






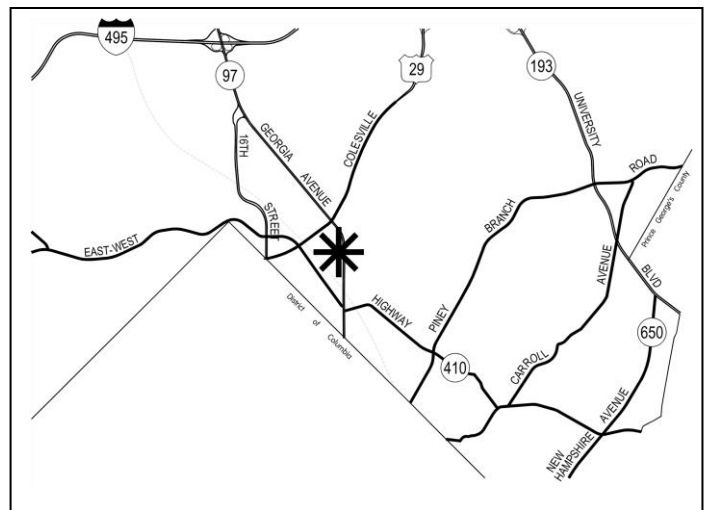
Ripley II: Sketch Plan Amendment No. 32015003B and Site Plan Amendment No. 82016007A

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Completed: 3/25/19

Description

- Amendment to increase the maximum height from 200 feet to 270 feet, revise the building and site design, within the approved density envelope and update the public benefits;
- Current use: former Progress Place facility and associated Parking Lot 20;
- Located on Dixon Avenue, approximately 150 feet south of Ripley Street;
- 1.66 gross acres zoned CR 5.0: C 4.0, R 4.75, H 200T Ripley/South Silver Spring Overlay Zone in the Ripley District of the Silver Spring CBD Sector Plan area;
- Applicant: Ripley West, LLC;
- Applications acceptance date: December 12, 2018.



Summary

- Staff recommends approval of the Amendments to the Sketch Plan and Site Plan with conditions.
- The Planning Board previously approved Sketch Plan 320150030, by resolution dated March 2, 2015.
- The Planning Board previously approved Sketch Plan 32015003A, Preliminary Plan 120160190 and Site Plan 820160070, by resolutions dated October 19, 2016.
- ZTA 17-05, which the County Council approved on October 10, 2017, amended the Ripley/South Silver Spring Overlay Zone to allow up to 270 feet in building height for provision of a supermarket or other neighborhood serving business (Section 59.4.7.3.C.3).
- The maximum density remains unchanged at 437,265 total square feet, with 419,181 square feet of residential uses in 440 dwelling units and up to 18,084 square feet of commercial uses. The additional building height is proposed to be used for both additional ceiling height for the ground-floor uses and for above-grade structured parking, which is not counted toward density limits.

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Analysis and Findings

SECTION 1: RECOMMENDATION AND CONDITIONS

SKETCH PLAN AMENDMENT 32015003B

Staff recommends approval of Sketch Plan Amendment No. 32015003B, Ripley II, to increase the maximum height from 200 feet to 270 feet (the maximum density remains unchanged) on approximately 1.66 gross acres, zoned CR 5.0: C 4.0, R 4.75, H 200T, Ripley/South Silver Spring Overlay Zone. The following condition supersedes Sketch Plan No. 320150030 Condition 2, and all other conditions remain in full force and effect:

2. Height

The development is limited to the maximum height of 270 feet.

SITE PLAN 82016007A

Staff recommends approval of Site Plan 82016007A to increase the maximum height from 200 feet to 270 feet (the maximum density remains unchanged) on approximately 1.66 gross acres in the CR 5.0, C 4.0, R 4.75, H 200T, Ripley/South Silver Spring Overlay Zone. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions. The following conditions supersedes the specific conditions of Site Plan No. 820160070 with the addition of Conditions 19 and 20, and all other conditions remain in full force and effect:

1. Sketch Plan Conformance

The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320150030 and any subsequent approvals.

5. Public Use Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 6,173 square feet of public open space (15% of the net lot area).
- b. The Applicant must construct the streetscape improvements along the Subject Property's frontage on Dixon Avenue and Silver Spring Avenue as shown on the Certified Site Plan.
- c. Prior to the issuance of final residential Use and Occupancy certificate, all public open space areas on the Subject Property's frontages must be completed.

8. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one:

a. Major Public facility

Under the terms of a Joint Development Agreement, the County transferred public parking Lot No. 20 to the Applicant, which was for the construction of a new building for Progress Place on the site of the Silver Spring Fire Station, located south of the Property, at 8110 Georgia Avenue, in accordance with Mandatory Referral No. 2015009.

b. Transit Proximity

The Subject Property is located within one-quarter mile of the Silver Spring Transit Center and Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Final area calculations must be included on the Certified Site Plan.

