

M E M O R A N D U M

March 3, 2022

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: Pamela Dunn, Senior Legislative Analyst
Livhu Ndou, Legislative Attorney

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan

PURPOSE: Worksession to develop recommendations for Council consideration

Expected Participants:

Casey Anderson, Chair, Montgomery County Planning Board
Gwen Wright, Director, Montgomery Planning Department
Elza Hisel-McCoy, Down County Chief, Planning Department
Larissa Klevan, Master Plan Supervisor, Planning Department
Atara Margolies, Planner Coordinator, Planning Department

This is the Planning, Housing, and Economic Development (PHED) Committee's first worksession on the Silver Spring Downtown and Adjacent Communities Plan. This worksession will cover the introduction to the Plan, provide a brief overview of plan-wide land use and zoning recommendations, and four of the eight districts. The following worksessions will follow the format of the plan with the next one covering the remaining four districts and the other plan-wide recommendations. The third worksession will cover transportation and school infrastructure, parks, open space, and resiliency. And the last scheduled worksession will address any other community facilities, historic resources, and Plan implementation. Testimony relevant to this report is attached on ©1-14.

Councilmembers may wish to bring their copy of the Plan to the meeting.
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Here is a link to the Planning Board Draft for those wishing to access the Plan online:

<https://montgomeryplanning.org/wp-content/uploads/2022/01/SSDAC-Planning-Board-Draft-FINAL-FOR-WEB-reduced2.pdf>

BACKGROUND

Downtown Silver Spring is located just north of the Washington, D.C. border. It is somewhat centered around the intersection of Georgia Avenue and Colesville Road and is surrounded by residential neighborhoods that are comprised primarily of single-family homes. The neighborhoods to the north, east, and west are all considered part of Silver Spring and are included within the East Silver Spring Master Plan and the North and West Silver Spring Master Plan, both from 2000. This Plan expands the boundary from the previous Sector Plan for downtown Silver Spring to include both the area formerly known as the Central Business District and what the Plan has termed the “Adjacent Communities. These are blocks located in several residential neighborhoods primarily to the north and east of the downtown (within about a 10-minute to half-mile walk from either the Silver Spring Transit Center or the Purple Line station at the Silver Spring Library). The Plan Area covers approximately 505 acres and is generally bound by Eastern Avenue to the south, 16th Street to the west, Ballard and Spring Street to the north, and portions of the Seven Oaks-Evanswood and East Silver Spring neighborhoods to the east.

Silver Spring is renowned for its uniqueness and diversity, as well as for its wealth of locally owned and ethnically diverse small businesses that include restaurants, bars, cafes, and coffee shops. The revitalization of Silver Spring was spurred by the 2000 Silver Spring Central Business District Sector Plan and related initiatives by the public and private sector. The 2000 plan came on the heels of a failed proposal to build a large mega-mall and indoor water park in the Ellsworth District. In the wake of the mega-mall proposal, county leaders regrouped and reconsidered what steps would be needed to attract private investment to the downtown core. The resulting public-private partnership was in many ways tremendously successful, and it has brought people from all over the region to work, live, play, and enjoy Silver Spring.

VISION

The Downtown Silver Spring of the future is diverse, distinctive, and thriving. The Plan envisions it as a great place to work, do business, and enjoy the arts. Home to small independent businesses, cutting-edge tech companies, hubs for science and research, educational institutions, and arts organizations. Downtown Silver Spring will remain unique, affordable, and attractive to people of all ages and backgrounds. New open spaces will promote a healthier community that is better connected and characterized by green, climate-resilient, walkable streets that are safe and comfortable for everyone.

PLAN GOALS

To achieve this vision, the Plan focuses on strengthening the existing success of Silver Spring and supporting growth and development in the emerging areas of the downtown. The Plan’s goals and recommendations are said to aim for equitable economic and civic outcomes by reinforcing one or more of the Plan’s key values: diversity, connectivity, resiliency, and community health.

Diversity:

- Strengthen the unique retail market in Silver Spring with its diverse mix of independent stores, restaurants, and arts and entertainment experiences.
- Provide more diverse housing types and preserve existing affordable units to serve individuals and families of all ages, incomes, and backgrounds.
- Celebrate the past, present, and future of the diverse cultures that are part of the Silver Spring community.

Connectivity:

- Enhance and reinforce the pedestrian and bicycle networks throughout the Plan area to reduce automobile dependence.
- Create a green network of priority streets and public open spaces that connects neighborhoods and meets the needs of both people and the environment.
- Safely connect communities across the Metrorail tracks to increase accessibility to all downtown neighborhoods.

Resiliency:

- Support sustainable economic growth and resiliency through flexible zoning, development incentives, and public realm improvements.
- Reduce impacts of climate change through sustainable strategies for buildings and streetscapes.

Community Health:

- Create more active recreation opportunities through parks and public spaces, as well as opportunities for social gathering and enjoyment of nature.
- Provide a healthier, cooler, more comfortable pedestrian experience along streets and in open spaces.

PLAN-WIDE LAND USE AND ZONING

The Plan lays out each district, establishing the identity of each district and the recommendations specific to these individual areas before providing Plan-wide recommendations. As the Plan states, it provides an individual vision for each district that, when linked together, make up the overarching vision for Silver Spring as described above. This staff report intends to follow the format provided in the Plan. However, a brief explanation of a couple key concepts is necessary to provide context for certain district-specific recommendations.

1. Building Height Incentive Zone

The Plan recommends establishing a Silver Spring Downtown Building Height Incentive Zone (BHIZ), to allow Commercial/Residential (CR)-zoned properties pursuing Optional Method Development to increase building heights by up to 150 percent of the mapped height to a maximum of 300 feet. Approved height will be subject to a Design Review process through the Design Advisory Panel.

The Plan also recommends that for certain properties identified in the Metro Center District and the Ripley District, the Planning Board may approve an increase in building height up to 360 feet. The increase in height must be consistent with the recommendations of the Sector Plan and Design Guidelines, and subject to the Design Review process through the Design Advisory Panel.

According to the Plan, the maximum height on properties throughout the plan have been increased by at least 20 percent in response to eliminating the existing “T” designation.

2. Connectivity and Infrastructure Fund

The Plan establishes a Connectivity and Infrastructure Fund (CIF) for Commercial/Residential (CR) properties in the Plan Area that need additional density to reach the mapped maximum

