the time of Site Plan review.

Adjacent building uses in the CBD, north of the Property include strip-commercial shopping center, east and south of the Property includes single-family detached homes, west of the Property is various commercial uses including a Greyhound Bus Terminal, hair salon, laundromat, and restaurant zoned.

The goal of the Sector Plan is to promote pedestrian-scaled buildings and one off the goals of the Fenton Village Overlay Zone is to add new buildings to serve as a transition between the CBD and the single-family neighborhoods. As currently submitted, the Project lacks architectural elements to break up the building massing to help support a pedestrian realm and site comfortably with the adjacent neighborhood. Therefore, Staff recommends that the Applicant collaborate with the neighbors to either 1) reduce the building's height and massing or 2) reduce the buildings perception of massing through design, material choices and the addition of windows. Staff will let the Applicant make the decision on how to reach an acceptable solution with the neighbors.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

The Project will help to meet the need for additional housing options in the Central Business District. The mixed-use development will provide more residents to patronize local businesses. Additionally, providing more housing stock in the CBD provides greater opportunities for employment, a fundamental ingredient for the “smart growth” promoted by the previous CBD zones. The Project provides a variety of housing options through the provision of both market-rate units and MPDUs on site in an array of unit sizes. Also, the Project provides non-residential uses such as retail and/or restaurant.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

This project meets the recommendations of the Fenton Village Overlay Zone and the CR Zoning designation by providing residential use, limiting the building height to 60 feet and stepping down the building towards the adjacent residential neighborhood. However, the Applicant must reflect the adjacent low-density residential uses that are both on the same block and confronting the site along Gist and Sligo avenues by providing a two to three story base that steps back to minimize the perceived building mass; and support the activation of all street frontages by having residential units on the ground floor have doors that open on to the sidewalks.

b. General Requirements

i. *Site Access*

Vehicular site access will be provided via Sligo Avenue for loading and Gist Avenue for parking. Pedestrian and bike access will be provided from the existing sidewalk and street network, and will be further enhanced by streetscape improvements and participation in the realization of a bicycle facility on Fenton Street. Site access will be safe and convenient.

ii. *Parking, Queuing, and Loading*

The development will provide parking and loading on-site in a safe and efficient manner. Final location, amount, and configuration will be determined at Site Plan.

iii. *Open Space and Recreation*

The development will be providing Public Open Space equivalent to 5 percent of the site area, likely off-site and will meet the Recreation Guidelines at the time of Site Plan.

iv. *General Landscaping and Outdoor Lighting*

The development will provide landscaping and outdoor lighting compatible with the surrounding development. Final design to be determined at Site Plan.

2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

As discussed above, the Sketch Plan substantially conforms to the recommendations of the *Silver Spring CBD Sector Plan*.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Project will provide a building measuring up to 60 feet in height with massing concentrated along Fenton Street and will step down in height toward the existing single-family homes on the east side of the block. As conditioned, the building will need to be compatible with height and scale with nearby existing development.

Although further refinement of the site layout and building design is necessary at Site Plan, the Project is anticipated to provide an appropriate transition to adjoining neighborhoods as recommended with the urban design goals and guidelines in the Sector Plan. The Project, as conditioned, achieves

compatible internal and external relationships between existing and pending nearby development. Staff will work with the Applicant as part of the Site Plan review to ensure a site design that is compatible with surrounding land uses.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Project will provide significant improvements to the pedestrian environment and will improve both pedestrian and vehicular circulation at this transit-oriented location. The streetscape along all frontages will be upgraded in conformance with the Silver Spring Streetscape Standards and include underground utilities, sidewalks, street trees, and adequate street lighting to ensure safety. Vehicular access to the Property is currently provided through four access points, along Gist Avenue, Fenton Street, and Sligo Avenue. As conditioned, the Project will result in improved vehicular access through the consolidation of access points from four to two. The Project will utilize the access point off Sligo Avenue for loading and service activities, and an easternmost access point along Gist Avenue for resident/visitor parking. The vehicular access point on Fenton Street and the westernmost point along Gist Avenue are to be closed.

