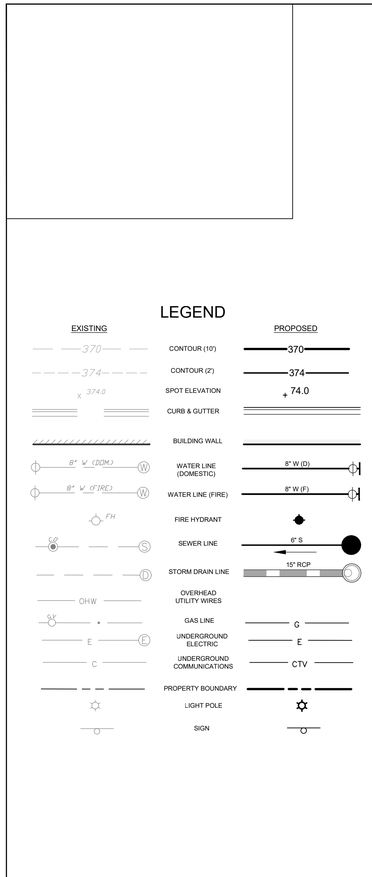
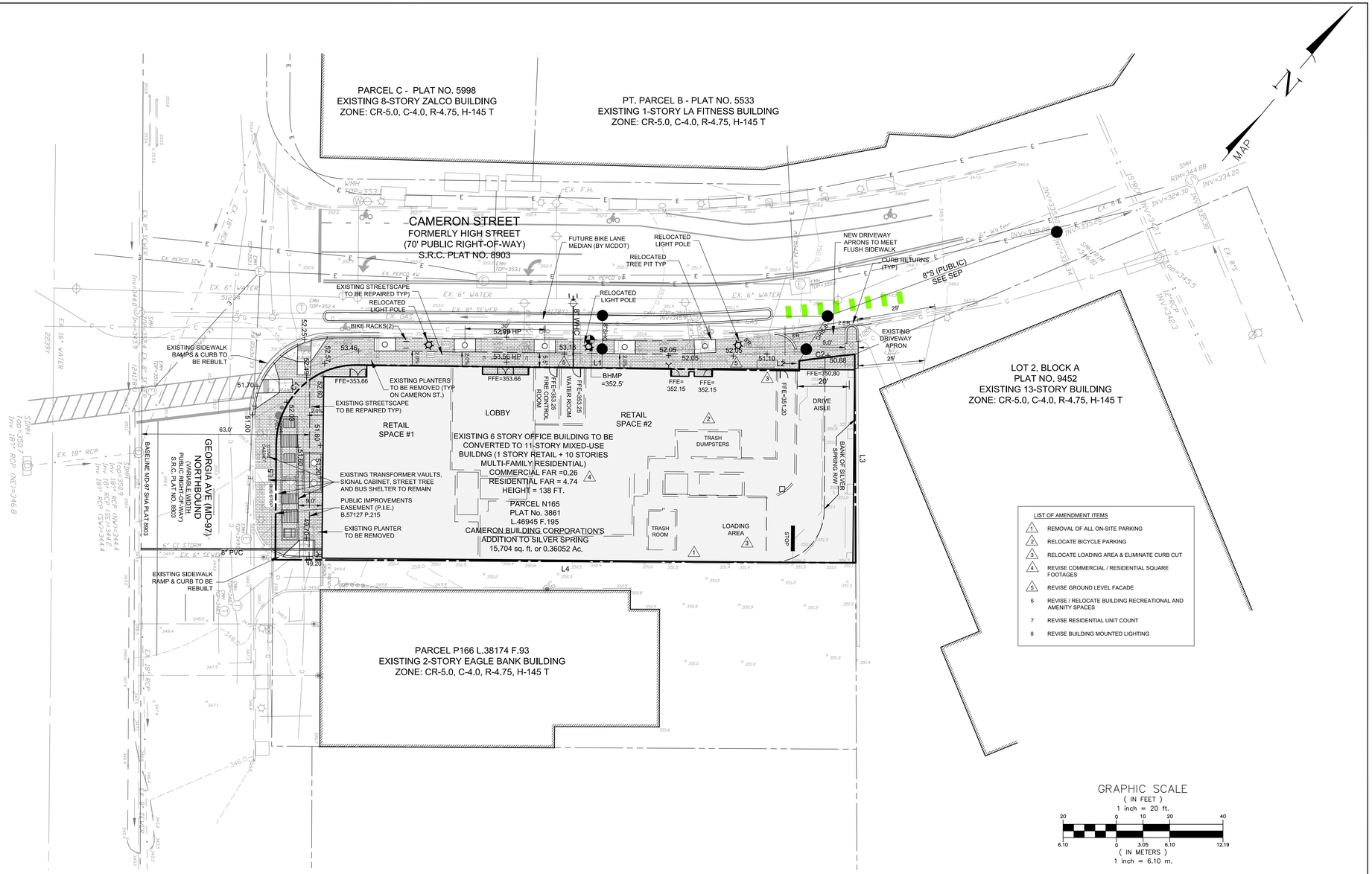
ATTACHMENT A





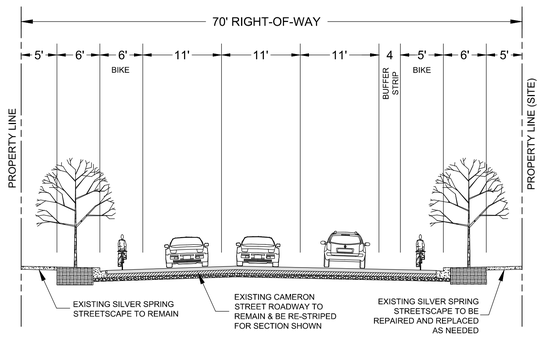
LIST OF AMENDMENT ITEMS

1	REMOVAL OF ALL ON-SITE PARKING
2	RELOCATE BICYCLE PARKING
3	RELOCATE LOADING AREA & ELIMINATE CURB CUT
4	REVISE COMMERCIAL / RESIDENTIAL SQUARE FOOTAGES
5	REVISE GROUND LEVEL FACADE
6	REVISE / RELOCATE BUILDING RECREATIONAL AND AMENITY SPACES
7	REVISE RESIDENTIAL UNIT COUNT
8	REVISE BUILDING MOUNTED LIGHTING

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.
20 0 10 20 40
(IN METERS)
1 inch = 6.10 m.
6.10 0 3.05 6.10 12.19

ABBREVIATIONS

ARCH	ARCHITECTURAL
BC	BACK OF CURB
BLDG	BUILDING
BS	BOTTOM OF STAIR
BW	BOTTOM OF WALL
CG	CURB & GUTTER\
CONC	CONCRETE
DIP	DUCTILE IRON PIPE
ELEC	ELECTRIC
EP	EDGE OF PAVING
EX	EXISTING
FC	FOREST CONSERVATION
FDC	FIRE DEPARTMENT CONNECTION
FFE	FINISHED FLOOR ELEVATION
FL	FLOW LINE
HDPE	HIGH DENSITY POLYETHYLENE PIPE
MB	MICRO-BIORETENTION
MECH	MECHANICAL
PLUM	PLUMBING
RCP	REINFORCED CONCRETE PIPE
REM	REMOVE
R/W	RIGHT-OF-WAY
SD	STORM DRAIN
S	SANITARY SEWER
SWM	STORMWATER MANAGEMENT
S/W	SIDEWALK
TBR	TO BE REMOVED
TC	TOP OF CURB
TS	TOP OF STAIR
TW	TOP OF WALL
TYP	TYPICAL
W	WATER



CAMERON STREET - TYPICAL SECTION
(PROPOSED CONDITIONS)
NOT TO SCALE

SITE PLAN NOTES

1. FIVE (5) FEET MINIMUM OF PUBLIC (WITHIN RIGHT-OF-WAY OR A PUBLIC IMPROVEMENTS EASEMENT) ADA COMPLIANT SIDEWALK SHALL BE PROVIDED BETWEEN THE BUILDING AND CURB AND GUTTER.
2. NO DESIGNATED OUTDOOR CAFE AREAS ARE PROPOSED.
3. ALL ABUTTING STREETSCAPE SHALL COMPLY WITH THE CURRENT SILVER SPRING STREETSCAPING STANDARDS.
4. ALL SIDEWALK HARDSCAPE MATERIALS INSIDE OF THE PROPERTY LINE WILL BE MAINTAINED BY THE PROPERTY OWNER.
5. MINOR MODIFICATIONS TO THE LIMITS OF DISTURBANCE SHOWN ON THE CERTIFIED SITE PLAN WITHIN THE PUBLIC RIGHT-OF-WAY FOR UTILITY CONNECTIONS MAY BE DONE DURING THE REVIEW OF THE RIGHT-OF-WAY PERMIT DRAWINGS BY THE DEPARTMENT OF PERMITTING SERVICES.