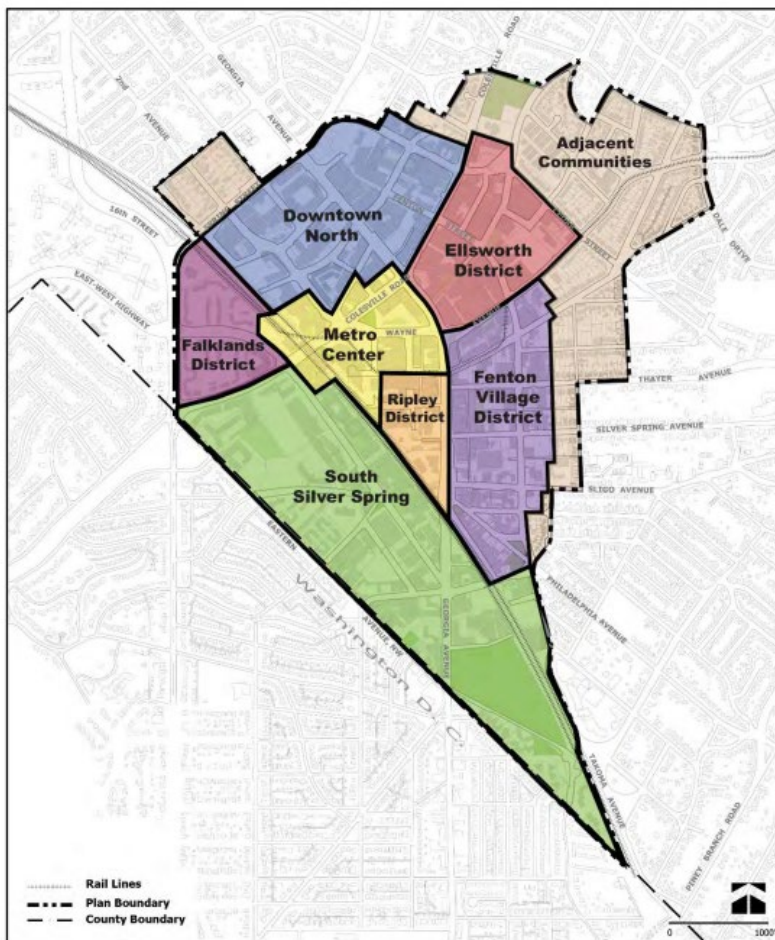
building height, or additional height approved for a property in the Building Height Incentive Zone (BHIZ). The additional density can be obtained by making a contribution to the CIF. Contributions will be made only for density above the total mapped maximum density for the site, density approved per density-averaging, and/or bonus density for providing Moderately Price Dwelling Units (MPDUs) above the required minimum, up to the approved maximum height.

The Plan recommends equalizing the Commercial and Residential Density values in CR zones for maximum flexibility in future redevelopment. It retains the existing Total density on most properties, primarily limiting increases in density to correct non-conforming properties.

A thorough evaluation of these concepts will be provided as part of the review of plan-wide recommendations that follow the district-specific recommendations.

DISTRICTS

Silver Spring is home to several distinct neighborhoods within the downtown and the surrounding residential area. Each neighborhood, or district, has its own unique characteristics that contribute to the diversity of Silver Spring. Below is a map of the Districts that make up Downtown Silver Spring and the Adjacent Communities:



DISTRICT RECOMMENDATIONS

1. *Downtown North District*

Vision:

The area north of Colesville Road includes a mix of housing types, commercial, institutional, and civic uses, as well as retail and entertainment uses including the Fillmore concert venue. Downtown North will build on the connection between the state-of-the-art South County Regional Recreation and Aquatic Center and the world-renown United Therapeutics campus to create a unique health- and health sciences-focused district.

Goals:

- Encourage redevelopment of under-utilized parcels including existing public parking garages and surface lots by increasing zoning flexibility and incentivizing additional height and FAR where appropriate.
- Connect the east and west sides of the Downtown North District via Cameron Street. The Plan envisions Cameron Street as a new Complete Street, with neighborhood-supporting retail and community amenities.
- Promote infill development on either side of Georgia Avenue north of Colesville Road.
- Improve the road network in this district by extending existing connections or creating new connections to divide super blocks and create a more cohesive urban fabric.
- Support the expansion of life-sciences and other bio-tech related industry facilities in the district.
- Promote active ground floor uses in all redevelopment projects, whether retail, community use, or arts focused.

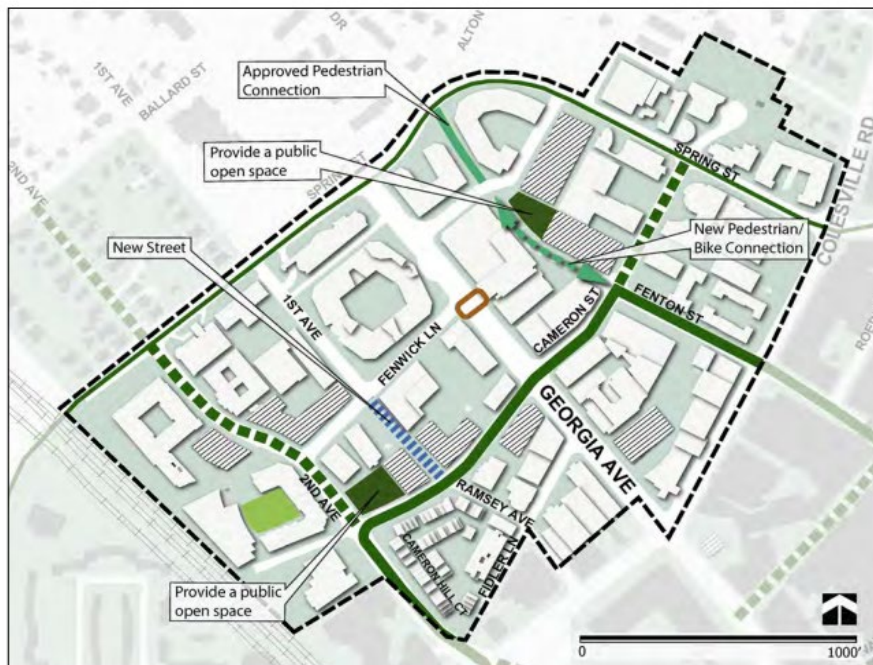
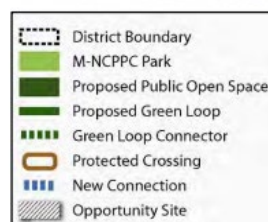


Figure 22. Downtown North: Illustrative Diagram



Recommendations:

Urban Design

- At infill redevelopment sites along Georgia Avenue provide active ground floor uses.
- Implement the Green Loop concept along Cameron Street between Fenton Street and 2nd Avenue as a key component of the Central Green Loop. Cameron Street between Fenton Street and Spring Street should be a Green Loop connector with some elements of the Green Loop implemented as feasible.
- Implement Green Loop elements along Spring Street as part of the secondary Outer Loop.
- Increase public open spaces and community gathering opportunities in this district through development projects on existing opportunity sites.
- Improve pedestrian crossings on Georgia Avenue north of Colesville Road.
- Provide public through-block connections throughout the district to enhance walkability and connectivity between long or super blocks.

Council Staff supports the Urban Design recommendations for the Downtown North district; however, a review of the Green Loop will occur at a later worksession. Following that review, edits to the Green Loop references in these sections may be needed for consistency.

Parks and Public Spaces

- Create an Urban Recreational Park proximate to Cameron Street and 2nd Avenue to support the increased level of activity and number of occupants in this area as a result of the new mixed-use project that includes residential towers over a new County Recreation Center. This park's direct connection to the Green Loop via Cameron Street will complement other active facilities in the Plan, including the Recreation and Aquatic Center across the street.

Council Staff supports the Parks and Public Spaces recommendation for the Downtown North District.

Opportunity Sites

- Parking Garage 7: Redevelop this existing garage in collaboration with the Parking Lot District. Extend 1st Avenue south through the site to align with Ramsey Avenue where it intersects with Cameron Street. The Plan recommends that any new development at this location should include neighborhood-serving retail on the ground floor and incorporate a public open space that is accessible to all.
- Parking Garage 2: This garage can also be redeveloped in collaboration with the Parking Lot District. The Plan recommends continuing Fenton Street north through the site as a pedestrian and bicycle connection to align with the through-block connection under construction at the 8787 Georgia Avenue site. Active ground floor uses should front on both Cameron Street and Spring Street.
- Additional opportunity sites in this district include: 8615 Georgia Avenue, 8676 Georgia Avenue, 8600-8606 2nd Avenue, 1323 Fenwick Lane, and 1327 Fenwick Lane.