To further promote alternative means of transportation, both short-term and long-term bicycle parking will be provided in conformance with the requirements of Section 6.2.4.C of the Zoning Ordinance. A minimum of 95% of the required bike spaces will be long-term and securely located in the garage. A minimum of 5% of the required spaces will be short-term and will be available to the public in a convenient, well-lit location. The final bike parking numbers will be determined at Site Plan when the number of units is finalized.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Approved in Concept
<b>59.4.7.3B: Transit Proximity</b>			
¼ to ½ Mile from Transit	50	20	20
<b>59.4.7.3C: Connectivity and Mobility</b>			
Minimum Parking 10		10	10
<b>59.4.7.3E: Quality of Building and Site Design</b>			
Architectural Elevations	20	10	10
Exceptional Design	10	5	5
Structured Parking	20	20	20
<b>59.4.7.3F: Protection and Enhancement of the Natural Environment</b>			
BLTs	30	1.84	1.84
Cool Roof	10	10	10
<b>Building Reuse</b>			
Building Reuse	100	35.7	35.7
<b>TOTAL</b>	<b>250.0</b>	<b>112.5</b>	<b>112.5</b>

#### Transit Proximity

The Property is located within ½ mile of the Silver Spring Transit Center and the forthcoming Purple Line station at the Silver Spring Library, which allows the developer to be eligible for Level 1 transit as defined in the Zoning Ordinance. At this time, the Planning Board supports the category as suggested in the CR Guidelines.

#### Connectivity and Mobility

*Minimum Parking:* The project is proposing fewer parking spaces than the maximum allowed. The Board supports the category at this time.

#### Quality of Building and Site Design

*Architectural Elevations:* The Applicant requests 10 points for providing a design that is bound by architectural elevations as part of a certified site plan showing elements of the façade. Final determination of points will be based upon architectural drawings submitted with the Site Plan. Staff will continue to work with the Applicant to refine the architectural design. The Board supports the category at this time.



*Exceptional Design:* The Applicant requests 5 points for the Exceptional Design category that will be reviewed during the Site Plan process and the Applicant intends to meet four of the following criteria:

- the innovative solution in response to immediate context;
- creating a sense of place and serves as a landmark;
- enhances the public realm in a distinct and original manner;
- introduces materials, forms, or building methods unique to the immediate vicinity or applied uniquely;
- uses design solutions to make compact, infill development living, working, and shopping environments more pleasurable and desirable on a problematic site; and
- integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements.

To achieve the five points for the exceptional design category, the Applicant must incorporate solutions to the building massing that responds to the adjacent neighbor's concerns.

*Structured Parking:* The Applicant requests 20 points for providing on-site parking within a parking structure. Details on any exposed garage façade treatment will be determined at the time of Site Plan. The Board supports the Applicant's request at this time with further details and refinement to be provided at the time of Site Plan.

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT):* The Applicant requests 1.48 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Based on this calculation, the Board supports 1.48 points for this benefit at this time, with final calculations to be provided at the time of Site Plan.

*Cool Roof:* The Applicant proposes to cover any exposed portion of the roof (not covered by stormwater management, vegetation or mechanical equipment) with a material that has a solar reflectance index of 75. The Board supports this category at this time.

#### Building Reuse

*Building Reuse:* The Project will adaptively reuse the vacant existing office building. A minimum of 75% of the structural system of the building will be retained, and an architectural deconstruction company will be used to remove

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reusable and recyclable materials before any demolition, if applicable. The Board supports up to 34.5 points in this category at this time.

*7. The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The project is intended to be built in one phase.

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

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

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of 850 Sligo Avenue, 320180090, received in ePlans as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 08 2018 (which is the date that this Resolution is mailed to all parties of record); and


BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of the original mailing date, or, if the appeal relates to the corrected portions of this resolution, within thirty days of the date of this Corrected Resolution, consistent with

the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Dreyfuss, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioner Cichy voting in favor, and Commissioners Fani-González and Patterson absent at its regular meeting held on Thursday, October 25, 2018, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



7600 Wisconsin Avenue, Suite 700 • Bethesda, MD 20814 • [lerchearly.com](http://lerchearly.com)

Stacy Silber  
301 841-3833  
[spsilber@lerchearly.com](mailto:spsilber@lerchearly.com)

January 22, 2019

Mr. Matthew Folden  
Maryland – National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: 850 Sligo Avenue (Preliminary Plan No. 120190090; Site Plan No. 820190050) –  
Noise Waiver

Dear Matt:

The purpose of this letter is to request a waiver from the Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development (June, 1983), under Section 2.2.2 of those Guidelines. The proposed project consists of 85 multifamily units fronting on Gist Avenue, Fenton Street, and Sligo Avenue. As is common in urban areas, a certain level of elevated noise is to be expected; residents will accept some level of exterior noise as part of living in the Silver Spring Central Business District.