c. Connectivity and Mobility

i. Minimum Parking

- The Applicant must not construct more than 235 parking spaces.
 - ii. Trip Mitigation
 - a. The Applicant will enter into a binding Traffic Mitigation Agreement to reduce the number of weekday morning and evening peak hour trips to the site.
 - b. Prior to issuance of the first building permit on the Site, exclusive of any sheeting and shoring permit, the Applicant must execute a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District (TMD). The TMAg must include trip mitigation measures recommended by MCDOT.
- d. Diversity of Uses and Activities
 - iii. Affordable Housing/MPDUs
 - a. The Applicant must provide a minimum of 15% MPDUs on-site on the Subject Property.
 - b. The Applicant must provide affordable housing units in accordance with the MPDU recommendations in Montgomery County's Department of Housing and Community Affairs' (MCDHCA) letter dated February 14, 2019, which the Planning Board accepts and hereby incorporates as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.
 - c. Prior to issuance of any residential building permit, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.
- e. Quality Building and Site Design
 - i. Public Open Space

The Applicant must provide a minimum of 6,173 square feet of public open space.
 - ii. Structured Parking

The Applicant must provide structured parking in an above-grade structure as necessary to achieve 20 public benefit points using the following formula from the *Implementation Guidelines*: $[(A/P)/(A/R)] * 10$, where A=the maximum allowed spaces, R=the minimum required spaces, and P=the proposed spaces.
- d. Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations

Before issuance of any above-grade building permit, the Applicant must provide proof of purchase and/or payment equivalent of 0.96 BLTs to the MCDPS.
 - ii. Energy Conservation and Generation

The Applicant must construct the building to exceed the energy-efficiency standards for the building type by 10%. Prior to issuance of final residential Use and Occupancy certificates, the Applicant must submit to Staff a Final Energy Performance Report.

11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated January 28, 2016, and updated August 10, 2016, and March 12, 2019.

12. Building Height

The development is limited to the maximum height of 270 feet. The Applicant must provide a minimum 10,000 square foot retail bay in accordance with Section 59.4.9.13.C.1.c of the Zoning Ordinance. The retail bay must front on the public street.

19. DPS-ROW

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (MCDPS-ROW) in its letter dated February 8, 2019.

20. Off-site Forest Conservation Impacts

Prior to any off-site work on the adjacent property covered by Site Plan No. 820080150, the Applicant must amend the Final Forest Conservation Plan associated with that Site Plan approval to address any tree impacts.

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject site (Subject Property or Property) comprises the existing and now vacant Progress Place social services building and Public Parking Lot No. 20, presently located on Colonial Lane (future Dixon Avenue extended), approximately 150 feet south of Ripley Street and approximately 1,000 feet from the Silver Spring Transit Center. Currently, Dixon Avenue does not extend along the Property frontage; however, the Applicant proposes full-width dedication along its frontage with the construction of the Sector-Planned Dixon Avenue extended. The Subject Property is located in the Ripley District of the Silver Spring Central Business District (CBD) Sector Plan (Sector Plan) and Ripley/South Silver Spring Overlay Zone.