Council staff supports the recommendations for the Downtown North Opportunity Sites.

Zoning

- Equalize Commercial and Residential Density Values in CR zones for maximum flexibility in future redevelopment.

- Correct zoning to bring existing non-compliant parcels into conformance.
- Parcels in Building Height Incentive Zone are able to achieve heights above the maximum mapped zoning per the BHIZ specifications.

Below is the proposed zoning map for the Downtown North District. The table that follows lists current and proposed zoning for each numbered property/block.

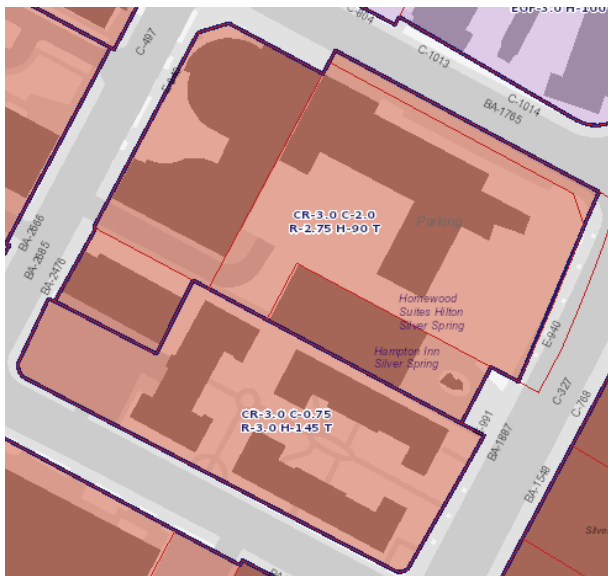


Map 12. Proposed Downtown North Zoning

Table 6. Proposed Downtown North Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
56	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
57A	CR-3.0 C-1.25 R-3.0 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.
57B	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
58A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
58B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.75 C-6.75 R-6.75 H-175	Adjust zoning to bring parcel into conformance.
59	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
60	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
61	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
62	CR-5.0 C-1.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
63A	CR-5.0 C-1.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
63B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
64	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
65A	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
65B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
65C	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-175	Adjust zoning to bring parcel into conformance.
65D	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
65E	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110	Increase flexibility for future mixed-use development.
66	EOF-3.0 H-100	CR-3.0 C-3.0 R-3.0 H-100	Update to CR zone from pre-2014 EOF zone.
67	CR-3.0 C-0.75 R-3.0 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.
68A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
68B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-175	Adjust zoning to bring parcel into conformance.
68C	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.

Correction: Table 6 indicates the existing zoning for Map Number 67 is CR-3.0 C-0.75 R-3.0 H-145 T; however, this section of the map actually has two different existing zoning classifications.¹ While the southern area is CR-3.0 C-0.75 R-3.0 H-145 T, the northern area is CR-3.0 C-2.0 R-2.75 H-90 T.

¹ Under Section 4.5.2.A. of the zoning ordinance: the number following the classification is the maximum total FAR allowed unless additional FAR is allowed under Section 4.5.2.C or Section 4.5.2.D; the number following the C is the maximum nonresidential FAR allowed, unless additional FAR is allowed under Section 3.5.8.D; the number following the R is the maximum residential FAR allowed unless additional residential FAR is allowed under Section 3.5.8.D, Section 4.5.2.C, or Section 4.5.2.D; and the number following the H is the maximum building height in feet allowed unless additional height is allowed under Section 3.5.8.D, Section 4.5.2.C, Section 4.5.2.D, or Section 4.5.2.A.2.e.



Therefore, Table 6 should read:

Map Number	Existing Zoning	Proposed Zoning	Justification
67A	CR-3.0 C-2.0 R-2.75 H-90 T	CR-3.0 C-3.0 R-3.0 H-110 ²	Increase flexibility for future mixed-use development.
67B	CR-3.0 C-0.75 R-3.0 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.

Council Staff supports the Zoning recommendations for the Downtown North District.

2. Ellsworth District

The Ellsworth District is the heart of Silver Spring. It is the primary activity center where people from all over the county and the region come to shop, eat, enjoy entertainment, and just hang out. Veterans Plaza and Ellsworth Place are some of the most successful public spaces in the area; festivals, music events, and a farmers' market regularly take place here. The Ellsworth District will continue to be the active heart of downtown Silver Spring, with a greener public realm and exciting flexible public spaces that connect Georgia Avenue to Cedar Street.

Goals:

- New development should strengthen the Civic Building and Veterans Plaza as a primary center of activity and gathering for residents and visitors to Silver Spring.
- Improve the pedestrian connection to Ellsworth Place from the intersection of Colesville Road and Georgia Avenue.
- Improve the existing public spaces and pedestrian realm by expanding the area where vehicle access is limited.
- Provide additional green public space through new development opportunities.
- Redevelop remaining opportunity sites in the district, maintaining the predominant retail and commercial development pattern.

² The proposed height is consistent with the increase in height proposed for other properties with a current height of 90 feet.



Recommendations:

Urban Design:

- New buildings along Colesville Road and Wayne Avenue should include a tower setback above the second floor to continue the pedestrian experience along the sidewalk of a low- to mid-rise building form.

While Council Staff recognizes the benefits of creating a comfortable pedestrian-scale “feel”, additional flexibility may be needed to appropriately scale commercial development. Council Staff recommends allowing a larger story base, with Planning Board approval, where existing abutting and confronting properties are taller than two stories. For example, there are several locations along Colesville Road where abutting and confronting properties are several stories tall. It seems appropriate to allow the Planning Board to approve a building with a low-rise base that may be taller than 2 stories.

- Establish Ellsworth Drive between Fenton Street and the exit from the Towne Square Garage as a “flexible street” that can be closed for a farmer’s market and other festivals and outdoor events as an expansion of Veterans Plaza. Vehicle traffic would be limited to loading and emergency vehicles, and street parking could be removed or limited.

Council Staff supports the Urban Design recommendations for the Ellsworth District.

Parks and Public Spaces:

- Support continued work with the Maryland Historical Trust on appropriate improvements to the parking lot at the Silver Spring Shopping Center to better draw pedestrians through the lot into the Ellsworth Place pedestrian mall.

- Provide a Neighborhood Green with the redevelopment of the parking lot at the Whole Foods/Ace Hardware retail development.

Council Staff supports the Parks and Public Spaces recommendations for the Ellsworth district.

Opportunity Sites:

- Parking Lot at Whole Foods/Ace Hardware: The Plan recommends redeveloping this surface parking lot with a mix of uses, structured parking, and a green open space connecting Veterans Plaza to Wayne Avenue.
- 8807 Colesville Road: The Plan recommends redevelopment of this gateway site with the greatest height along Colesville Road and stepping down along Spring Street towards Ellsworth Drive. Redevelopment of this site should consider the views of this site from Colesville Road and Spring Street.
- Ellsworth Drive and Spring Street: The former home of the National Ready Mixed Concrete Association, this now-vacant site will partner with the Citron multi-family development as the residential gateway for the district. The scale of the development should respond to both the taller buildings on the west side of Spring Street as well as the single-family buildings across the intersection.
- 8551 Fenton Street³: Opportunity site at the corner of Fenton Street and Colesville Road.
- Parking Lot at Ellsworth Plaza: Refer to Section 3.9.1 in the Historic Resources section on appropriate approach for improving this parking lot.