Nevertheless, the project does not unnecessarily expose residents to heightened noise levels. Transportation noise may exist from surrounding roadways, but this project will mitigate the impact of that noise to the extent feasible. First, the construction of the units will use materials to protect the interior of the units from the adverse effects of noise. Second, the residential amenity space, which is located on the roof of the 99-foot residential tower, is far removed from the street. The project also provides public open space at the “residential” corner of Fenton and Gist, which will serve as an entry and transition from the commercial area to the adjacent single-family neighborhood to the east and to the south across Gist. Finally, the combination of the existing 99-foot tower and proposed 60-foot building will serve as an acoustical buffer between the commercial areas (to the west of Fenton and north of Sligo) and the subject property’s side landscape yard and the single-family homes to the east along Gist.

Thank you very much for your consideration of this waiver request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stacy', followed by the printed name 'Stacy P. Silber' in a black sans-serif font.

Stacy P. Silber

cc: Abdullahi Barrow



DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Al R. Roshdieh  
*Director*

March 15, 2019

Mr. Matthew Folden, Planner Coordinator  
Area 3 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

RE: Preliminary Plan No. 120190090  
850 Sligo Avenue  
**REVISED LETTER**

Dear Mr. Folden:

This letter **supersedes** all the previous letters dated February 26, 2019 and March 4, 2019. We have completed our review of the revised preliminary plan uploaded to eplans dated January 22, 2019 and reviewed by the Development Review Committee at its December 18, 2018 meeting. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

**Significant Plan Review Comments**

1. At or before the right-of-way permit stage, the existing permanent structures (columns and fence) along Fenton Street should be removed from the right-of-way.
2. No permanent structures are allowed in the public right-of-way.

**Office of the Director**

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

Mr. Matthew Folden  
Preliminary Plan No. 120190090  
**REVISED LETTER**  
March 15, 2019  
Page 2

3. Per the Roadway Sections Plan, the existing sidewalk on Gist Avenue is 4-feet wide. All existing and proposed sidewalk along the property frontage should be a minimum of five (5)-feet wide and meet ADA standard.
4. We recommend the applicant improve the existing handicap ramps to dual ramps on the other side of the street and along their frontage to ensure ADA compliance.
5. We recommend the applicant underground all the existing utilities along the frontage except for the existing utility pole located on the east side of the proposed driveway on Sligo Avenue. Undergrounding of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. The existing utility pole located on the east side of the proposed driveway on Sligo Avenue should be relocated to meet the sight distance. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant
7. **Sight Distance:** Based on the sight distance uploaded to eplans dated January 22, 2019, we **have not** approved the sight distance and have the following comments:
  - a) Sligo Avenue:
    1. The sight distance to the left should be extended past the intersection of Sligo Avenue and Fenton Street.
    2. The line of sight to the right is limited by the existing utility pole. Since this is a traffic safety concern, the applicant shall be responsible to relocate the existing utility pole to achieve the minimum required sight distance.
    3. Prior to DPS approval of the record plat, the applicant will need to submit an updated Sight Distances Evaluation certification form, for the existing and proposed driveway(s), which indicates tree trimming/utility pole and/or removal has been completed to achieve a minimum of 200-feet of sight distance in each direction.
  - b) Gist Avenue:
    1. The sight distance to the left is limited by the proposed light pole. The proposed light pole should be relocated to achieve the minimum required sight distance.
    2. The sight distance to the left is limited by the proposed street tree. The proposed street tree should be relocated to achieve the minimum required sight distance.

Mr. Matthew Folden  
 Preliminary Plan No. 120190090  
**REVISED LETTER**  
 March 15, 2019  
 Page 3