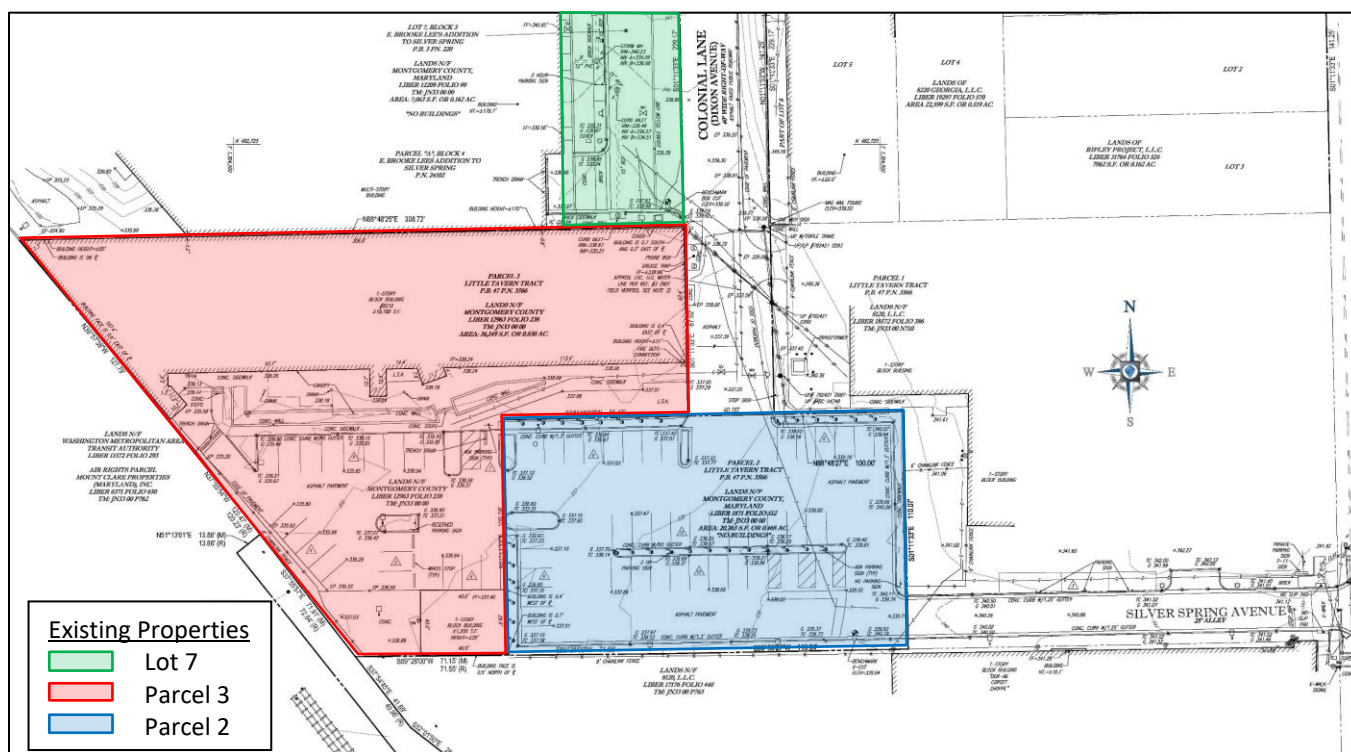


Figure 1-Existing Conditions

The Property is bound by the Metro/CSX tracks to the west, the Solaire Silver Spring high-rise residential building to the north, Dixon Avenue and Silver Spring Avenue to the east and small-scale retail and service uses to the south.

The neighborhood surrounding the Subject Property is a mix of residential and non-residential buildings. Adjacent to the Property to the west is the Metro/CXS railroad tracks, and just west of the tracks are a mid- and high-rise commercial and residential buildings. To the north is the Solaire Silver Spring, developed and owned by the Applicant, and Eleven55 Ripley, both mixed-use high-rise residential buildings. South and east of the Property, along the west side of Georgia Avenue, are a number of small-scale retail and service uses. Further south is the Silver Spring Station site, and the newly constructed Progress Place.

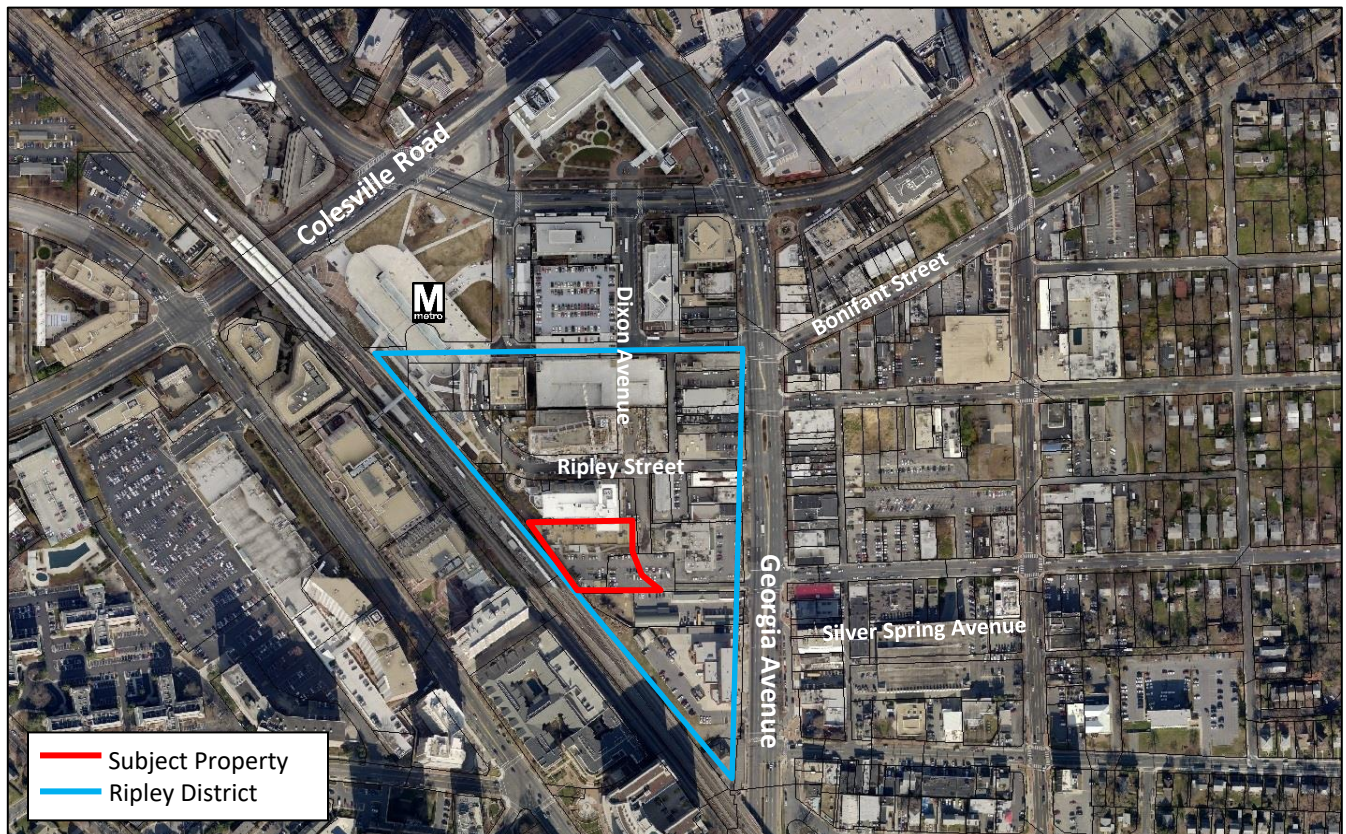


Figure 2-Aerial View

Site Analysis

The 1.66-acre Property is improved with the existing, vacant, former Progress Place building and Public Parking Lot No. 20. It is zoned CR 5.0, C 4.0, R 4.75, H 200T and Ripley/South Silver Spring Overlay Zone.