Testimony: The Council received a letter from Ms. Sears on behalf of the property owner of 8551 Fenton Street. She requested additional language be added to the bullet designating this property as an Opportunity Site which would read “Redevelopment of this site would be appropriate for a tall building.”⁴

Council staff supports the recommendations for the Ellsworth Opportunity Sites. As for the additional language for 8551 Fenton St., this property is in the Building Height Incentive Zone, which would allow for a height of greater than 250 feet. Because it is in the BHIZ, Council staff does not believe the additional language is necessary and may lead to confusion when this additional language related to height is not referenced for all properties in the BHIZ.

Zoning:

- Equalize Commercial and Residential Density Values in CR zones for maximum flexibility in future redevelopment.
- Rezone existing EOF properties to CR.
- Parcels in the Building Height Incentive Zone are able to achieve heights above the maximum mapped height per specifications of the BHIZ.

³ The Plan referred to this property as 8551 Colesville.

⁴ The letter by Ms. Sears also mentioned the impact of the Building Height Incentive Zone (BHIZ) and the Connectivity Infrastructure Fund. These concepts will be addressed in the review of Plan-wide recommendations.



Map 7. Proposed Ellsworth District Zoning

Table 1. Proposed Ellsworth District Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
1A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
1B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
1C	CR-3.0 C-2.0 R-2.75 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.
1D	CR-3.0 C-2.0 R-2.75 H-145 T	CR-6.0 C-6.0 R-6.0 H-145	Proposed zoning brings parcel into conformance.
2A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
2B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-6.5 C-6.5 R-6.5 H-175	Proposed zoning brings parcel into conformance.
2C	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
3	EOF 3.0 H-100	CR-3.0 C-3.0 R-3.0 H-100	Update to CR zone from pre-2014 EOF zone.
4A	CR-5.0 C-4.0 R-4.75 H-75 T	CR-5.0 C-5.0 R-5.0 H-110	Increase flexibility for future mixed-use development.
4B	CR-3.0 C-2.0 R-2.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
4C	CR-5.0 C-4.0 R-4.75 H-75 T	CR-5.0 C-5.0 R-5.0 H-90	Increase flexibility for future mixed-use development.
5	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Proposed zoning brings parcel into conformance.
6A	CR-1.5 C-1.0 R-1.5 H-90 T	CR-1.5 C-1.5 R-1.5 H-110	Increase flexibility for future redevelopment.
6B	CR-3.0 C-2.0 R-2.75 H-145 T	CR-3.0 C-3.0 R-3.0 H-175	Increase flexibility for future mixed-use development.
6C	CR-1.5 C-1.0 R-1.5 H-60 T	CR-1.5 C-1.5 R-1.5 H-70	Increase flexibility for future mixed-use development.

The property represented by Map Number 1D is recommended for additional density to address a non-conforming structure; however, the height of the proposed zoning remains the same. For consistency with abutting (Map Number's 1A and 1C) and confronting properties (30, 7, 8A, and 8B), all with heights between 175-240 feet, **Council staff recommends the height of property 1D be increased to 175 feet.**

Council staff supports all other zoning recommendations for the Ellsworth District.

3. *Metro Center*

Vision:

The area around the Paul S. Sarbanes Transit Center is the commercial center of Silver Spring and will continue to host some of the tallest buildings and the densest development in the downtown. The Metro Center District will welcome visitors with a reimagined hub of activity with the highest-intensity commercial development in the downtown, world-class public space, and safe and inviting connections to surrounding districts.

Goals:

- Confirm the Metro Center District as the commercial center of Silver Spring by encouraging redevelopment of opportunity sites, including county parking garages and surface lots, with spaces for a diversity of tenants.
- Create a world-class destination arrival experience for all users of the transit center.
- Enhance the pedestrian experience from the transit center to the Ellsworth and surrounding districts.



Figure 14. Metro Center: Illustrative Diagram

Recommendations:

Urban Design

- For building massing, comply with the design guidelines that will accompany this Plan to address the street-level pedestrian experience for the taller buildings allowed in this district.
- Sponsor an invited charrette and design competition for the creation of a world-class arrival experience at the transit center.
- Improve the Metrorail and Purple Line underpasses with art, lighting, wayfinding, and other interventions to make the pedestrian environment safer and more inviting.
- Enhance pedestrian connections via the Green Loop from the transit center to surrounding districts.

Council Staff supports the Urban Design recommendations for the Metro Center District.

Parks and Public Spaces

- Expand and reinforce the open space connection between the arrival experience at the transit center, the recently redeveloped spaces along Wayne Avenue to Ellsworth Drive, and beyond to the Civic Building.

Council Staff supports the Parks and Public Spaces recommendation for the Metro Center District.

Opportunity Sites

- Transit Center Development Site: Design a signature building or buildings at the intersection of Colesville Road and Wayne Avenue and consider integrating the development with the Transit Center. The new development should activate the corner at Colesville Road and Wayne Avenue with a ground-floor use appropriate to the center of an urban area. This building should be architecturally significant and a landmark for Silver Spring. As this site is constrained, consider providing no parking or developing this site along with part of the Bonifant/Dixon garage site. The Plan recommends that the maximum building height on this site be permitted to exceed 300 feet, consistent with the provisions of the Building Height Incentive Zone (BHIZ).
- County Parking Garages 5/55 (Bonifant/Dixon Garage): In alignment with the Parking Lot District's goals for this site, redevelop this garage that is located in both the Metro Center district and the Ripley District. The Plan recommends that the upper-level connections over Bonifant Street and Dixon Avenue be removed, which will create two large redevelopment sites and a small site that may be appropriate for an open space (see Ripley District recommendations). The redevelopment of the parcel located in the Metro Center District (north side of Bonifant Street) could maintain a large parking garage that could provide both public and private parking or could provide additional support for bus operations at the Transit Center as needed. This site is a prominent, visible site from Colesville Road and the Transit Center and would be appropriate for a low base of several stories with an articulated tower set back above the base. The ground floor experience on this site should respond appropriately to the Purple Line tracks that will occupy all of Bonifant Street in this location. The Plan recommends that the maximum building height on this site be permitted to exceed 300 feet, consistent with the provisions of the Building Height Incentive Zone (BHIZ).

Council Staff recommends revising the Opportunity Sites recommendations to clarify the maximum building height on the Transit Center Development site and the County Parking

Garages 5/55 (Bonifant/Dixon Garage) be permitted to exceed 300 feet, but only up to 360 feet and with Planning Board approval.