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF SITE PLAN APPROVAL NO. 82017010A INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.

DEVELOPER: GUARDIAN BUILDING ASSOCIATES, LLC (COMPANY) JED ARKIN (CONTACT PERSON)

ADDRESS: 267 KENTLANDS BLVD, SUITE 5020, GAITHERSBURG, MD 20878

EMAIL: ARKIN@ACTCOM.COM

SIGNATURE: _____

MHG
Civil Engineers
Land Planners
Landscape Architects
Land Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgpa.com

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Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland.
License No. 16905,
Expiration Date: 04.21.2022

GUARDIAN BUILDING ASSOCIATES, LLC
267 KENTLANDS BLVD
SUITE SUITE 5020
GAITHERSBURG, MD 20878
ARKIN@ACTCOM.COM

GUARDIAN BUILDING
8605 CAMERON STREET

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP JN343 210NW01

PLAT 3861

13TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PARCEL N165

CAMERON BUILDING CORPORATION'S ADDITION TO SILVER SPRING

PROJ. MGR	PGL
DRAWN BY	PGL
SCALE	1"=20'
DATE	02.17.2021

SITE PLAN 82017010A

C2.01

PROJECT NO.	16.101.11
SHEET NO.	1 OF 1

I:\16101\Dwg\SP_11_01.dwg, SP, 4/5/2021 1:31:58 PM, Copyright © 2017 Macris, Hendricks & Glascock, P.A.

DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

April 14, 2021

Ms. Grace Bogdan, Planner Coordinator
DownCounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Sketch Plan No. 32017008A
Guardian Building

Dear Ms. Bogdan,

We have completed our review of the Amended Sketch Plan uploaded to eplans on February 1, 2021. This plan was reviewed by the Development Review Committee at its meeting on February 16, 2021. We recommend approval for the plan based 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 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.

1. DOT recommends that driveways be separated from the property line by a minimum of three feet. This would allow for a pedestrian refuge between driveways of six feet, if the adjacent property owner adds a driveway also three feet away. Since the building is constructed, we will allow for a reduced dimension between the driveway and property line.
2. Contribute $48,000 towards the implementation of the separated bike lanes along the property's frontage on Cameron Street.

3. Design all vehicular access points to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
4. Applicant should be mindful that the Silver Spring Downtown Plan is currently in development.
5. Applicant should be mindful that Complete Streets is currently in development and is anticipated to go into effect in the near future. Applicant should consider designing based on the current Complete Streets draft, particularly affecting the cross-sections and strategies toward achieving the target speeds.
6. Improvements to County maintained rights-of-way will be determined at the site plan stage following review of the plan related documents.
7. Upgrade pedestrian facilities at intersections along the site frontage and at adjacent intersections to comply with current ADA standards.
8. Design all access points to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
9. Doors are not allowed to swing into the right-of-way.
10. No steps, stoops, walls or other structures are allowed in the county right-of-way.
11. Transformers or electrical vaults may not be allowed in the county right-of-way.
12. We recommend that the applicant coordinate with Ms. Patricia Shepherd of our Transportation Engineering Section regarding the bikeway improvements scheduled on Cameron Street. Ms. Shepherd can be reached at 240-777-7231 or at patricia.shepherd@montgomerycountymd.gov.
13. The right-of-way permit may include, but not necessarily be limited to the following improvements (to be determined at site plan stage):
    a. Improvements to the public right of way will be determined at the site plan stage based on a review of the additional information requested earlier in this letter.

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact Brenda M. Pardo, our Development Review Team for this project at brenda.pardo@montgomerycountymd.gov or (240) 777-7170.

Sincerely,

Brenda M. Pardo

Brenda M. Pardo, Engineer III
Development Review
Office of Transportation Policy

SharePoint\Transportation\Director's Office\Development Review\Brenda\Sketch Plan\Guardian building\Letter\32017008A-Guardian Building-MCDOT Sketch Plan Letter _04.14.20

cc: Correspondence folder FY 2021

cc-e:	Patrick La Vay	Macris, Hendricks & Glascock, P.A.
	Mark Terry	MCDOT DTEO
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Patricia Shepherd	MCDOT DTS
	Beth Dennard	MCDOT OTP
	Rebecca Torma	MCDOT OTP

MHG

USER: PGL
JOB #: 2016.101.11
DATE: 03.29.2021

COST ESTIMATE

Guardian Building (8605 Cameron Street) - Bike Median Upgrade

NO.	ITEM DESCRIPTION	APPROXIMATE QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1.	Full Depth Saw Cuts	300	LF	$6.00	$1,800
2.	Removal of Ex. Paving	600	SF	$2.50	$1,500
3.	Monolithic Concrete Island	600	SF	$10.00	$6,000
4.	Bus Stop Access Ramp	1	EA	$1,000.00	$1,000
5.	Detectable Warning Surfaces	2	EA	$250.00	$500
6.	Edge Asphalt Repair	450	SF	$10.00	$4,500
7.	2" Asphalt Mill & Overlay	4,000	SF	$4.00	$16,000
8.	Replace Vehicle Lane Striping	200	LF	$5.00	$1,000
9.	Replace Bike Lane Markings and Crossing	1	EA	$2,000.00	$2,000
		SUBTOTAL			$34,300
	PERCENT	CONTINGENCY	40		$13,720
		ROUND TOTAL			$48,000

DPS-ROW CONDITIONS OF APPROVAL April 5, 2021

82017010A Guardian Building

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan files:

"**07-BSITE-82017010A-C2.01.pdf V3**" uploaded on/ dated "**4/5/2021**",
"**07-BSITE-82017010A-C2.02.pdf V3**" uploaded on/ dated "**4/5/2021**".

The following needs to be a condition of the certified site plan:

1. Any site plan amendment that would impact County ROW would require ROW permit plans revision.

Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 27-Jun-17

TO: Patrick La Vay - plavay@mhgpa.com
Macris, Hendricks & Glascock

FROM: Marie LaBaw

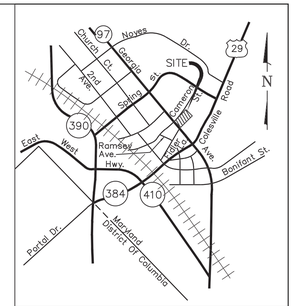
RE: Guardian Building
820170100

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **27-Jun-17** .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.

***** 5/1/2021 82017010A Revised building *****



VICINITY MAP
SCALE: 1" = 2,000'
MONT. Co. PAGE 5408 GRID F-1

EXISTING FIRE HYDRANT

CAMERON STREET
FORMERLY HIGH STREET
(70' PUBLIC RIGHT-OF-WAY)
S.R.C. PLAT NO. 8903

620'R
640'R
50'R
30'R
20.0'
23.4'
74.8'
58'

MAIN ENTRY
FIRE CONTROL ROOM
WATER ROOM
LOBBY
RETAIL SPACE #1
RETAIL SPACE #2
DRIVE AISLE
TRASH DUMPSTERS
TRASH ROOM
LOADING AREA
STOP

EXISTING 6 STORY OFFICE BUILDING TO BE CONVERTED TO 11-STORY MIXED-USE BUILDNG (1 STORY RETAIL + 10 STORIES MULTI-FAMILY RESIDENTIAL)
COMMERCIAL FAR =0.26
RESIDENTIAL FAR = 4.74
HEIGHT = 138 FT.