The site contains no forest, streams, wetlands, or environmental buffers. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no historic properties on site.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

Under a Joint Development Agreement with Montgomery County in exchange for ownership of County Parking Lot 20, the Applicant constructed for the County a new facility for Progress Place, a County social services provider. Located on the adjacent Silver Spring Fire Station site, the new Progress Place was reviewed by the Planning Board through Mandatory Referral No. 2015009 on February 12, 2015.

The Planning Board approved Sketch Plan No. 320150030 by Resolution dated March 2, 2015, and a subsequent Sketch Plan Amendment No. 32015003A concurrently with Preliminary Plan No. 120160190 and Site Plan No. 820160070, by resolutions dated October 19, 2016. These approvals allowed up to a total of 437,265 square feet of development, with up to 419,181.3 square feet of residential uses, for up to 440 multi-family residential units, including 15% MPDUs, and up to 18,083.7 square feet of ground-floor non-residential uses.



Figure 3-Previously Approved Site Plan: View from Dixon Avenue and Silver Spring Avenue

Zoning Text Amendment

On October 10, 2017, the County Council approved Zoning Text Amendment (ZTA) No. 17-05, to modify the Ripley/Silver Spring South Overlay Zone so that:

For a property zoned CR and mapped at 200 feet, the Planning Board may approve a maximum building height of 270 feet, if an optional method development project includes the provision of an on-site or off-site major public facility under Section 4.7.3.A and also provides a ground floor level grocery store or other qualifying basic service under Section 4.7.3.C.3 of at least 10,000 square feet of floor area. (Section 59.4.9.13.C.1.c.)

While the new section singles out a grocery store, there is no definition in Chapter 59 that defines other qualifying services. Though the *CR Zone Incentive Density Implementation Guidelines* (September 2017) does provide a number of examples. The new provision is explicit, however, that the use must have a minimum floor area of 10,000 square feet.

Proposal

Pursuant to ZTA No. 17-05, the Amendments to the Sketch Plan and the Site Plan propose to increase the maximum building height of the Project to 270 feet. The previously approved density, for up to 437,265 total square feet with up to 419,181.3 square feet of residential uses, for up to 440 multi-family residential units, including 15% MPDUs and up to 18,083.7 square feet of ground-floor non-residential uses remains the same. The

Project will provide four levels of private above-grade structured parking, private amenities and recreation, and public open space and amenities.

Building

While the building footprint has remained largely the same, the revised design uses different material textures and colors to break up the facades into smaller visual elements. From a dark masonry horizontal base that encircles the building rises a series of vertical tower elements in contrasting glass and light-colored stone/precast material. The height and mass of the building, and its location in the topography of Downtown Silver Spring, make it a four-sided building visible from all directions. The architect modulates the articulation of the tower elements in three dimensions (depth as well as surface) to give each façade a unique character within an overall hierarchy: the Dixon Avenue façade has a base of glass with the horizontal and vertical masonry and stone elements appearing as screens, while the other facades invert this relationship to use glass as the accent within the masonry base and the stone towers.



Figure 4-View from Silver Spring Avenue



Figure 5-Western building façade



Figure 6-Western building façade along the proposed Metropolitan Branch Trail

To help the ground-floor retail engage the street, the revised design features a storefront/entry element that projects from the building following the curve of the street. This masonry frame defines the street edge while “capturing” seating areas on both sides for outdoor use. For the entry points for both the retail and lobby it dynamically echoes the glass/masonry relationship of the building facades as a whole, and in addition provides attractive screening for the above-ground electrical transformers.



Figure 7-View along Dixon Avenue



Figure 8-View of retail and lobby entrances

Open Space

As discussed in the original approval, given the size of the site the Applicant is not required to provide public open space. Nevertheless, the original approval included significant public open space, which the amendment proposes to redesign to better fit the new building design discussed above and improve on the relationship to the extended Metropolitan Branch Trail through an enhanced connection from Dixon Avenue. This results in a quantitative reduction but a qualitative increase. The retail space is envisioned to have an outdoor terrace along the Trail, but this will be reserved for patrons.