4. Prior to DPS approval of the record plat, the applicant will need to submit an updated Sight Distances Evaluation certification form, for the existing and proposed driveway(s), which indicates tree/pole removal or relocation has been completed to achieve a minimum of 150-feet of sight distance in each direction.
8. **Traffic Mitigation Agreement**: Prior to the issuance of any building permits by MCDPS, the applicant must execute a Traffic Mitigation Agreement with this department and MNCPPC. Within MCDOT, the applicant should coordinate with Ms. Sandra Brecher, Chief, Commuter Services Section. Ms. Brecher may be contacted at 240-777-8383. The TMAg will include but not be limited to the following:
  - **Electric Car Charging**. Provide one (1) electric car charging station on site or the number required by law, whichever is greater.
  - **Bicycle Facilities**. Applicant must provide a secure weatherproof area in a conveniently-located, well-lit, high traffic part of the parking facility to house bicycles for residents and employees of the Project. Secure bicycle parking must also be provided in a location accessible for visitor use. Bicycle storage must be provided for the number of bicycle parking facilities specified in Planning Board approvals or sufficient to meet demand in the event demand exceeds the number specified. The Applicant will not charge for bicycle parking.
  - **Bike Sharing Station**. See comment below.
  - **Real Time Transit Information** – See comment below.
  - **Static Displays and Real Time Information**- Incorporate static display space into the residential lobby to provide opportunity for display of transit and other alternative transportation information. Provide a monitor in the residential lobby that displays Real Time Information feeds provided by the County.
9. **Bikeshare**. There is an existing Capital Bikeshare station immediately adjacent to the project at the corner of Fenton Street and Gist Avenue. Given that this development brings up to 85 new dwelling units and potentially new retail to the Silver Spring CBD, MCDOT recommends that the applicant be required to support the Capital Bikeshare system (or similar facility provided by the County) through the purchase of annual memberships for each initial tenant for each dwelling unit approved at the discounted rate of \$50 per membership for one year. Applicant must take other

Mr. Matthew Folden  
 Preliminary Plan No. 120190090  
**REVISED LETTER**  
 March 15, 2019  
 Page 4

actions in concert with the County to promote use of bikeshare among residents, employees and visitors at the Project.

#### **Standard Plan Review Comments**

10. **Storm Drain Analysis:** The storm drain analysis uploaded to eplans dated January 22, 2019 has been approved. No improvements are needed to the downstream public storm drain system by the applicant for this project.
11. At or before the permit stage, please coordinate with Mr. Wayne Miller of our Division of Transit Services to coordinate any improvements to the RideOn bus stop located on your site's Fenton Street frontage. Mr. Miller may be contacted at [Wayne.Miller2@montgomerycountymd.gov](mailto:Wayne.Miller2@montgomerycountymd.gov) or at 240 777-5836.
12. We recommend that the applicant coordinate with Mr. John Thomas of our Transportation Engineering Section at [john.thomas@montgomerycountymd.gov](mailto:john.thomas@montgomerycountymd.gov) or at 240-777-7240 regarding the Bikeway and Pedestrian Improvement along Fenton Street.
13. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - a. Sidewalks, handicap ramps and street trees along Sligo Avenue.
  - b. Handicap ramps, storm drainage and appurtenances and street trees along Fenton Street.
  - c. Sidewalks, handicap ramps, storm drainage and appurtenances and street trees along Gist Avenue.
  - d. The existing permanent structures (columns and fence) along Fenton Street should be removed from the right-of-way.
  - e. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
  - f. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - g. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by MCDPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to



Mr. Matthew Folden  
Preliminary Plan No. 120190090  
**REVISED LETTER**  
March 15, 2019  
Page 5

construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by MCDPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Engineer for this project at [deepak.somarajan@montgomerycountymd.gov](mailto:deepak.somarajan@montgomerycountymd.gov) or at (240) 777-7170.

Sincerely,



Rebecca Torma, Manager  
Development Review Team  
Office to Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\850 Sligo Avenue\Letter\ 120190090-850 Sligo Avenue-DOT Preliminary Plan Letter-REVISED LETTER

Enclosures: (0)

cc: Letters notebook

cc-e:	Andrew Bradshaw	Johnson Bernat Associates, Inc
	Stacy Silber	Lerch, Early & Brewer, Chtd.
	Elza Hisel-McCoy	MNCPPC Area 3
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Mark Terry	MCDOT DTEO
	Devang Dave	MCDOT DTEO
	John Thomas	MCDOT DTE
	Wayne Miller	MCDOT DTS
	Deepak Somarajan	MCDOT OTP

**820190050 850 Sligo Ave**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

**“07-SITE-820190050-SP0.0.pdf V3”** uploaded on/ dated **“1/22/2019”**,  
**“07-SITE-820190050-SP1.0.pdf V3”** uploaded on/ dated **“1/22/2019”**,  
**“08-LL-820190050-L1.00.pdf V3”** uploaded on/ dated **“1/22/2019”** and

The followings need to be addressed prior to the certification of site plan:

1. Relocate the turn restriction signs for the Gist Ave access point into the property and label this driveway is for garage only.
2. Add "standard" to the cover sheet general note 15. Although it indicates everything is per Silver Spring streetscape details there seems to be some deviations such as boulders (not acceptable and need to be removed), non-standard paving (DPW-ROW will review at the time of ROW permit), etc. A list of deviations needs to be provided for our review.
3. Proposed ramps need to be aligned with the existing receiving ramps and crossings or existing improvements need to be modified accordingly.