PROPOSED FDC

PROPOSED FDC

ZERO SETBACK CONDITION: NO NEW OPENINGS EXISTING OPENINGS TO REMAIN PER COMBUILD #872182

ZERO SETBACK CONDITION: NO NEW OPENINGS EXISTING OPENINGS TO REMAIN PER COMBUILD #872182

SIGNAL POLE
SIGNAL CABINET

MAP N

GEORGIA AVE (MD-97)
NORTHBOUND
(VARIABLE WIDTH
PUBLIC RIGHT-OF-WAY)
S.R.C. PLAT NO. 8903

GRAPHIC SCALE
(IN FEET)
1 inch = 10 ft.
10 0 5 10 20

FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from ommisions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation
BY: SMC FM: 43 DATE: 5/7/2021

MHG
Civil Engineers
Land Planners
Landscape Architects
Land Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgpa.com

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STATE OF MARYLAND
STEPHEN EDWARD CRUM
No. 16905
PROFESSIONAL ENGINEER
Digitally signed by Stephen E. Crum
Date: 2021.05.06 10:08:57-04'00'

Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland.
License No. 16905,
Expiration Date: 04.21.2022

GUARDIAN BUILDING ASSOCIATES, LLC
267 KENTLANDS BLVD SUITE SUITE 5020
GAITHERSBURG, MD 20878
KINDERBITZIN@GMAIL.COM

GUARDIAN BUILDING
8605 CAMERON STREET

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP JN343 210NW01

PLAT 3861

13TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PARCEL N165

CAMERON BUILDING CORPORATION'S ADDITION TO SILVER SPRING

PROJ. MGR	PGL
DRAWN BY	PGL
SCALE	1"=10'
DATE	02.17.2021

EMERGENCY VEHICLE ACCESS PLAN

PROJECT NO.	16.101.11
SHEET NO.	1 OF 1

I:\16101\Dwg\FM_11_01.dwg, 24x36 Border, 5/4/2021 5:18:23 PM, Copyright © 2017 Macris, Hendricks & Glascock, P.A.

ATTACHMENT C

Gallagher & Associates

8665 Georgia Avenue
Silver Spring MD 20910

T 301 656 7575
F 301 656 5455

February 8, 2021

MAR 04 2021

Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: Guardian Building (8605 Cameron Street)

Attention Planning Board,

I am writing to oppose the major amendments to the sketch and site plans for the Guardian Building at 8605 Cameron Street in Silver Spring. It is referenced as plan numbers 32017008A & 82017001A.

I am the owner of the property that is directly adjacent this site at 8665 Georgia Avenue, Silver Spring as well as a longtime resident of Montgomery County. It is critical for us to go on record with the County that at the east end of the Guardian Building (accessed from Cameron Street) is our access drive which connects to our employee parking lot as well as functions as Eagle Bank's drive-through customer service lane. Eagle Bank is a long-time tenant and just renewed their lease. The parking lot serves both Gallagher and Eagle Bank employees as well as their customers so there is considerable foot traffic in the alley directly behind the Guardian Building. As you probably know that access drive is deeded to us as a 24/7 access easement and per our lease agreement with Eagle Bank this drive through must always remain open. We would not have the option to close it during construction therefore Guardian cannot have access to our site for construction activity. The question we would ask you is how can they perform the construction while keeping both the travel lane and alley open and safe for vehicles and pedestrians?

Another concern is by removing the parking requirement for the building we believe their residents are going to park in our lot after hours and on weekends. We would not want to be in the position of constantly monitoring our parking lot for trespassers or calling tow trucks to remove the vehicles.

Finally, we just went through a similar experience with the Folger Pratt who constructed a 11-story apartment building on our southern border and their construction activity damaged our roof and parking lot to such an extent they had to replace both, and numerous vehicles were damaged during construction by the falling debris. We even closed half of our parking lot nearest the property line but objects falling from a great height still reached the vehicles (very

Gallagher & Associates

lucky it did not injury someone). We are requesting the Planning Board pay careful attention to these construction impacts so it does not gravely impact our safety and our ability to continue to operate as a long-time international business in Silver Spring.

Thank you for considering our needs as you make your decisions to change the plans for Guardian. Should you need additional information from me please contact me at 202.669-6733 or email me at PG@Gallagherdesign.com.

Regards



Patrick Gallagher
President/Owner
Gallagher & Associates LLC

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

MCPB No. 17-090
Sketch Plan No. 320170080
Guardian Building
Date of Hearing: October 19, 2017

NOV 0 2 2017

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 April 10, 2017, Guardian Building Associates, LLC ("Applicant") filed an application for approval of a sketch plan to convert an existing office building into a mixed-use project with up to 142,414 square feet of residential uses and up to 7,496 square feet of non-residential development on 0.68 acres of CR 5.0: C 4.0, R 4.75, H 145T zoned-land, located at the southeast corner of the intersection of Georgia Avenue and Cameron Street ("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. 320170080, Guardian Building ("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 October 6, 2017, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on October 19, 2017, 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, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320170080, Guardian Building, to convert an existing office building

Approved as to
Legal Sufficiency: 10/11/17
M-NCPPC Legal Department

into a mixed-use project with up to 142,414 square feet of residential uses and up to 7,496 square feet of non-residential development on the Subject Property, subject to the following binding elements and conditions:[1]

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 149,910 square feet of total development on the Subject Property.

2. Height
The development is limited to a maximum height of 145 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Incentive Density
The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I at the time of Site Plan. 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.
   a. Transit Proximity, achieved through location within 1,200 feet of the Silver Spring Metro Station;
   b. Connectivity and Mobility, achieved through minimum parking;
   c. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, public open space, and structured parking;
   d. Protection and Enhancement of the Natural Environment, achieved through building lot terminations; and
   e. Building reuse.

[1] 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.

4. Building Lot Terminations (BLTs)
   Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

5. Transportation
   The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated June 9, 2017 (as amended via e-mail dated October 19, 2017), and hereby incorporates 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 0.68 acres zoned CR 5.0, C 4.0, R 4.75, H 145T. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

Project Data Table for the CR5.0 C4.0 R4.75 H145T Zone		
Development Standard Section 59 – 4.5.4	**Permitted/Required**	**Approved**
Gross Tract Area (sf)	n/a	**29,982**
Maximum Density (CR) ***Non-residential (C)*** ***Residential (R)***	**5.0 FAR (149,910 sf)** 4.0 FAR (119,928 sf) 4.75 FAR (142,414 sf)	**Up to 5.0 FAR (149,910 sf)** Up to 0.25 FAR (7,496 sf) Up to 4.75 FAR (142,414 sf)
Building Height (feet)	145'	145'
Minimum Public Open Space (%) of Net Lot	0%	7% (1,174 sf)
Parking (spaces)		

Multi-family	Minimum 1 space/unit; Maximum 1 space/studio, 1.25 space/one bedroom, 1.5/two bedroom	TBD at Site Plan
Retail/service establishment	Minimum 3.5 space/1,000 sf GLA; Maximum 6 space/1,000 sf of GLA	TBD at Site Plan

The Application will provide the minimum required number of bicycle parking spaces within the building, which will be determined at the time of Site Plan. The final number of vehicular parking spaces will be determined at Site Plan based on the residential units and retail square footage.

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

The Project lies within the "Core" revitalization area of the 2000 *Silver Spring CBD Sector Plan*. "The Core will be rejuvenated as Silver Spring's varied and active town center, with housing, office, and retail development in a pedestrian-friendly environment, enhanced with parks and open spaces." (Sector Plan, p. 36) The Project's conversion of under-utilized office space to vibrant multifamily residential uses with street-activating non-residential uses in close proximity to the Silver Spring Metro Station will help enhance the Core area of Silver Spring. The Project provides minimal on-site vehicular parking, supporting the use of transit, bicycles, and walking in lieu of automobile transportation. The Project will improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone, and providing connectivity improvements that improve the safety and character of the existing streets.