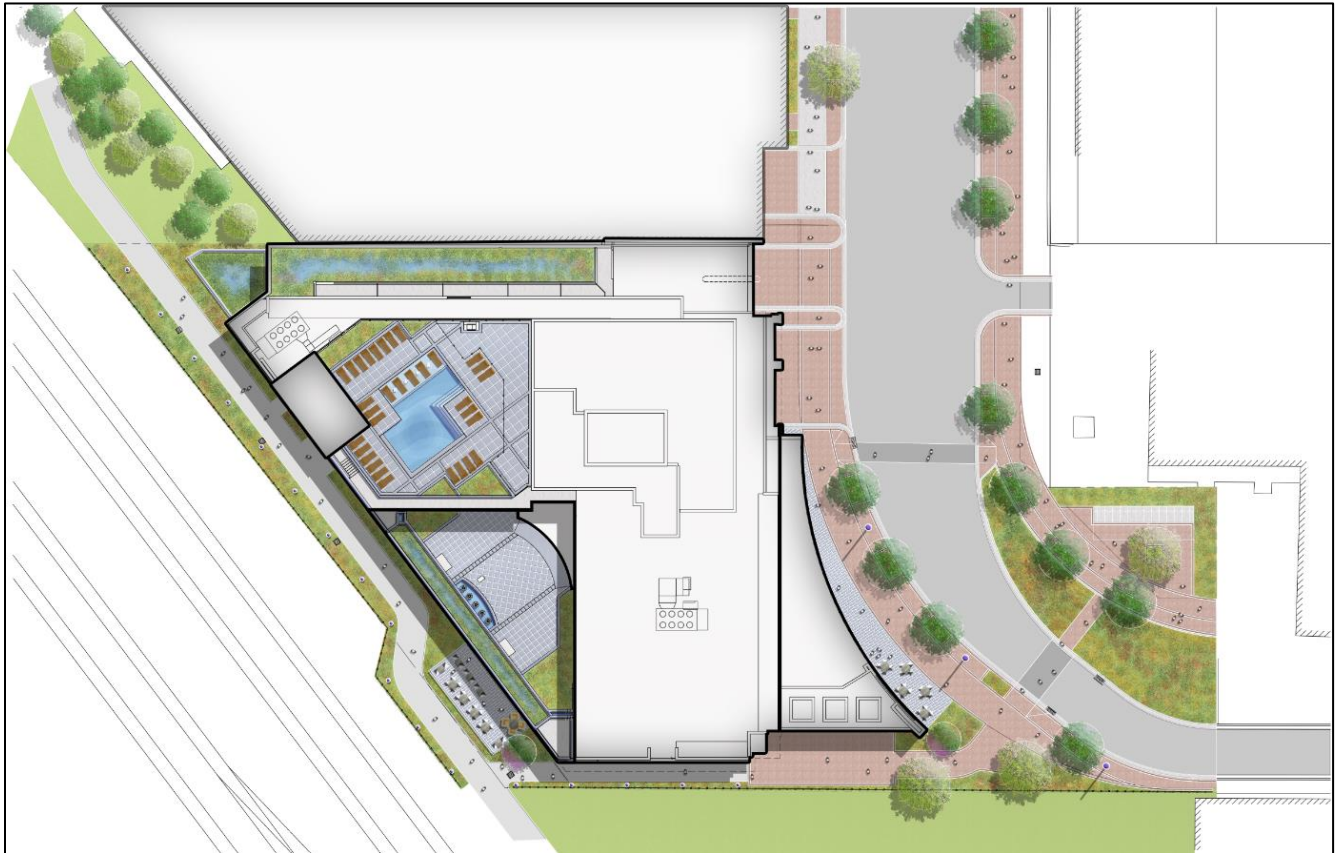


Figure 9-Conceptual Public Plaza Plan

Circulation

Access remains unchanged from the original approval and will be provided from Dixon Avenue.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On November 8, 2018, the Applicant held a pre-submittal public meeting at the Silver Spring Civic Building. Notices were sent on December 14, 2018. As of the date of this staff report, Staff has not received any correspondence on this matter.

SECTION 4: SKETCH PLAN AMENDMENT

Project Analysis and Findings

Except as discussed below, the Planning Board findings made with the approvals of Sketch Plan 320150030 and 32015003A remain valid and in full effect. Only the following findings have been affected by this Sketch Plan Amendment 32015003B.

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on: building densities; massing; heights and anticipated uses; the locations of open and public use spaces; the general circulation patterns for all modes of transportation; an estimated range of peak hour trips; and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59-7.3.3.E of the Zoning Ordinance states: "To approve a sketch plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:"

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the development standards of Section 59-4.5.4, as shown in the Site Plan Data Table.

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

Except as included below, the Application remains in conformance with the elements of this Finding included in Sketch Plan 320150030.

Urban Design

- *Create open spaces designed to form a new image for this neighborhood, and contribute to an improved visual quality along Georgia Avenue.*

The public open space plaza at the curve where Dixon Avenue meets Silver Spring Avenue provides the opportunity for a sitting and gathering space and will be the central open space for Dixon Avenue. Continuing the street wall established by recent development on the west side of Dixon Avenue, the plaza will transform the street from a service road to a Ripley District main street. The Applicant will also continue the extension of the Metropolitan Branch Trail southward, constructing that portion adjacent to the Property. The standard Silver Spring streetscape treatment (including pavers, street trees, and lighting) along the Property frontage on Dixon Avenue as well as extending on both sides of the curve where Dixon and Silver Spring Avenues meet will be provided. Further, the Applicant is voluntarily providing the Silver Spring streetscape treatment on the south side of Dixon Avenue extending up to its intersection with Ripley Street, in order to complete the streetscaping on Dixon Avenue south of Ripley Street and improve the pedestrian experience along the entirety of this portion of Dixon Avenue.

- *Building heights along Dixon Avenue and Ripley Street should contribute to an attractive street with adequate light and air.*
 - *To be in proportion with the 70- to 80-foot street widths, building height should be limited to 80 feet at the property line.*
 - *Beyond 80 feet, the building may step back and its height may be increased up to 143 feet, provided they are contained within a 2: 1 slope.*

The Application fulfills the intent of this Sector Plan recommendation and is compatible with building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue. Both the Solaire Silver Spring and Eleven55 Ripley projects were designed and constructed in ways that addressed the intent of the Sector Plan but did not adhere strictly to the step-back language of the Sector Plan.