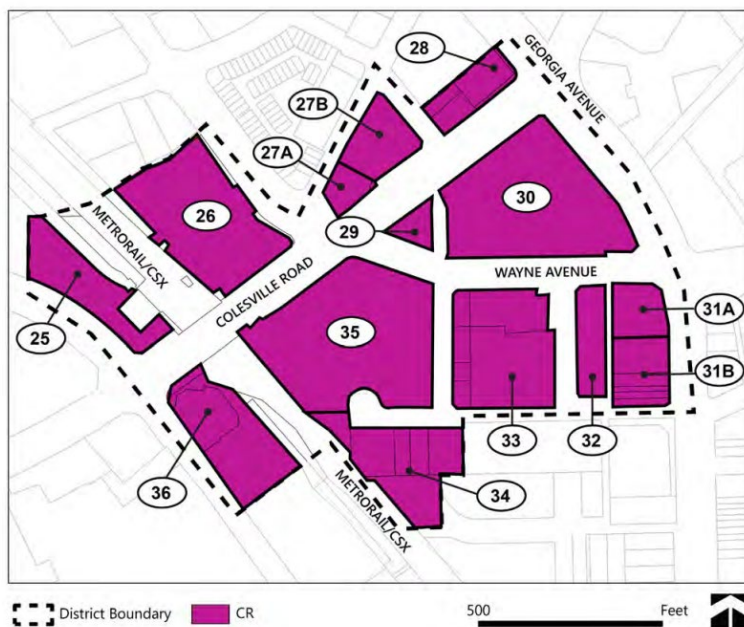
- Colesville Road and Georgia Avenue Northwest corner: A hotel is currently approved on this key site. The Plan recommends expanding the development site to include the adjacent two-story commercial property for a signature mixed-use development.
- Colesville Road and East-West Highway Northwest corner: This site is located immediately adjacent to the northern Metro Station entrance but is significantly constrained by the WMATA substation central to the site. The Plan recommends continuing to pursue relocation of the substation to promote a signature development at this location. The Plan recommends incorporating or connecting this site to the arrival experience at the transit station.

Council Staff recognizes that relocation of the substation in order to promote a signature development would be ideal. However, to allow flexibility, Council Staff recommends that in the event relocation of the substation is not feasible, the Plan should allow for it to be incorporated into redevelopment of site—either underground or integrated into the project as has been done in other regional developments.⁵

- 8407 Colesville Road: This site is currently under-utilized and is home to a McDonald's.

Zoning

- Equalize Commercial and Residential Density Values in CR zones for maximum flexibility in future redevelopment.
- Parcels in Building Height Incentive Zone are able to achieve heights above the maximum mapped height per specifications of the BHIZ.



⁵ Incorporating the existing structure into redevelopment is planned at a hotel on the 200 block of 12th Street SW in Washington, D.C.

Table 3. Proposed Metro Center Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
25	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
26	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
27A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
27B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
28	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-200	Increase flexibility for future mixed-use development.
29	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
30	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
31A	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
31B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
32	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
33	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
34	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
35	CR-5.0 C-4.0 R-4.75 H-145 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development. Increase allowable height due to significant site constraints.
36	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.

Council Staff supports the Zoning recommendations for the Metro Center District.

4. Ripley District

Vision:

Over the last decade the Ripley area has emerged as a micro-neighborhood within the downtown. This is where people live to be close to everything, with parcels under development today and several more key opportunity sites. Ripley will be a vibrant complete multi-family residential district steps from the Metro, Purple Line, and Metropolitan Branch Trail, with a new central open space and a pedestrian connection to South Silver Spring across the Metrorail/CSX tracks.

Goals:

- Encourage redevelopment of under-utilized sites, including those on Georgia Avenue, and existing public parking garages into mixed-use projects with active ground floor uses.

- Increase the housing stock in this primarily residential district with a diverse mix of multifamily unit sizes at all levels of affordability.
- Improve the pedestrian connection and visitor arrival experience at the Purple Line station at Bonifant Street and Ramsey Street at the upper level of the transit center.
- Create a new open space in the Ripley District for active recreation and social gathering opportunities.
- Connect the Ripley District across the Metrorail/CSX tracks to South Silver Spring.

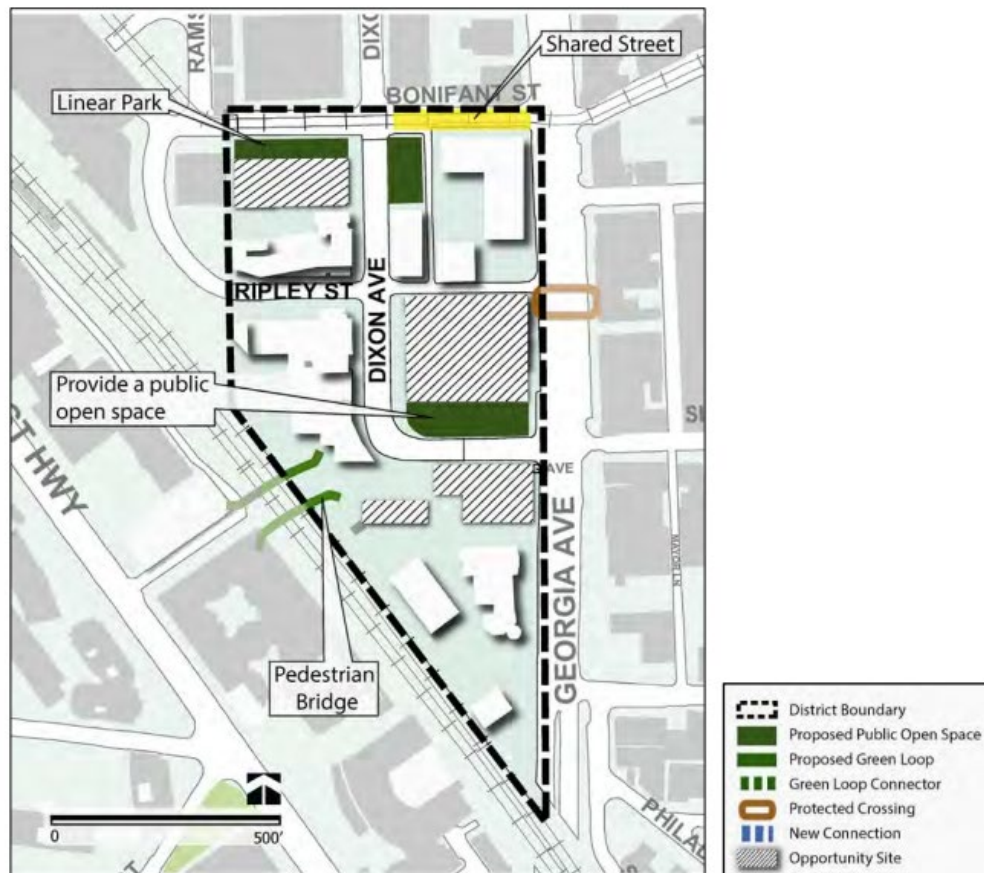


Figure 19. Ripley District: Illustrative Diagram

Recommendations:

Urban Design:

- At redevelopment sites along Georgia Avenue, design buildings with a low-rise two-story base that relates to the scale of the commercial development across the street. Setback upper floors by a minimum of 15 feet so that there is a clear articulation between base and tower.

While Council Staff recognizes the benefits of creating a “neighborhood feel”, additional flexibility may be needed to appropriately scale commercial development. Council Staff recommends allowing a larger story base, with Planning Board approval, where existing abutting and confronting properties are higher than two stories. For example, where abutting and confronting properties are three stories, the Planning Board could approve a building with a low-rise three-story base with upper floors setback a minimum of 15 feet.