The Sector Plan is organized around six themes, which are applicable to the Project, including transit-oriented downtown, commercial downtown, residential downtown, civic downtown, green downtown, and pedestrian friendly downtown. (Sector Plan, pp. 14-25)

Transit-Oriented Downtown
The Sector Plan identifies Silver Spring as a transportation center where regional train, bus, road and trail systems come together. (Sector Plan, p. 13) The Project will be less than a mile walking distance from the Silver Spring Metro and from the multi-modal Paul S. Sarbanes Transit Center that includes the MARC commuter rail station, WMATA Metrobus, Montgomery County Ride-On Bus service, and the University of Maryland bus. A future

Purple Line stop will be located near the Silver Spring Metro Station. The Project limits on-site parking to discourage the use of single-occupancy vehicles by residents, employees, and patrons. The existing bus stop along the Property's frontage is heavily used and will serve future residents, employees and patrons of the Project. Additionally, Bus Rapid Transit (BRT) is proposed along Georgia Avenue with a station to be established in the vicinity of the Georgia Avenue and Cameron Street intersection. The potential for BRT service at the doorstep of the Project will enhance the Sector Plan's transit-oriented vision for Downtown Silver Spring. Lastly, the Applicant will restripe Cameron Street for a bike lane to the extent required, which will encourage an additional mode of transportation to and from the Project.

Commercial Downtown
The Sector Plan's commercial downtown theme seeks to create a rejuvenated mix of commercial uses that will combine with housing and civic uses, all linked to the area by transit, to create a complete and active downtown (Sector Plan, p. 18).

"Silver Spring's location, infrastructure, and position in the metropolitan area market will continue its role as an employment center. New retail development will serve the local community with a mix of chain and independent businesses offering convenience and specialty shopping, restaurants and entertainment" (Sector Plan, p.18).

The Plan is quite specific throughout its text regarding the Core, which includes the Property, noting its objective "to recreate the Core as the active center of downtown Silver Spring, ensuring that development contributes to the Plan's vision for downtown Silver Spring" (Sector Plan, p. 4). The location of the Property in the Core of the CBD makes it an appropriate candidate for a mixed-use project. The Project's conversion of a largely vacant and significantly underutilized office building in the Core will result in 7,496 square feet of ground floor commercial uses at the Property. The ground floor commercial uses will activate the street. The addition of up to 177 multifamily residential units will create activity at this prominent corner.

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. "CBD housing choices will offer size, ownership, and location options to old and young, families and singles. Expanding the residential population will build a community that uses and supports the

CBD" (Sector Plan, p. 19). The Project will create up to 177 multifamily dwelling units with associated amenities, including a variety of housing options through provision of both market-rate units and MPDUs in an array of unit sizes. The Property's transit-oriented and pedestrian-friendly context is ideally situated for multifamily residential uses, and will contribute to the Sector Plan's vision for a residential downtown.

Civic Downtown

"Civic spaces are formal or informal, large or small, public or private-anywhere people meet, cross paths, and gather. From sidewalks to plazas, Silver Spring should have a variety of civic spaces" (Sector Plan, p. 21). The Project proposes open space along the Property's Georgia Avenue frontage, as an extension of the sidewalk area. The Applicant will also make streetscape improvements as necessary along the Georgia Avenue and Cameron Street frontages to contribute to the public realm and promote pedestrian-friendly activities at the Property. The use of transparent glass at the ground floor, along with public use space and streetscape improvements, will help to promote a civic downtown.

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 (Sector Plan, page 22). The adaptive reuse of an existing office building provides environmental benefits. The adaptive reuse of the building minimizes the need for demolition, new excavation and soil disturbance. The adaptive reuse of the existing building will require fewer materials for construction, less energy use than new construction, and reduce the need to transport materials to and from the site in connection with the Project's development.

Although, reuse of the existing office building will eliminate the impact of increased stormwater runoff from redevelopment of the Property, the redevelopment offers a rare opportunity to improve the sites impact on water quality while also offering benefits to the owners, tenants, local community, and neighborhood streams. Although the Department of Permitting Services does not require stormwater management for this Project, the Sector Plan states that, among numerous other references excerpted below, "Stormwater management is the most important environmental issue to address in the Silver Spring CBD" (Sector Plan, p. 143). The Sector Plan also recommends

the incorporation of innovative stormwater management, which has progressed significantly since the adoption of the Sector Plan.

To address the Sector Plan recommendations, the Site Plan will require a system on the roof area that is designed to slow the flow of stormwater release from the rooftop. The system must address the downspout connections from the upper roof surfaces and may consist of planter based containers which include plantings such as horsetails and/or other appropriate plant material. As conditioned, the Project furthers the Sector Plan's vision for a green downtown.

Pedestrian-Friendly Downtown
The pedestrian-friendly downtown theme of the Plan encourages the development of active streets and sidewalks, busy with people walking to shop, commute, or for pleasure. The Plan states "An urban area's greatest economic asset and strongest physical definition comes from its pedestrian environment" (Sector Plan, page 24). Pedestrian circulation will be enhanced by new sidewalks along both street frontages, replacing the existing sidewalks. These improvements will help to reduce pedestrian and vehicular conflicts and will increase the efficiency of vehicular circulation in the area. The addition of street activating commercial uses with public open space and streetscape improvements will promote pedestrian-friendly activities at the Property and the Project's proximity to transit and restrained parking supply will encourage greater use of transit, bicycles, and walking.

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 building is compatible in height and scale with the existing and pending nearby development in the downtown Silver Spring area. The Project's building height provides an appropriate relationship to the existing and future development, including the mixed-use project approved for 8621 Georgia Avenue to the south, the existing office buildings located immediately to the north and east, and both the high-rise buildings and low-rise retail buildings across Georgia Avenue to the west. The Project achieves

compatibility with the building heights and the street edge already established by the surrounding development.

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

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Project appropriately locates activating pedestrian uses along the Georgia Avenue and Cameron Street frontages. The service doors have been located at the eastern end on Cameron Street, while the retail and building entrance are located closer to Georgia Avenue. The large amount of storefront at the ground floor will enhance the pedestrian experience by showcasing the activity behind the storefront and the lighting that these spaces will provide. Vehicular and loading access will be from Cameron Street. All of the parking for the Project will be located underground.

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

Under Section 59.4.7.1.B, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines;*
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The Planning Board finds that the public benefits proposed by the Applicant as set forth in the following table are appropriate in concept and appropriate for further detailed review. Final determination of public benefit point values will be determined at Site Plan(s).

Public Benefits		
Public Benefit	**Incentive Density Points**	
	Max Allowed	**Requested**
59-4.7.3B: Transit Proximity	**50**	**30**
59-4.7.3C: Connectivity and Mobility		
Minimum Parking	**10**	**10**

59-4.7.3E: Quality of Building and Site Design		
Architectural Elevations	**20**	**10**
Exceptional Design	**10**	**5**
Structured Parking	**20**	**20**
Public Open Space	**20**	**7**
59-4.7.3F: Protection and Enhancement of the Natural Environment		
BLTs	**30**	**1**
59-4.7.3G: Building Reuse	**100**	**90**
TOTAL		**173**

Transit Proximity

The Property is located within ¼- ½ mile of the Silver Spring Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. The Applicant is requesting 30 points as suggested in the 2015 *Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

Connectivity and Mobility

Minimum Parking: The Applicant requests 10 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 10 points for providing no more than the minimum numbers of spaces on site. The maximum allowable number of on-site spaces is 257, and the Applicant is proposing to provide 24 parking spaces, although only 9 meet the Zoning Ordinance standards. The Project is also located within the Silver Spring Parking District and will be subject to the parking district tax regulations in lieu of providing the full minimum parking.

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 10 points for providing architectural elevations as part of the Certified Site Plan showing particular elements in the façade including minimum amount of transparency on the first floor, minimal spacing between operable doors, and design priorities of the applicable master plan or implementing design guidelines. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Further details and refinement to support Applicant's request will be provided at the time of Site Plan.

Exceptional Design: The Applicant requests 5 points for building or site design that enhances the character of a setting. Per the CR Guidelines, incentive density of 5 points is appropriate for development that meets at least four of the guideline criteria. The Applicant asserts that the Project

provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; and introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Further details and refinement to support Applicant's request will be provided at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for structured parking that will be below grade. The Application provides all parking spaces in a below-ground parking garage with final parking counts to be determined at Site Plan.