In the case of Eleven55 Ripley, the Planning Board found that there were mitigating factors that made it impractical to explicitly conform to the step-back guideline in the Sector Plan. The parcel was constrained in depth as well as by required street dedication and infrastructure for the Ripley Street and Dixon Avenue right-of-ways and the proposed urban park. The building design featured a three-story townhouse façade on the street, with an angled tower bar above, set back from the street. The Planning Board also found that the project met the Zoning Ordinance criteria for an increase in height because it was within 800 feet of the Silver Spring Metro Station and within the Silver Spring CBD Revitalization Area; the height was consistent with the guidelines for the Property to initiate redevelopment of the Ripley District with a mixed-use development near transit that will provide interconnectivity and public open spaces; the Eleven55 Ripley Project was compatible with the existing and potential surrounding development; and the Eleven55 Ripley Project would provide significant public facilities and amenities.

In the case of Solaire Silver Spring, the Planning Board also determined that there were mitigating factors that did not require the building to conform strictly to the step-back guideline. The building design featured a tower element at the intersection of Ripley Street and Dixon Avenue and then set the building back from Ripley Street to provide a significantly deeper sidewalk that expanded into a public plaza where the Metropolitan Branch Trail and Ripley Street met. Along with the shallowness of the site and voluntary setback to accommodate a potential Purple Line tail track, the design produced a building face-to-building face distance of roughly 100 feet (30 feet greater than the ROW) across Ripley Street to the Eleven55 Ripley project. The Planning Board found that the project would further the revitalization of the Ripley District and contribute to the supply of residential choices in the Silver Spring CBD and the height was compatible with the scale of residential and commercial development across the railroad tracks, with the proposed Eleven55 Ripley development across Ripley Street, and the commercial buildings on the northern end of the Ripley District and adjacent CBD Core. The Planning Board found that while these two buildings astride Ripley Street were proposed for the maximum height of 200 feet, given their distance from lower density development west of East-West Highway, east of Fenton Street, and north of Spring Street, there was no concern about the compatibility of this design to the Fenton Village and South Silver Spring communities.

The Subject Property is similarly constrained, with the adjacent CSX railroad tracks to the west and significant portions of the Property (nearly the entirety of Parking Lot 20) being dedicated to right-of-way for the connection of Dixon Avenue to Silver Spring Avenue. The building is designed to extend the existing street wall on Dixon Avenue and providing a public plaza between the buildings and the curved rights-of-way of Dixon Avenue and Silver Spring Avenue. The public plaza to be constructed on the east side of the curve will ensure adequate light and air and will contribute to an attractive street. The Project consists of four basic forms along this eastern Property frontage: a 5-story base, an 26-story massing, stepping down to a 23-story massing and stepping further down to a 14-story massing. There is also a lower 20-foot volume at the ground level. These features are then connected by a transparent glass massing. In order to accentuate the alignment of the building base with Solaire Silver Spring and Eleven55 Ripley to the north, the 20-foot volume has been added below the tower. This volume projects out from the main facade to enhance visibility of the main retail and residential entrances from Dixon and Silver Spring Avenues. This volume has a gentle curve to complement the curvature of the street but is slightly pulled back leaving room for public open space and outdoor dining. The addition of 70 feet in height to the building, as proposed by the Amendments, does not meaningfully change the manner in which the project conforms to this Sector Plan

recommendation. The intent of this recommendation is that building heights along Dixon Avenue should contribute to an attractive street with adequate light and air. The Revised Project will make an enormous contribution to Dixon Avenue, by continuing the strong street edge and base elements established by projects directly to the north – Solaire Silver Spring and Eleven55 Ripley – and continuing the expansion of this urban street southward. It should also be noted that Solaire Silver Spring and Eleven55 Ripley were both designed and constructed in ways that addressed the intent of this Sector Plan recommendation, without strictly adhering to the language regarding specified heights and setbacks.

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

The Application is for a mixed-use project with multifamily residential units and commercial/retail uses with a building height of 270 feet, as allowed in the CR-5.0, C-4.0, R-4.75, H-200T zone and the Ripley/South Silver Spring Overlay zone. The Application has a building height of up to 270 feet, consistent with Zoning Text Amendment No. 17-05, which allows heights up to 270 feet for optional method development projects the Ripley/South Silver Spring Overlay Zone that include of an on-site or off-site major public facility and also provides a ground floor level grocery store or other qualifying basic service of at least 10,000 square feet of floor area with the current zoning of the Property.

Adjacent building heights and uses in the Ripley District include the recently completed Eleven 55 Ripley and Solaire Silver Spring to north, with heights up to 200 feet. Directly on the east side of Dixon Avenue, are small-scale retail and service uses, zoned CR-5.0, C-4.0, R-4.75, H-200T. The Application's building height provides an appropriate relation to the existing and future development in the Ripley District as it transitions from higher building heights for properties along the Metro/CSX tracks to lower heights at the edge of the Ripley District along Georgia Avenue.