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**Department of Permitting Services**  
**Fire Department Access and Water Supply Comments**

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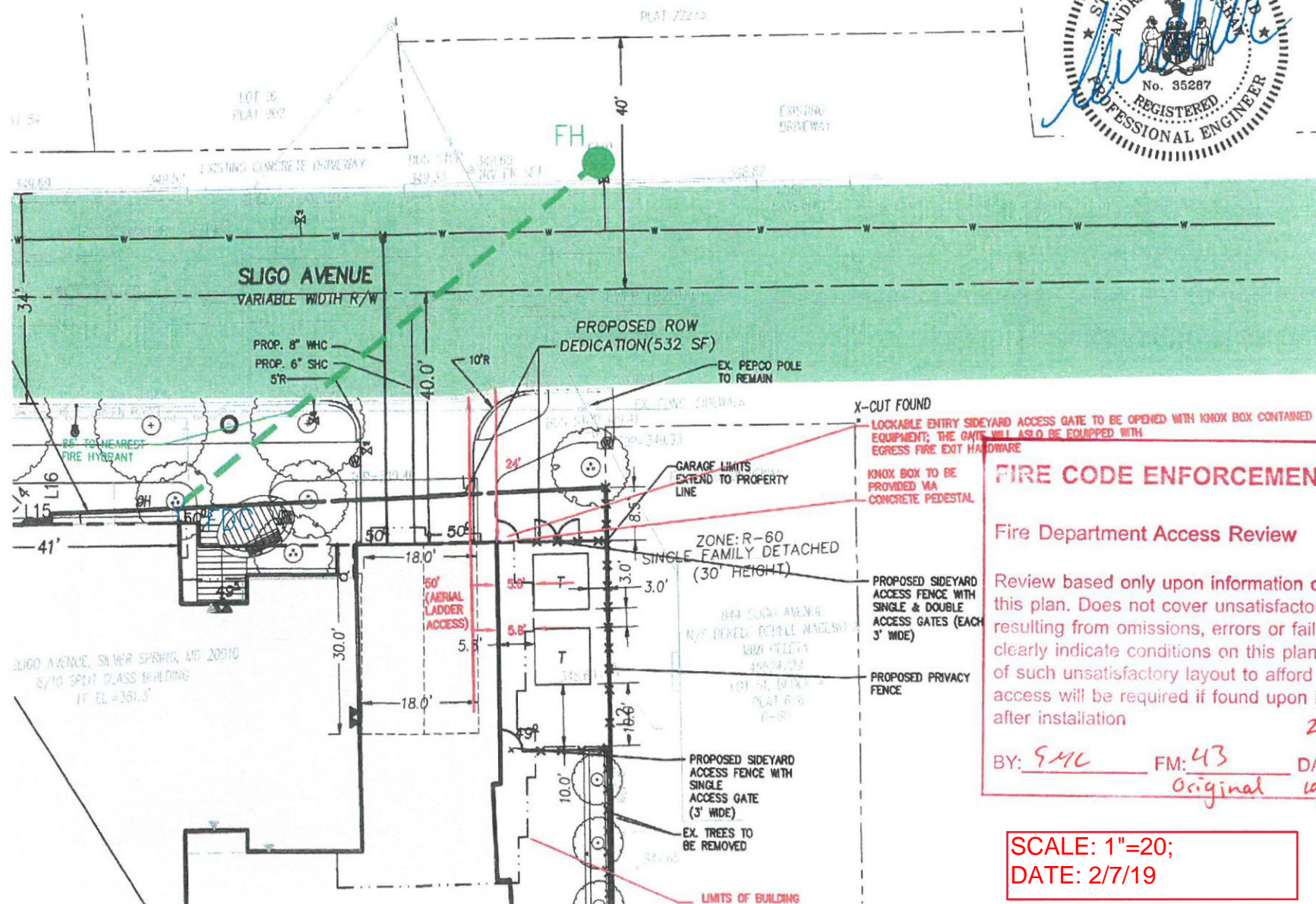
**DATE:** 09-Oct-18  
**TO:** Andrew Bradshaw - abradshaw@jba-inc.net  
Johnson Bernat Associates  
**FROM:** Marie LaBaw  
**RE:** 850 Sligo Ave  
120190090 820190050