- Create a sense of arrival with a welcoming pedestrian connection along Bonifant Street to Georgia Avenue to the Purple Line station at the upper level of the Transit Center.
- Connect the Ripley District to South Silver Spring via a landscaped pedestrian bridge over the train tracks, with infrastructure for pedestrians and cyclists.
- Introduce a mid-block crossing at Georgia Avenue and Mayor Lane to connect the Ripley District with Fenton Village.
- Implement the Green Loop concept along Silver Spring Avenue so that street, along with the proposed pedestrian bridge, will function as a connector to the Central Loop.

Parks and Public Spaces:

- Create a Civic Green at the center of the Ripley District per the recommendations of the 2010 Green Space Plan Guidelines for Silver Spring that will be an important focal point and social gathering space for this neighborhood. It will connect to the proposed pedestrian bridge over the Metrorail/CSX tracks between the South Silver Spring District and the Ripley District.
- Create an urban recreational park at the parcel currently occupied by the stair tower of Parking Garage 5/55 on the south side of Bonifant Street to the east of Dixon Avenue, adjacent to an existing alley. This park can have small scale recreation activities to serve the residents of the Ripley District.

Council Staff supports the Parks and Public Spaces recommendations for the Ripley District.

Opportunity Sites:

- Parking Garages 5/55 (Bonifant/Dixon Garage): In alignment with the Parking Lot District's goals for this site, redevelop this garage that is located in both the Metro Center district and the Ripley District (refer to Metro Center District recommendations above). Provide a linear green space with a continuous pedestrian connection from the Purple Line station at the Transit Center to Georgia Avenue and the center of the downtown. This green space will also serve as a buffer from the rail tracks that will occupy all of Bonifant Street between the station and Dixon Avenue. Currently the garage bridges both over Bonifant Street and an alley to the east of Bonifant Street. The Plan recommends that the redevelopment of this garage eliminate these bridges. The development site in the Ripley District should respond to both the need for a safe, green, inviting pedestrian connection along Bonifant Street to Georgia Avenue for commuters and visitors, and the opportunity for a tall, architecturally distinctive tower in such a prominent location proximate to the transit center. The Plan recommends that the maximum building height on this site be permitted to exceed 300 feet, consistent with the provisions of the Building Height Incentive Zone (BHIZ).
- Block of Ripley Street, Dixon Avenue, and Georgia Avenue: This is a large potential development site along Georgia Avenue. The Plan recommends redevelopment of this site to include a central open space, potentially connected across Ripley Street to the 8230 Georgia Avenue site.
- 8126 Georgia Avenue: This long narrow site has frontage on Dixon Avenue Extended and Georgia Avenue. The Plan recommends mixed-use redevelopment of the site with access from Dixon Avenue.
- 8230 Georgia Avenue (Sherwin-Williams site): This site is significantly constrained by the Master-Planned right-of-way for Ripley Street between Dixon Avenue and Georgia Avenue, the dedication of which would significantly reduce the developable area. Previous efforts to

incorporate this site into adjacent developments were unsuccessful. Staff recommends coordinating redevelopment of this site with the property across Ripley Street.

Council Staff recommends revising the Opportunity Sites recommendations to clarify the maximum building height on the Parking Garages 5/55 (Bonifant/Dixon Garage) site be permitted to exceed 300 feet, but only up to 360 feet and with Planning Board approval.

Zoning:

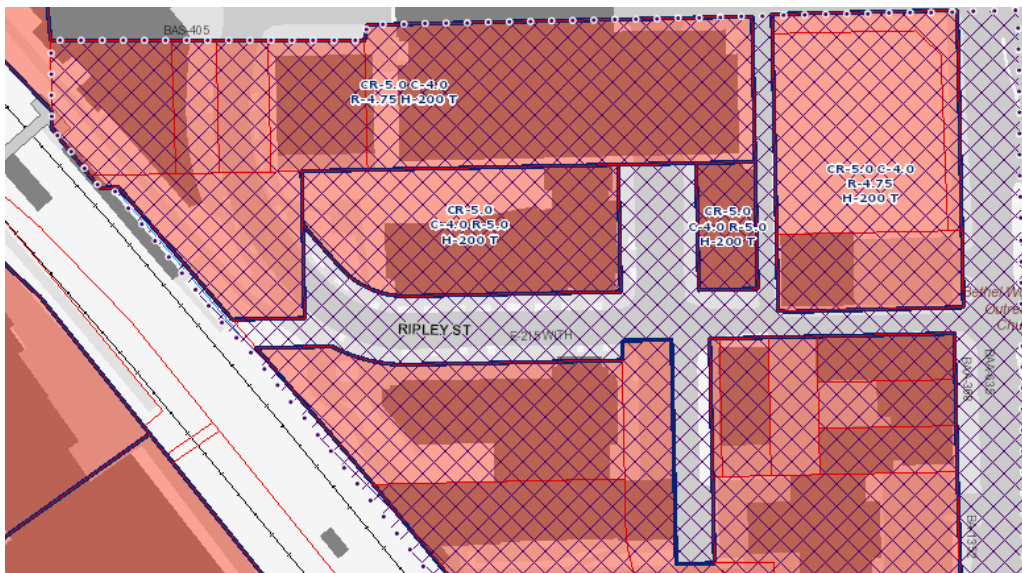
- Equalize Commercial and Residential Density Values in CR zones for maximum flexibility in future redevelopment.
- Parcels in Building Height Incentive Zone are able to achieve heights above the maximum mapped height per specifications of the BHIZ.
- Revise zoning for Site 39B to reflect height previously approved by the Planning Board through the Ripley-South Silver Spring (RSS) Overlay zone. This Plan recommends deletion of the RSS overlay zone.



Map 10. Proposed Ripley District Zoning

Table 4. Proposed Ripley District Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
37	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
38A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
38B	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
39A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
39B	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-270	Increase flexibility; bring height into conformance.
39C	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
39D	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.

Correction: Table 4 indicates the existing zoning for map number 37 is CR-5.0 C-4.0 R-4.75 H-200 T, this section of map actually has two different existing zoning classifications. While the northern section is CR-5.0 C-4.0 R-4.75 H-200 T, the southern section is CR-5.0 C-4.0 R-5.0 H-200 T.



Therefore, for these properties, Table 4 should read:

Table 4: Proposed Ripley District Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
37A	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
37B	CR-5.0 C-4.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
37C	CR-5.0 C-4.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.



Map 10. Proposed Ripley District Zoning

Council Staff otherwise supports the Zoning recommendations for the Ripley District.

The next worksession on the Silver Spring Downtown and Adjacent Communities Plan will cover the district-specific recommendations for the remaining four districts, and the Plan-wide recommendations for land use and zoning.

Barbara A. Sears
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February 17, 2022

Mr. Gabe Albornoz, President,
And Montgomery County Councilmembers
100 Maryland Avenue, 4th Floor
Rockville, Maryland 20850

Re: Public Hearing Comments of Colesville Joint Venture, LLP, Owner of 8551 Fenton Street, on Planning Board Draft of Silver Spring Downtown and Adjacent Communities Plan

Dear Mr. Albornoz and County Councilmembers:

Our firm represents Colesville Joint Venture, LLP, owner (“Owner”) of property located at 8551 Fenton Street in the northeast quadrant of Colesville Road and Fenton Street (“Property”). We appreciate the diligent efforts of the Planning Board and Staff on the Silver Spring Downtown and Adjacent Communities Plan (“Plan”) and the opportunity to present our support for several aspects of the Plan as well as our requests for further considerations by the Council.