As discussed in Finding 1a above, the Sector Plan made urban design recommendations for new development along Dixon Avenue and Ripley Street in the Ripley District to ensure compatibility with adjoining neighborhoods and to provide a coherent street. This urban design goal assessed compatibility in building heights based on the surrounding neighborhood. The Application is compatible with building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue. Both the Solaire Silver Spring and Eleven55 Ripley projects were designed and constructed in ways that addressed the intent of the Sector Plan but did not adhere strictly to the step-back language of the Sector Plan.

- 4. achieve compatible internal and external relationships between existing and pending nearby development;*

The building is compatible in height and scale with the existing and pending nearby development in the Ripley District. As discussed above in Finding 1d, the Application achieves compatibility with the building heights and the street edge already established by the recently constructed Solaire Silver Spring and Eleven55 Ripley projects directly to the north, along Dixon Avenue.

SECTION 5: SITE PLAN AMENDMENT

ANALYSIS AND FINDINGS

Except as discussed below, the Planning Board findings made with the approval of Site Plan 820160070 remain valid and in full effect. Only the following findings have been affected by this Site Plan Amendment 82016007A.

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a site plan, the Planning Board must find that the proposed development:*
 - a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all bindings elements of Sketch Plan No. 320150030 and subsequent amendments.

- b. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*
 - i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The Subject Project is approximately 1.66 acres, zoned CR-5.0, C-4.0, R-4.75, H-200T and Ripley/South Silver Spring Overlay Zone. The following table, shows the Application's conformance to the development standards of the zone.

Site Plan 820150130 Project Data Table				
Section 59-4	Development Standard	Permitted/Required	Approved Site Plan 820160070	Proposed Site Plan Amendment 82016007A
	Net Tract Area (sf)	n/a	41,915	41,915
	Gross Tract Area (sf)	n/a	72,335	72,335
4.5.4.B.2.b	Maximum Density (CR)	5.0 FAR (361,765 sf)	Up to 6.04 FAR (437,265 sf)	Up to 6.04 FAR (437,265 sf)
	Non-residential (C)	4.0 FAR (289,412 sf)	Up to 0.25 FAR (18,083.7 sf)	Up to 0.25 FAR (18,083.7 sf)
	Residential (R)	4.75 FAR (343,677 sf)	Up to 5.79 FAR (419,181.3 sf)	Up to 5.79 FAR (419,181.3 sf)
	Dwelling Units	n/a	Up to 440	Up to 440
	MPDUs (% / units)	12.5% / 55 units	15% / 66 units	15% / 66 units
4.5.4.B.2.b	Building Height (feet)	200	200	270
4.5.4.B.1	Min. Public Open Space (%)	0%	20% (8,383 sf)	15% (6,173 sf)
4.5.4.B.3	Min. Building Setbacks (feet)			
	East Side	0	0	0
	West Side	0	0	0
	North Side	0	0	0
	South Side	0	0	0

6.2	Parking Spaces, minimum-maximum¹			
	Residential	203-483	214	227
	Live/Work	1	1	-
	ADA Parking	7	7	7
	Van Accessible Parking	1	1	1
	Retail	64-109	-	0
	TOTAL	276-592	223	235²
	Loading, Car-share, Electric Charging Spaces, Motorcycle & Bicycle			
	Loading		2	2
	Car-share		3	3
	Electric Charging Spaces		3	3
	Motorcycle/Scooter		6	6
	Bicycle-Retail (short term)		2	2
	Bicycle-Residential (long term/short term)		110	100 (95/5)

ii. *Division 4.7. Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan Amendment proposes the following public benefits to satisfy the requirements: Major Public Facility; Transit Proximity; Connectivity and Mobility; Diversity of Uses and Activities; Quality Building and Site Design; and Protection and Enhancement of the Natural Environment.

Site Plan Amendment No. 82016007A reduces the amount of proposed open space, while still providing more than the requirement amount per the Zoning Ordinance, therefore the points have been reduced. The Amendment proposes 12 additional parking spaces, therefore the minimum parking points have been updated to reflect that change. Lastly, the Applicant cannot meet the requirements of the Trip Mitigation category, therefore Staff is recommending the points be removed. All other public benefit categories and points remain the same as approved with Site Plan No. 820160070.

Connectivity and Mobility

Minimum Parking: The Applicant was approved for 9 points for providing minimum parking at the time of Site Plan No. 820160070. This Amendment increasing the total parking spaces provided from 223 to 235, fewer than the maximum number of parking spaces permitted under the Zoning

¹ The parking minimums and maximums are based on 440 multi-family residential units, consisting of 374 market-rate units and 66 MPDUs. The final number of parking spaces may be adjusted between the minimum and maximum allowed under Section 6.2 of the Zoning Ordinance at the time of building permit based on final unit count and/or bedroom mix and square footage of non-residential uses.

² The Project is located within the Silver Spring Parking Lot District and will be subject to the parking district tax regulations in lieu of providing the full minimum parking, per compliance with Section 6.2.10 of the Zoning Ordinance, which states parking requirements within a Parking Lot District cannot be waived.

Ordinance. The layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. Based on the formula in the *Commercial/Residential Zones Incentive Density Implementation Guidelines*, Staff supports 10 points for this benefit.