Public Open Space: The Applicant requests 7 points for providing public open space (no open space is required. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The conceptual layout provides 1,174 square feet of open space as an extension of the sidewalk along the Georgia Avenue frontage.

Protection and Enhancement of the Natural Environment
Building Lot Termination (BLT): The Applicant requests 1 point for the purchase of BLT easements to be purchased 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.

Building Reuse
Up to 100 points may be granted to development that (a) maintains 75% of the structural system of the existing building; (b) uses an architectural deconstruction company or organization to remove recyclable materials prior to any demolition; and (c) submits documentation showing compliance with these criteria before the County issues a building permit for a new development. The Project will retain the existing office building built in the 1950's (approximately 71,653 sq. ft.) for conversion to multifamily residential units. The Project will retain 75% of the structural system of the existing building, and ensure that an architectural deconstruction company is used to remove reusable and recyclable materials before any demolition. The Applicant requests 90 public benefit points for building reuse and further details and refinement will be provided at the time of Site Plan.

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 will 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 the Guardian Building, Sketch Plan No. 320170080, received by M-NCPPC 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 02 2017 (which is the date that this Resolution is mailed to all parties of record); and

* * * * * * * * * * * * *

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 Commissioner Cichy seconded by Vice Chair Dreyfuss, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, October 19, 2017, in Silver Spring, Maryland.

Casey Anderson, Chairman
Montgomery County Planning Board

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

MCPB No. 17-091
Site Plan No. 820170100
Guardian Building
Date of Hearing: October 19, 2017

NOV 02 2017

RESOLUTION

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

WHEREAS, on May 22, 2017, Guardian building Associates, LLC ("Applicant") filed an application for approval of a site plan to convert an existing office building into a mixed-use project with up to 142,414 square feet of residential uses for up to 177 multifamily residential units (including 12.5% MPDUs) and up to 7,496 square feet of non-residential development on 0.68 acres of CR 5.0: C 4.0, R 4.75, H 145T zoned-land, located at the southeast corner of the intersection of Georgia Avenue and Cameron Street ("Subject Property"), in the Silver Spring CBD Policy Area and *Silver Spring CBD Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820170100, Guardian Building ("Site 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 October 6, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 19, 2017, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820170100 to convert an existing office building into a mixed-use project with up to 142,414 square feet of residential uses for up to 177 multifamily residential units

Approved as to
Legal Sufficiency: _____ 10/11/17
M-NCPPC Legal Department

(including 12.5% MPDUs) and up to 7,496 square feet of non-residential development the Subject Property, subject to the following conditions:[1]

Conformance with Previous Approvals

1. Sketch Plan Conformance
   The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320170080.

Environment

2. Vegetated Roof-Water Quality
   Prior to Certified Site Plan approval, the Applicant must revise the plans to show a system on the roof area that is designed to slow the flow of stormwater release from the rooftop. The system must address the downspout connections from the upper roof surfaces and may consist of planter based containers which include plantings such as horsetails and/or other appropriate plant material to be approved by Staff.

3. Tree Save
   The Applicant must make good faith efforts to appropriately protect the 17" DBH Zelkova tree fronting the site along Georgia Avenue. However, if the tree is excessively impacted and/or removed in association with the construction activities (including access and staging), a replacement tree of the same species shall be provided in coordination with Maryland State Highway Administration (MDSHA). Prior to installing the tree, the Applicant must provide or expand the continuous soils panels per the streetscape standards.

4. Noise Attenuation
   a. Prior to issuance of a building permit, the Applicant must provide Staff with certification from an engineer specializing in acoustics that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
   b. The Applicant must provide a signed commitment to construct the units in accord with these design specifications, with any changes that may affect acoustical performance approved by the engineer and Staff in advance of installation.
   c. After construction is complete, and prior to issuance of final residential occupancy permits, the Applicant must provide staff with a certification from

[1] For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

an engineer specializing in acoustics confirming that the dwelling units were constructed in accord with the approved specifications for noise attenuation.

d. If the plan changes in any manner that affects the validity of the noise analysis for acoustical certifications and noise attenuation features, the Applicant must update the noise analysis to reflect the revised plans, and new noise attenuation features may be required.

Open Space, Facilities and Amenities

5. Public Open Space, Facilities, and Amenities
   a. The Applicant must construct the streetscape improvements including but not limited to paving, streetscape, streetlights along the Subject Property's frontage on Georgia Avenue and Cameron Street as shown on the Certified Site Plan.
   b. Prior to the issuance of final residential Use and Occupancy certificate, all streetscape on the Subject Property's frontages must be completed.

6. Recreation Facilities
   a. Prior to Certified Site Plan approval, the Applicant must demonstrate conformance with the M-NCPPC Recreation Guidelines.
   b. The Applicant must provide, at a minimum, the following recreation facilities on-site: picnic/sitting areas, an indoor community space, and an indoor exercise room, as shown on the Certified Site Plan.

7. Maintenance of Public Amenities
   The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property including, but not limited to pedestrian pathways, landscaping, hardscape, and publicly accessible recreation facilities.

8. Public Benefits
   The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the 2012 *CR Zone Incentive Density Implementation Guidelines* for each one:
   a. Transit Proximity
      The Subject Property is located within one-quarter mile to one-half 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 distance calculations must be included on the Certified Site Plan.
   b. Connectivity and Mobility
      i. Minimum Parking
         The Applicant must not construct more than 24 parking spaces, 9 of which are code-complaint parking spaces.

c. Quality Building and Site Design
   i. Architectural Elevations
   Final elevation design must be shown on the Certified Site Plan. The exterior architectural elements must be substantially similar to architectural elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
   ii. Exceptional Design
   The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.
   iii. Structured Parking
   The Applicant must provide structured 24 parking spaces (9 of which are code-compliant) in a below-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
   Prior to issuance of the any above-grade building permit (excluding demolition), the Applicant must provide proof of purchase and/or payment equivalent to 0.19 of BLTs to the MCDPS.

e. Building Reuse
   i. Prior to any demolition, the Applicant must use an architectural deconstruction company or organization to remove recyclable materials and submit documentation to M-NCPPC Staff and MCDPS evidencing that an architectural deconstruction company or organization to remove recyclable materials was used.
   ii. Prior to issuance of any building permit, the Applicant must submit documentation to M-NCPPC Staff showing compliance with the Retained Building criteria in Section 59-4.7.3.G of the Zoning Ordinance.

Transportation & Circulation

9. Transportation
   a. Prior to issuance of building permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District (TMD).
   b. As shown on the Certified Site Plan, the Applicant must install a stop bar pavement marking for egress movements out of the garage onto the private driveway. All pavement markings must comply with the 2011 Maryland Manual for Uniform Traffic Control Devices.

10. Pedestrian & Bicycle Circulation
    a. The Applicant must provide 85 long-term bicycle parking spaces and 4 short-term bicycle parking spaces. Short-term public bicycle parking must be installed near the main residential entrance to the multifamily building, as shown on the Certified Site Plan.
    b. Secure long-term bicycle parking must be installed, internal to the proposed residential building, for resident and retail employee use, and the public spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the public and private bicycle parking must be identified on the Certified Site Plan.
    c. The Applicant must provide a minimum 6-foot-wide clearance within the sidewalks along the Subject Property frontages on Georgia Avenue and Cameron Street, as shown on the Certified Site Plan.

11. Right-of way dedication
    The Applicant must dedicate along Georgia Avenue (MD 97), in a form acceptable to the Maryland State Highway Administration, the necessary dedication to provide a width of 63 feet between the property line and right-of-way centerline in support of the master-planned future right-of-way of 126 feet.

12. Department of Permitting Services
    The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services- Right-of-Way Permitting and Plan Review Section (MCDPS-RPP) in its letter dated October 19, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

13. Fire and Rescue
    The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Fire Code Enforcement Section in its letter dated June 27, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Density & Housing

14. Moderately Priced Dwelling Units (MPDUs)
    The Planning Board accepts the recommendations of Department of Housing and Community Affairs (DHCA) in its letter dated September 1, 2017, and hereby

incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

a) The development must provide 12.5 percent MPDUs on-site consistent with the requirements of Chapter 25A and the *Silver Spring CBD Sector Plan*.
b) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and DHCA must be executed.