The Property, currently zoned CR-5.0 C-4.0 R-4.75 H-145 T, consists of a gross tract area of approximately 27,100 square feet and net tract area of approximately 19,000 square feet. The Property is improved with an approximately 38,000 square-foot, two-story commercial building built in 1952. The Owner has owned the Property since 1982.

Since the initiation of the Plan, the Owner has evaluated what recommendations if incorporated in the Plan would incentivize viable redevelopment of the Property. To assist, the Owner engaged VIKa and other consultants and shared their findings with Staff as the planning process unfolded. During this process, Staff provided important input to the ownership team for its consideration.

In this regard, VIKa accomplished the following:

- Conceptualized a mixed-use building form, containing ground-floor commercial (or other opportunities for activating space), below-grade parking, and a residential high-rise tower to take advantage of the Property’s prominent location in the Ellsworth District;

Mr. Gabe Alborno, President
And Montgomery County Councilmembers
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- Created access for service and parking on Roeder Road, keeping access off Fenton and Colesville; and
- Created a 3D model to study views, massing, and compatibility of the proposed building in its locational context.

A PowerPoint presentation prepared by VIKA demonstrating the existing conditions, conceptual layout and massing of the proposed building is attached to this letter and submitted for the Council's review. As illustrated, a 250-foot building containing ground floor retail or activating space, a 21-story residential tower, below-grade parking, and yielding approximately 250 units would not only further the implementation of the Plan's stated visions and goals, but realistically encourage redevelopment of the Property to achieve these visions and goals. More specifically addressing how the proposed redevelopment achieves and implements the visions, goals, and recommendations of the Plan, we offer the following:

- The Property is located in the Ellsworth District, which the Plan acknowledges to be the "heart" and "primary activity center of Silver Spring." (p. 21) This location places the Property within convenient walking distance of a wide variety of uses, including major employers such as United Therapeutics, arts and entertainment uses (such as the Fillmore and AFI), grocery stores, retail, and restaurants. This confluence of commercial uses surrounding the Property makes it an ideal location for significant residential density, as residents would be able to complete most necessary trips on foot or by bicycle, including possibly their commute to work.
- For destinations not reachable on foot or by bike, the Property is also within easy walking distance of many transit options, including the Route 29 BRT, future Purple Line Stations at the Silver Spring Library and Silver Spring Transit Center, the Metro Red Line, and numerous Metro and Ride-On Bus Routes.
- Significant height is justified for the Property based on the surroundings. While the existing building on the Property is a low-scale retail building built many years ago, building heights step up dramatically to the north and moving away from the center of downtown Silver Spring from the Property. Specifically, moving north on Colesville Road from the Property, there are several buildings with significantly greater heights, including two hotels, United Therapeutics' "Unisphere" building, as well as the office and multi-family residential buildings that flank the intersection of Spring Street and Colesville Road. In this manner, heights now step up away from the center of downtown Silver Spring. In recognition of the urban character of Silver Spring, including the location of the Property in the "primary activity center of Silver Spring," the Plan should also allow heights to step up closer to the downtown center – away from the lower-scale residential neighborhoods to the north.

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The Plan recommends the Property be placed in the CR-5.0, C-5.0, R-5.0, H-175 zone and that the additional height needed for the proposed redevelopment of the Property be achieved by use of the recommended Building Height Incentive Zone ("BHIZ"), an overlay zone that includes the Property. Use of this overlay zone to achieve greater height would require review of a Design Advisory Panel and the provision of a combination of greater than the minimum 15% MPDUs on-site, a contribution to the Montgomery County Housing Initiative Fund ("HIF"), and/or the provision of an activating ground-floor neighborhood services as more specifically addressed below. (pgs. 178-179) Please note that the current law requires 12.5% MPDUs and the Plan would increase this amount to 15% as a minimum.

As a CR Optional Project the additional density above the total mapped maximum density for the Property needed to achieve the increased height allowed under the BHIZ would be available through a payment to the yet to be established Connectivity and Infrastructure Fund ("CIF"). The Plan also identifies the Property as an Opportunity Site in the Ellsworth District. (pgs. 33-34) We support these recommendations, but have indicated below a minor request with regard to the language in the Plan regarding the Opportunity Site and economic concerns related to the potential requirements of the BHIZ and CIF when they are considered as zoning text amendments in the future.

As noted, the Owner supports the identification of the Property as an Opportunity Site. However, we request that the language discussing this identification found at the fourth bullet on page 33 of the Plan be slightly expanded to read as follows:

8551 [Fenton] Street: Opportunity site at the corner of Fenton Street and Colesville Road. *Redevelopment of this site would be appropriate for a tall building. (added text in italics)*

Such additional guidance appears for several other opportunity sites and would be helpful in guiding the future review and processing of development plans if redevelopment of the Property proceeds.

We are also concerned that the requirements of the BHIZ and payment obligations of the CIF may, when individually or collectively applied, render redevelopment of the Property economically infeasible. Specifically, to achieve the additional building height under the BHIZ, the Plan requires the provision of "a combination of greater than the minimum 15 percent MPDUs on-site, a contribution to the Montgomery County Housing Initiative Fund (HIF), and/or an activating ground-floor Neighborhood Service including, but not limited to, small business, art gallery/venue, community meeting space, educational or medical use, historic preservation, or non-ground floor area dedicated to Design for Life residences." (pgs. 178-179) The Plan also requires a monetary

Mr. Gabe Alborno, President
And Montgomery County Councilmembers
February 17, 2022
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contribution to the CIF for the additional density needed to reach the additional height approved under the BHIZ. (pgs. 178-179)

We understand that the details of the BHIZ requirements and the amount of the CIF payment will be determined by the Council with input from the Planning Board through separate zoning text amendments which have not yet been prepared. However, we respectfully request that these requirements and contributions be kept reasonable in view of the cost of new construction and the realities of the Silver Spring market so that the height increases and additional FAR over the base zone maximums needed do not act to render desirable redevelopment projects, such as that envisioned for the Property, economically infeasible.

We appreciate your time and attention to our comments.

Thank you.

Very truly yours,

MILES & STOCKBRIDGE P.C.