Trip Mitigation: Although the Applicant is required by M-NCPPC and MCDOT to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT that includes trip mitigation measures recommended by MCDOT, at this time the Applicant cannot meet the requirements of the *Commercial/Residential Zones Incentive Density Implementation Guidelines* that state the agreement must result in a reduction of at least 50% for trips attributable to the site. Therefore, Staff recommends eliminating the points from this category. Staff recommends the Applicant continue to work towards the achieving this reduction.

Quality of Building and Site Design

Public Open Space: The Applicant was approved for 19 points for providing public open space at the time of Site Plan No. 820160070. This Amendment reduces the amount of proposed open space. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The Site Plan Amendment layout yields 6,173 square feet of additional open space above the required square feet of public use space for a total of 14.7 points. The open space will be: directly accessible to a street; open to the public; designed so that the loading or parking facilities are screened or faced with active uses, contain seating, trash receptacles, landscaping, and other amenities; be at least 35 feet wide; designed so that walls of any residential floor area facing the open space have windows on at least 60 percent of the façade between three and eight feet; and designed so that any dwelling unit facing the open space will have access to the open space. Staff supports 14.7 points for this benefit.

Structured Parking: The Applicant requests 20 points for structured parking for the parking that will be above grade. The Application proposes all parking spaces to be provided in an above-ground parking garage and the layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. Staff supports 20 points for this benefit.

Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Approved	Amended
59-4.7.3A: Major Public Facilities	70	70	70
59-4.7.3B: Transit Proximity	40	40	40
59-4.7.3C: Connectivity and Mobility			
Minimum Parking	10	9	10
Trip Mitigation	20	10	0
59-4.7.3D: Diversity of Uses and Activities			
Moderately Priced Dwelling Units	No limit	30	30
59-4.7.3E: Quality of Building and Site Design			
Public Open Space	20	19	14.7
Structured Parking	20	20	20
59-59-4.7.3F: Protection and Enhancement of the Natural Environment			
Building Lot Terminations	30	8.6	8.6
Energy Conservation and Generation	10	10	10
TOTAL		216.6	203.3

iii. Division 6.3. Open Space and Recreation

Because the Property's net lot area is less than one-half acre and the Property has only one right-of-way frontage, there is no requirement to provide any open space on-site. However, the Site Plan proposes that 15% open space will be provided, totaling 6,173 square feet.

In addition, the Project meets the active and passive recreation space required by the zone. The proposed development will provide the following on-site recreation facilities: a bike system, a swimming pool, an indoor community space, and an indoor exercise room. The development will provide adequate, safe, and efficient recreation facilities to allow residents to lead an active and healthy life.

6. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Project provides adequate, safe, and efficient parking and circulation patterns. All access, vehicular, loading, pedestrian, and bicyclist, will be provided from the Property's sole street frontage, along Dixon Avenue. These access points are oriented to keep vehicular and loading access along the northern edge of the Property, adjacent to the vehicular access for Solaire Silver Spring directly to the north, so that the southern portion of the Property can be devoted to pedestrian and bicyclist access and an inviting public plaza. The Project will provide the important Sector-Planned connection of Dixon Avenue to Silver Spring Avenue, improving overall circulation in the Ripley District.

The proposed design, scale, and façade of the Project will provide a consistent relationship with the adjacent buildings in the Ripley District, including Solaire Silver Spring and Eleven55 Ripley to the north, both mixed-use projects approved for up to 200 feet in height, the mid- and high-rise buildings to the west across the Metro/CSX railroad tracks, as well as projects that are under construction along Georgia Avenue (Ripley East, a 20-story project located at the corner of Georgia Avenue and Bonifant Street, and Studio Plaza, located east of the Property across Georgia Avenue, an 11-story project). The relationships of building massing, public spaces, and streetscape improvements in the Ripley District strengthen the identity of the Ripley District as a pedestrian-friendly destination in Silver Spring while also allowing for a compatible use of land areas and an appropriate transition between the Urban Core, the Ripley District, and eastward to Fenton Village and southward to South Silver Spring. The Project provides a safe and well-integrated building, open spaces and site amenities.

7. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

As discussed in the Sketch Plan findings above, the Site Plan substantially conforms with the recommendations of the Sector Plan.

10. on a property in all other zones, is compatible with existing and approved or pending adjacent development.

The Site Plan Amendment is compatible with other uses and other site plans, as well with existing and proposed adjacent development. The Project's design and scale is compatible the adjacent buildings in the Ripley District, the recently constructed Solaire Silver Spring and Eleven55 Ripley projects, both 17-story mixed-use projects directly to the north and the 200-foot tall Ripley East project, currently under construction.

CONCLUSION

The Application satisfies the findings under Section 59-4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the *Silver Spring CBD Sector Plan* and Ripley/South Silver Spring Overlay Zone. Therefore, Staff recommends approval of the Sketch Plan and Site Plan Amendments with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Sketch Plan 320150010 Adopted Resolution (MCPB No. 15-15)
- B. Sketch Plan 32015001A Adopted Resolution (MCPB No. 16-097)
- C. Preliminary Plan 120160190 Adopted Resolution (MCPB No. 16-098)
- D. Site Plan 820160070 Adopted Resolution (MCPB No. 16-099)
- E. FCP Exemption Letter
- F. Agency Letters