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**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **09-Oct-18** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

**\*\*\* 2/7/2019 Amendment: added transformers at NE corner of building \*\*\***





DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Diane R. Schwartz Jones  
Director

February 11, 2019

Mr. Andrew Bradshaw, P.E.  
Johnson Bernat Associates, Inc.  
205 N. Frederick Ave., Suite 100  
Gaithersburg, MD 20877

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
850 Sligo Ave./Blair  
Preliminary Plan #: 120190090  
Site Plan #: 820190050  
SM File #: 284238  
Tract Size/Zone: 0.45 Ac./CR-3.0  
Total Concept Area: 0.59 Ac.  
Lots/Block: p/o 14, 18, 19, 25-28, 49  
Watershed: Sligo Creek

Dear Mr. Bradshaw:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via ESD to the MEP with the use of green roof and micro-bioretenention. Due to site constraints full stormwater management is not possible and a request for a partial waiver of quality and a full waiver of quantity have been granted.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Need to coordinate with DEP and DPS about preferred inspection/maintenance access to greenroof and micro-bioretenention planter box. If MCDEP does not want access through units or other points then those stormwater facilities must be removed from the plan and may be considered toward the waiver area.

This list may not be all-inclusive and may change based on available information at the time.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)



*Mr. Andrew Bradshaw, P.E.*  
*February 11, 2019*  
*Page 2 of 2*

unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: CN284238 Blair.DWK

cc: N. Braunstein  
SM File # 284238

ESD: Required/Provided 4,027 cf / 1,723 cf  
PE: Target/Achieved: 2.0"/0.86"  
STRUCTURAL: 0.0 cf  
WAIVED: 0.59 ac.



## DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
County Executive

February 14, 2019

Mr. Matthew Folden  
Area 1 Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: 850 Sligo Avenue  
Preliminary Plan No. 120190090  
Site Plan No. 820190050

Dear Mr. Folden:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval.

Because the architectural plans provided in the site plan are conceptual and include insufficient information for review, DHCA's recommendation of Approval should not be assumed to extend to the architectural plans. A more complete set of architectural plans, including unit layouts, will be required for review of the MPDU Agreement to Build. The MPDUs will need to meet the Minimum Specifications in effect at that time.

Sincerely,

Lisa S. Schwartz, Acting Manager  
Affordable Housing Section

cc: Andrew Bradshaw, JBA Inc.

S:\Files\recurring\Housing\MPDU\Developments\850 Sligo Avenue\850 Sligo DHCA Letter\_2-14-2019.docx

## Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)



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

December 29, 2017

Mr. Andrew Bradshaw  
Johnson Bernat Associates, Inc.  
205 N. Frederick Avenue  
Gaithersburg, MD. 20877

Re: Forest Conservation Exemption 42018103E; 850 Sligo Avenue

Dear Mr. Bradshaw:

Based on the review by staff of the Montgomery County Planning Department, the Forest Conservation Exemption Request submitted on December 18, 2017 for the plan identified above, is confirmed. The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(s)(1) because this activity is being conducted on a tract less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The property owner should contact this inspector before construction to verify the limits of disturbance. The property owner, construction superintendent, this forest conservation inspector, and the Montgomery County Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.

You may contact me at [david.wigglesworth@montgomeryplanning.org](mailto:david.wigglesworth@montgomeryplanning.org) or at (301) 495-4581.

Sincerely,

David Wigglesworth

Sr. Planner

Development Applications & Regulatory Coordination

CC: Andrew Bradshaw (JBA, Inc.)

[teshome@angoeri.com](mailto:teshome@angoeri.com) (Moonlight, Inc.)



## Offsite Public Open Space

## Financial Contribution Option

850 Sligo Avenue Offsite Open Space Financial Contribution					
Property Address	Net Lot (SF)	SDAT Land Value	Open Space		
			5% Net Lot (SF)	5% Land Value	\$35/ SF * 5% Net Lot
850 Sligo Avenue	19,401	\$2,418,800	970	\$120,940	\$33,950
<b>Offsite Contribution</b>				<b>\$154,890</b>	



**Exempt Class:****NONE**

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Homestead Application Information

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**Homestead Application Status:** No Application

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Homeowners' Tax Credit Application Information

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**Homeowners' Tax Credit Application Status:** No Application**Date:**

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