Site Plan

15. Building Height
The development is limited to the maximum height of 138 feet, from the building height measuring point, as illustrated on the Certified Site Plan.

16. Site Design
The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

17. Landscaping
a. Prior to issuance of the final residential Use and Occupancy Certificate, all on-site amenities shown on the Certified Site Plan including, but not limited to, streetlights, sidewalks/pedestrian pathways, hardscape, benches, trash receptacles, bicycle facilities, and recreation amenities must be installed.
b. Prior to issuance of the final residential Use and Occupancy Certificate, all rooftop amenities must be installed.
c. The Applicant must install landscaping no later than the next growing season after completion of site work.

18. Lighting
a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
b. All onsite down-lights must have full cut-off fixtures.
c. Deflectors will be installed on all fixtures to prevent excess illumination and glare.

d. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

19. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit and Sediment Control Permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:

a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, fences, railings, paths and associated improvements.
c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
d. The bond or surety must be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

20. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan.

21. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

a. Include the forest conservation exemption letter, development program, Sketch Plan resolution, and Site Plan resolution on the approval or cover sheet(s).
b. Add a note stating that "Minor modifications to the limits of disturbance shown on the Certified Site Plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
c. Address all MCDPS-RPP comments, dated October 19, 2017.
d. Modify data table to reflect development standards approved by the Planning Board.
e. Ensure consistency of all details and layout between Site and Landscape

Plans.

f. No clearing, grading, or demolition of the site prior to Certified Site Plan approval.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Guardian Building, Site Plan No. 820170100, submitted via ePlans to the M-NCPPC 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 having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

   The Site Plan conforms to all bindings elements of Sketch Plan No. 320170080.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

   This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

   This section is not applicable as the Subject Property's zoning classification on October 29, 2014, was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

   a. Development Standards

      The Subject Property includes approximately 0.68 acres zoned CR-5.0, C-4.0, R-4.75, H-145T. The Application satisfies the applicable development standards as shown in the following data table:

Data Table

Site Plan 820170100 Project Data Table			
Section 59-4	**Development Standard**	**Permitted/Required**	**Approved**
	Net Lot Area (sf)	n/a	**15,704**
	Previous Dedications (sf)	n/a	**14,278**
	Gross Tract Area (sf)	n/a	**29,982**
4.5.4.B.2.b	**Maximum Density (CR)** Non-residential (C) Residential (R)	**5.0 FAR (149,910 sf)** 4.0 FAR (119,928 sf) 4.75 FAR (142,414 sf)	**Up to 5.0 FAR (149,910 sf)** Up to 0.25 FAR (7,496 sf) Up to 4.75 FAR (142,414 sf)
	Dwelling Units	n/a	Up to 177
	MPDUs (% / units)	12.5% / 23 units	12.5% / 23 units
4.5.4.B.2.b	Building Height (feet)	145	138
4.5.4.B.1	Minimum Public Open Space (%)	0%	0%
4.5.4.B.3	Min. Building Setbacks (feet)		
	East Side	0	0
	West Side	0	15
	North Side	0	0
	South Side	0	0
6.2	**Parking Spaces, minimum-maximum**[1]		
	Residential	177-212	8
	Retail	27-45	0
	Van Accessible Parking	1	1
	TOTAL	**204-257**	**9**[2]
	Loading, Car-share, Electric Charging Spaces, Motorcycle & Bicycle		
	Loading	1	1
	Bicycle-Public (short-term)	4	4
	Bicycle-Private (long-term)	85	85

[1]The Project is located within the Silver Spring Parking District and will be subject to the parking district tax regulations in lieu of providing the full minimum parking.

[2]In addition to the 9 code-complaint spaces provided, the Applicant will provide an addition 15 parking spaces with 6 sets of vertically stacked spaces (12 total) and 3 smart car spaces. The vertically stacked spaces and smart car spaces are not defined in the Zoning Ordinance and both are smaller than the standard sized spaces. The staked spaces are slightly shorter than compact spaces, but at a 20% maximum, it would only amount to a single space. Therefore, only the 9 code-compliant parking spaces are counted towards the parking provided, except to qualify for public benefit points all available spaces, including the non-code compliant spaces are considered.

Section 4.5.4.B.4 - Form Standards

The Site Plan conforms to the intent of the form standards, including transparency, blank walls and active entrances. The Project provides

significant glass features at the ground-level for transparency as well as activating features on the ground-floor level, including street activating retail uses along Georgia Avenue and Cameron Street. The Project will improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property, through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone, providing connectivity improvements that improve the safety and character of the existing streets. As conditioned, the exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

i. Division 4.7. Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan provides the following public benefits to satisfy the requirements: Transit Proximity; Connectivity and Mobility; Quality Building and Site Design; Protection and Enhancement of the Natural Environment; and Building Reuse.

Transit Proximity

The Property is located within ¼- ½ mile of the Silver Spring Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. The Board approves 30 points as suggested in the 2015 *Commercial/Residential Zones Incentive Density Implementation Guidelines* (CR Guidelines).

Connectivity and Mobility

Minimum Parking: The Project provides 24 parking space, although only 9 meet the Zoning Ordinance standards, fewer than the maximum number of parking spaces permitted under the Zoning Ordinance. In addition to the 9 code-complaint spaces provided, the Applicant will provide an additional 15 parking spaces with 6 sets of vertically stacked spaces (12 total) and 3 smart car spaces. The Applicant requests 10 points. The layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. The Board approves the Applicant's request.

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 10 points for providing architectural elevations as part of the certified site plan showing particular elements in the façade including maximizing the amount of transparency on the first floor, minimal spacing between operable doors, and design priorities of the applicable master plan or implementing design guidelines. Although the footprint of the building is predetermined by the existing building, the

massing of this footprint has been modulated on Georgia Avenue by introducing an oriel bay window at the southwest corner. The transition between the existing 6-stories and the new 5-stories is articulated with a row of recessed balconies at the seventh floor along Cameron Street. Due to the existing grades of the sidewalks and the existing first floor slab, all entrances will be on Cameron Street. The service doors have been located at the eastern end, while the retail and building entrance are located closer to Georgia Avenue. The large amount of storefront at the ground floor will enhance the pedestrian experience by showcasing the activity behind the storefront and the lighting that these spaces will provide. The entry tower element and ribbon windows incorporate a unique aesthetic that is a playful reinterpretation of the Art Deco design that Silver Spring was notable for, while the horizontal motif of solid/void is also unusual from the majority of buildings in the Silver Spring CBD. The architectural facade utilizes unique colors, textures, and materials to articulate an 11-story building with a large footprint. The Board approves the Applicant's request.

Exceptional Design: The Applicant requests 5 points for building or site design that enhances the character of a setting. Per the CR Guidelines, incentive density of 5 points is appropriate for development that meets four of the guideline criteria. The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; and introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way. The Board approves 5 points for this benefit:

- Providing innovative solutions in response to the immediate context: The street level of several buildings in the immediate area have architectural barriers at the ground floor level on Georgia Avenue that discourage retail activity and are not conducive to pedestrian traffic. The Applicant made a decision to provide a dramatic double height glass storefront along Georgia Avenue and Cameron Street to activate this prominent corner and to create visual interest and special relationships between the pedestrian and Project. This design will help to continue the revitalization of the Georgia Avenue corridor by adding desirable retail space and improving the pedestrian experience.
- Creating a sense of place that serves as a landmark: The adaptive reuse of the building gives life to an under-utilized office building, creating a new sense of place and provides an opportunity to embrace past designs while looking to the future. By transforming the existing 6-story building into a mixed use, 11-story building, the Project creates a relationship between design and sustainability. The design approach

utilizes unique colors, textures, and materials to articulate an 11-story building with a large footprint. The rich colors have a contrast to the beige/light tan palette prevalent on the surrounding buildings. The entry portal and bay is intended to serve as the building's iconic image. The retention and conversion of the existing office building to multifamily residential uses with updated ground-floor retail is both market responsive and environmentally sensitive. The reuse, rather than redevelopment, of the existing office building provides environmental benefits, enhancing the Core of Silver Spring.

- Enhancing the public realm in a distinct and original manner: The existing building is underused and mostly vacant. The building's black curtainwall glass detracts from the Silver Spring's successful steps to make its major thoroughfares more vibrant and urban. The Project's design approach proposes to re-clad the facades at the notable intersection of Georgia Avenue and Cameron Street, which provides an opportunity to create something interesting where there is presently unexceptional architecture.
- Introducing materials, forms or buildings methods unique to the immediate vicinity or applied in a unique way: The building uses unique colors and textures to help add visual interest to the character of downtown Silver Spring. Dark textured brick was chosen as a field color. The tone is tempered with flourishes of lighter accents such as the brick window surrounds, Glass Fiber Reinforced Concrete (GFRC) belt course, GFRC vertical bands and metal panels with a slight patina or a stainless steel finish. Steps were taken to soften the scale of the two large main facades through massing and articulation. The transition from existing to new structure was punctuated through recessed terraces on Cameron Street to disguise the planar offset between the existing and new floors. The entrance tower element helps to soften the scale of a long facade and provides Cameron Street with distinct image. On Georgia Avenue, the approach was to use the massing of the bay and balconies as a way to add depth and variety to the streetscape of mostly flat facades. The projecting balconies wrap the corner of the building and their railings visually tie together the railings of the recessed balconies on Cameron Street.

Public Open Space: The Applicant initially requested 7 points for providing 1,174 square feet of public open space (no open space is required) as an extension of the sidewalk from the right-of-way to the building along the Georgia Avenue frontage. However, in order to meet Sector Plan conformance of a minimum right-of-way of 126 feet along Georgia Avenue, the Applicant will be dedicating the additional right-of-way along Georgia Avenue, in a form acceptable to the Maryland State Highway Administration.

The Project will continue to improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property, through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone, but points will not be given for this public benefit since the square footage proposed as public open space will now be right-of-way dedication.

Structured Parking: The Applicant requests 20 points for below-grade structured parking. All parking spaces to be provided in a below-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. The Board approves 20 points for this benefit.

Protection and Enhancement of the Natural Environment

BLTs: Up to 30 points can be granted for the purchase of Building Lot Termination (BLT) easements or payment to the Agricultural Land Preservation Fund (ALPF). The Applicant will the purchase 0.19 BLT easements for 1 public benefit point, which the Board approves.

Building Reuse

Up to 100 points may be granted to development that (a) maintains 75% of the structural system of the existing building; (b) uses an architectural deconstruction company or organization to remove recyclable materials prior to any demolition; and (c) submits documentation showing compliance with these criteria before the County issues a building permit for a new development. The Project will retain the existing office building built in the 1950's (approximately 71,653 sq. ft.) for conversion to multifamily residential units. The Project will retain 75% of the structural system of the existing building, and ensure that an architectural deconstruction company is used to remove reusable and recyclable materials before any demolition. The development is inherently low-impact, involving the reuse of the existing building structure and cladding. The adaptive reuse of the building eliminates the need for demolition, new excavation and soil disturbance. Significantly, the adaptive reuse will require fewer materials for construction, less energy use than new construction, and reduce the need to transport materials to and from the site in connection with the Project's implementation. Although, reuse of the existing office building will decrease the impact of increased stormwater runoff from redevelopment of the Property, the redevelopment offers a rare opportunity to improve the sites impact on water quality while also offering benefits to the owners, tenants, local community, and neighborhood streams. In addition, given the Sector Plan's recommendations and the valuable opportunity to provide some level of enhancements for the receiving Sligo Creek and Rock Creek watersheds,

Staff recommends the Applicant revise the plans to show a system on the roof area that is designed to slow the flow of stormwater release from the rooftop. The system will address the downspout connections from the upper roof surfaces and may consist of planter based containers which include plantings such as horsetails and/or other appropriate plant material. The Project retains approximately 71,653 square feet of gross floor area and provides a total of 78,257 square feet of incentive gross floor area. Thus, the Applicant requests 90 public benefit points for building reuse pursuant to the formula in the CR Guidelines. The Board approves this request.

Public Benefits Calculations			
Public Benefit	**Incentive Density Points**		
	Max Allowed	**Requested**	**Approved**
59-4.7.3B: Transit Proximity	**50**	**30**	**30**
59-4.7.3C: Connectivity and Mobility			
Minimum Parking	**10**	**10**	**10**
59-4.7.3E: Quality of Building and Site Design			
Architectural Elevations	**20**	**10**	**10**
Exceptional Design	**10**	**5**	**5**
Structured Parking	**20**	**20**	**20**
Public Open Space	**20**	**7**	**0**
59-4.7.3F: Protection and Enhancement of the Natural Environment			
BLTs	**30**	**1**	**1**
59-4.7.3G: Building Reuse	**100**	**90**	**90**
TOTAL		**173**	**166**

b. General Requirements

i. *Site Access*

Access for bicyclists and pedestrians will be provided along the Property frontages on Georgia Avenue and Cameron Street. Drivers will access the parking garage via the existing driveway on Cameron Street. A new loading bay adjacent to the existing driveway will keep vehicular and loading access away from Georgia Avenue, a busy roadway for vehicles and pedestrians. The Project will improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property, through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone. The Applicant will work with MCDOT to realize the planned separated bike lanes on Cameron Street. The Project provides satisfactory

general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

ii. *Parking, Queuing, and Loading*
All access to the Project will be from the Property's street frontage Cameron Street. The entrance to the underground parking garage will be located on the northeastern edge of the Property, with the loading and service access immediate adjacent to the west of the existing driveway. All of the parking for the Project will be located underground, and the Applicant anticipates that there will be one level of parking.

The Project will include bike storage within the underground garage, as well as additional bike storage at the ground-floor level. Between these two bicycle storage areas, the Applicant will provide 85 storage spaces, which will be implemented through Cycle-Safe Wallrack System, or Staff approved equivalent, which requires a waiver from the bicycle design standards, pursuant to Section 59.6.2.10 of the Zoning Ordinance. The bike storage system meets the intent of the Zoning Ordinance and the Board approves the waiver.

iii. *Open Space and Recreation*

Because the Property's net lot area is less than one-half acre and the Property has only two right-of- way frontages, there is no requirement to provide any open space on-site. However, the Site Plan provides streetscaping along the Georgia Avenue and Cameron Street frontages, with widened sidewalks, street trees, and lighting.

In addition, the Project meets the active and passive recreation space required by the zone. The development will provide the following on-site recreation facilities: picnic/sitting areas, an indoor community space, and an indoor exercise room.

The development meets the required supply of recreation facilities based on the calculation methods in the M-NCPPC Recreation Guidelines. The development will provide adequate, safe, and efficient recreation facilities to allow residents to lead an active and healthy life.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for residents and visitors to the Project. The Project will include streetscaping along the Georgia Avenue and Cameron Street frontages, with widened sidewalks, street trees, and lighting. The building entrance will be lit by two decorative sconces, mounted on each side of the entrance. The glass canopy will also have built-in lighting. The retail spaces will be lit from within behind the large expanse of storefront glass. Building service doors will be recessed and will have an overhead, recessed light which will illuminate both the door and the alcove. The Project also includes landscaping on the rooftop in order to provide an attractive outdoor environment for use by the residents of the Project.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

   a. Chapter 19, Erosion, Sediment Control, and Stormwater Management
   This Application is exempt from Erosion, Sediment Control and Stormwater Management requirements because it will not disturb more than 5,000 square feet and under 100 cubic yards of fill.

   b. Chapter 22A, Forest Conservation
   This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1) because the proposed activity occurs on a tract of land 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.

6. *The development 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. Access for bicyclists and pedestrians will be provided along the Property frontages on Georgia Avenue and Cameron Street. Vehicular access to the parking garage is provided via the existing driveway on Cameron Street. A new loading bay is adjacent to the existing driveway to keep vehicular and loading access away from Georgia Avenue, a busy roadway for vehicles and pedestrians. All of the parking for the Project will be located underground, and

the Applicant anticipates that there will be one level of parking with numbers of parking spaces, bike storage spaces, and loading spaces.

The Project is not required to provide any public open space, however it will continue to improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property, through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone. This will help facilitate safe pedestrian and bike movements along the Property's frontages and to and from the ground floor retail uses on the Property. The Applicant's conversion of the existing office building to multifamily residential apartments, with an additional 5 floors of multifamily residential uses above, will incorporate building massing that is effectively integrated with the Project's amenities. The rooftop will include a dog run, reflecting pool, and seating areas that allow for residents to enjoy views of the Silver Spring CBD. The Project provides a safe and well-integrated building, open spaces and site amenities.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Project lies within the "Core" revitalization area of the 2000 *Silver Spring CBD Sector Plan*. "The Core will be rejuvenated as Silver Spring's varied and active town center, with housing, office, and retail development in a pedestrian-friendly environment, enhanced with parks and open spaces." (Sector Plan, p. 36) The Project's conversion of under-utilized office space to vibrant multifamily residential uses with street-activating non-residential uses in close proximity to the Silver Spring Metro Station will help enhance the Core area of Silver Spring. The Project provides minimal on-site vehicular parking, supporting the use of transit, bicycles, and walking in lieu of automobile transportation. The Project will improve upon the existing street frontages along Georgia Avenue and Cameron Street adjacent to the Property, through wide sidewalks and attractive streetscaping features, while removing existing obstructions in the pedestrian zone, providing connectivity improvements that improve the safety and character of the existing streets.

The Sector Plan is organized around six themes, which are applicable to the Project, including transit-oriented downtown, commercial downtown, residential downtown, civic downtown, green downtown, and pedestrian friendly downtown. (Sector Plan, pp. 14-25)

Transit-Oriented Downtown

The Sector Plan identifies Silver Spring as a transportation center where regional train, bus, road and trail systems come together. (Sector Plan, p. 13) The Project will be less than a mile walking distance from the Silver Spring Metro and from the multi-modal Paul S. Sarbanes Transit Center that includes the MARC commuter rail station, WMATA Metrobus, Montgomery County Ride-On Bus service, and the University of Maryland bus. The future Purple Line stop will be located near the Silver Spring Metro Station. The Project limits on-site parking to discourage the use of single-occupancy vehicles by residents, employees, and patrons. The existing bus stop along the Property's frontage is heavily used and will serve future residents, employees and patrons of the Project. Additionally, Bus Rapid Transit (BRT) is proposed along Georgia Avenue with a station to be implemented in the vicinity of the Georgia Avenue and Cameron Street intersection. The potential for BRT service at the doorstep of the Project will enhance the Sector Plan's transit-oriented vision for Downtown Silver Spring. Lastly, the Applicant will restripe Cameron Street for a bike lane to the extent required, which will encourage an additional mode of transportation to and from the Project.

Commercial Downtown

The Sector Plan's commercial downtown theme seeks to create a rejuvenated mix of commercial uses that will combine with housing and civic uses, all linked to the area by transit, to create a complete and active downtown (Sector Plan, p. 18).

"Silver Spring's location, infrastructure, and position in the metropolitan area market will continue its role as an employment center. New retail development will serve the local community with a mix of chain and independent businesses offering convenience and specialty shopping, restaurants and entertainment" (Sector Plan, p.18).

The Plan is quite specific throughout its text regarding the Core, which includes the Property, noting its objective "to recreate the Core as the active center of downtown Silver Spring, ensuring that development contributes to the Plan's vision for downtown Silver Spring" (Sector Plan, p. 4). The location of the Property in the Core of the CBD makes it an appropriate candidate for a mixed-use project. The Project's conversion of a largely vacant and significantly underutilized office building in the Core will result in 7,496 square feet of ground floor commercial uses at the Property. The ground floor commercial uses will activate the street. The addition of up to 177 multifamily residential units will create activity at this prominent corner.

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. "CBD housing choices will offer size, ownership, and location options to old and young, families and singles. Expanding the residential population will build a community that uses and supports the CBD" (Sector Plan, p. 19). The Project will create up to 177 multifamily dwelling units with associated amenities, including a variety of housing options through provision of both market-rate units and MPDUs in an array of unit sizes. The Property's transit-oriented and pedestrian-friendly context is ideally situated for multifamily residential uses, and will contribute to the Sector Plan's vision for a residential downtown.

Civic Downtown

"Civic spaces are formal or informal, large or small, public or private-anywhere people meet, cross paths, and gather. From sidewalks to plazas, Silver Spring should have a variety of civic spaces" (Sector Plan, p. 21). The Applicant will make streetscape improvements as necessary along the Georgia Avenue and Cameron Street frontages to contribute to the public realm and promote pedestrian-friendly activities at the Property. The use of transparent glass at the ground floor, along with public use space and streetscape improvements, will help to promote a civic downtown.

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 (Sector Plan, page 22). The adaptive reuse of an existing office building provides environmental benefits. The adaptive reuse of the building minimizes the need for demolition, new excavation and soil disturbance. The adaptive reuse of the existing building will require fewer materials for construction, less energy use than new construction, and reduce the need to transport materials to and from the site in connection with the Project's development.

Although, reuse of the existing office building will eliminate the impact of increased stormwater runoff from redevelopment of the Property, the redevelopment offers a rare opportunity to improve the sites impact on water quality while also offering benefits to the owners, tenants, local community, and neighborhood streams. Although the Department of Permitting Services does not require stormwater management for this Project, the Sector Plan states that, among numerous other references excerpted below, "Stormwater management is the most important environmental issue to address in the Silver Spring CBD" (Sector Plan, p. 143). The Sector Plan also recommends the incorporation of

innovative stormwater management, which has progressed significantly since the adoption of the Sector Plan.

To address the Sector Plan recommendations, the Site Plan is conditioned on a system on the roof area that is designed to slow the flow of stormwater release from the rooftop. The system must address the downspout connections from the upper roof surfaces and may consist of planter based containers which include plantings such as horsetails and/or other appropriate plant material. As conditioned, the Project furthers the Sector Plan's vision for a green downtown.

Pedestrian-Friendly Downtown

The pedestrian-friendly downtown theme of the Plan encourages the development of active streets and sidewalks, busy with people walking to shop, commute, or for pleasure. The Plan states "An urban area's greatest economic asset and strongest physical definition comes from its pedestrian environment" (Sector Plan, page 24). Pedestrian circulation will be enhanced by new sidewalks along both street frontages, replacing the existing sidewalks. These improvements will help to reduce pedestrian and vehicular conflicts and will increase the efficiency of vehicular circulation in the area. The addition of street activating commercial uses with public open space and streetscape improvements will promote pedestrian-friendly activities at the Property and the Project's proximity to transit and restrained parking supply will encourage greater use of transit, bicycles, and walking.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The development in the Site Plan will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. Since this Project will generate fewer than 50 new peak hour person trips, this Application is exempt from Local Area Transportation Review. Therefore, the Project will be served by adequate transportation facilities. Other public facilities and services are available and will be adequate to serve the Project. The Project will be served by Woodlin Elementary School, Sligo Middle School, and Einstein High School. Pursuant to the Schools Test for FY 2018, the elementary and middle schools serving the Project have adequate capacity and the high school serving the Project is inadequate, but open conditionally due to a placeholder project for a 14-classroom addition preventing this cluster from entering moratoria. Additionally, health clinics, police and fire rescue services are currently operating within the standards set by the Growth Policy Resolution currently in effect. The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-

1. The existing water and sewer lines will be adequate to serve the additional development. Dry utilities including electricity, gas, and telephone are also available to the Property.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Site Plan 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 with the existing buildings and approved or pending adjacent development, including the various nearby high-rise commercial and multifamily residential buildings. The reuse of an underutilized office building with 10 floors of multifamily residential units and ground floor retail uses is compatible with the existing and approved development in the vicinity of the Property and throughout the Core of the Silver Spring CBD. The Project's density and building heights are consistent with existing and approved development in the surrounding area. Given location of the Property, the constrained parking will encourage the use of alternative forms of transportation. The relationships of building massing and the improved streetscape along Georgia Avenue will help to further activate the street level of this location in a manner that is compatible with the surrounding urban neighborhoods in Silver Spring.

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 this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; 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 02 2017 (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

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

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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 Commissioner Cichy, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, October 19, 2017, in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board

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