 *Barbara A. Sears* / KDM

Barbara A. Sears

 *Laura Tallerico* / KDM

Laura A. Tallerico

Attachment

cc: Casey Anderson
Gwen Wright
Atara Margolies
Livhu Ndou
Peter Berman

12.02.2021

8551 FENTON STREET



CONTEXT

Context Aerial

2

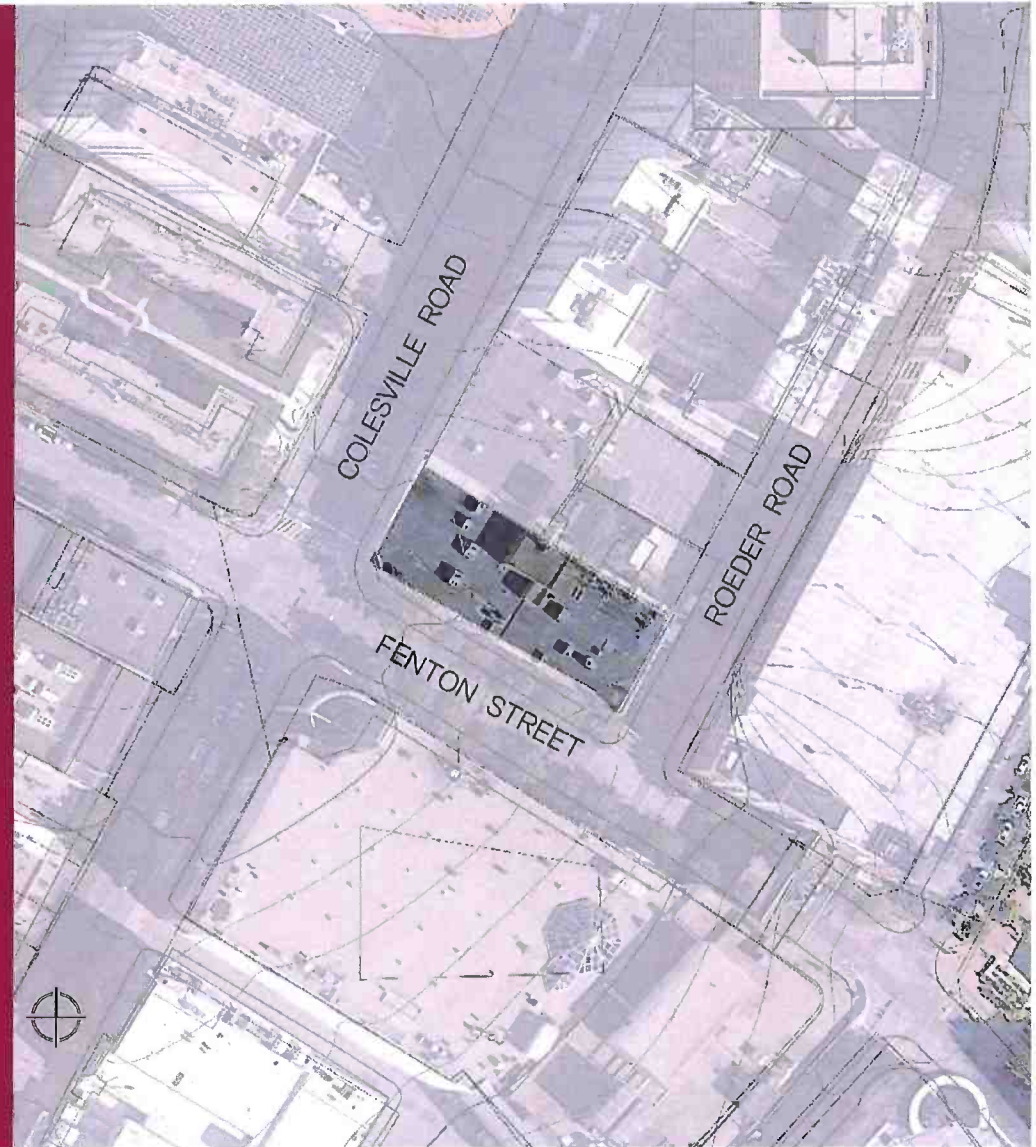


SITE

Existing Conditions

- 38,000 sf Existing Commercial Bldg
Constructed in 1952
- 27,100 sf Gross Tract Area
- Net Tract Area approx. 19,000 sf

3



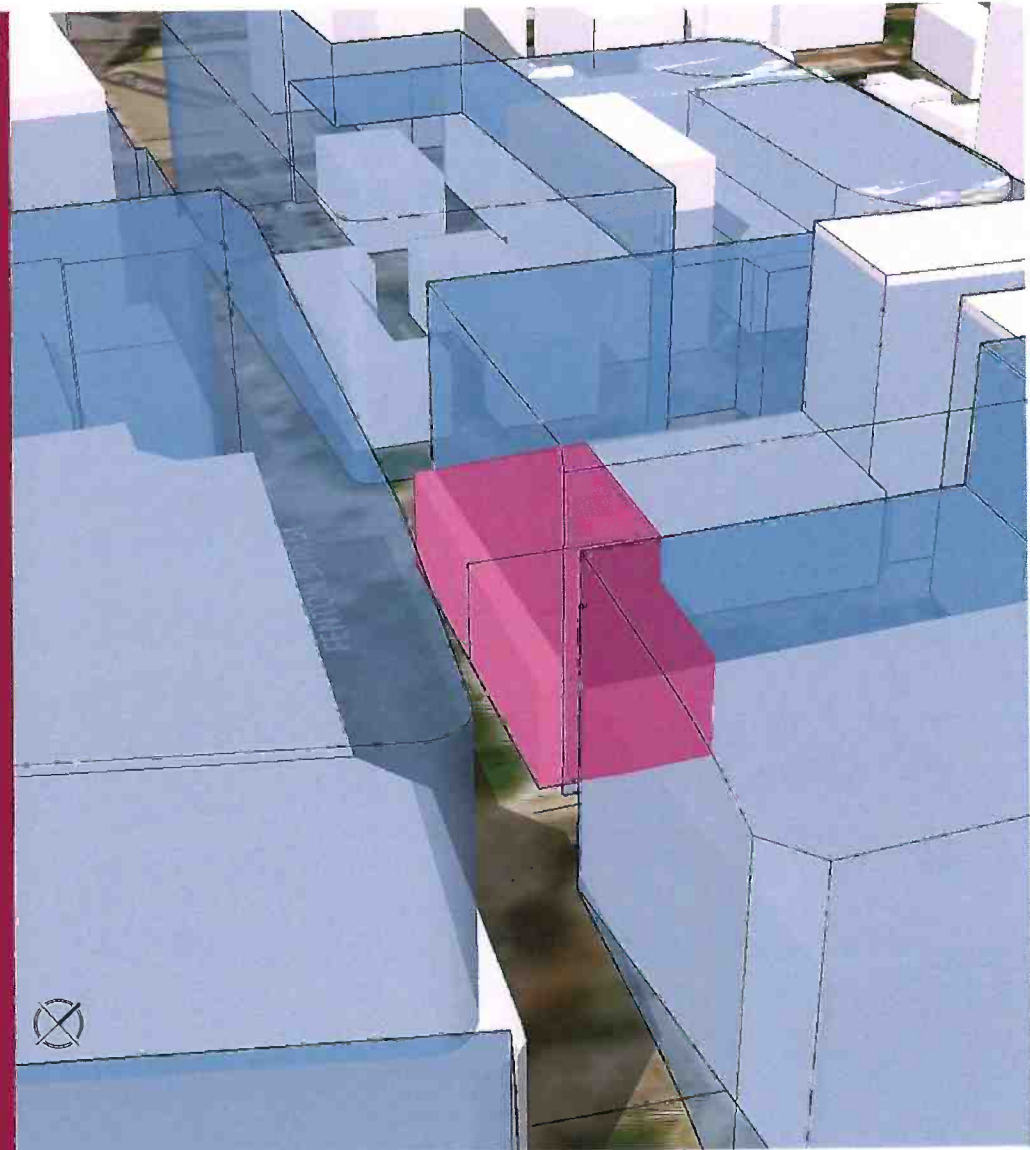
SITE

Existing Conditions

Facing Northwest

- Blue indicates maximum building envelope under existing zoning
- White portrays existing built condition
- Magenta is the subject property's ex. bldg

4



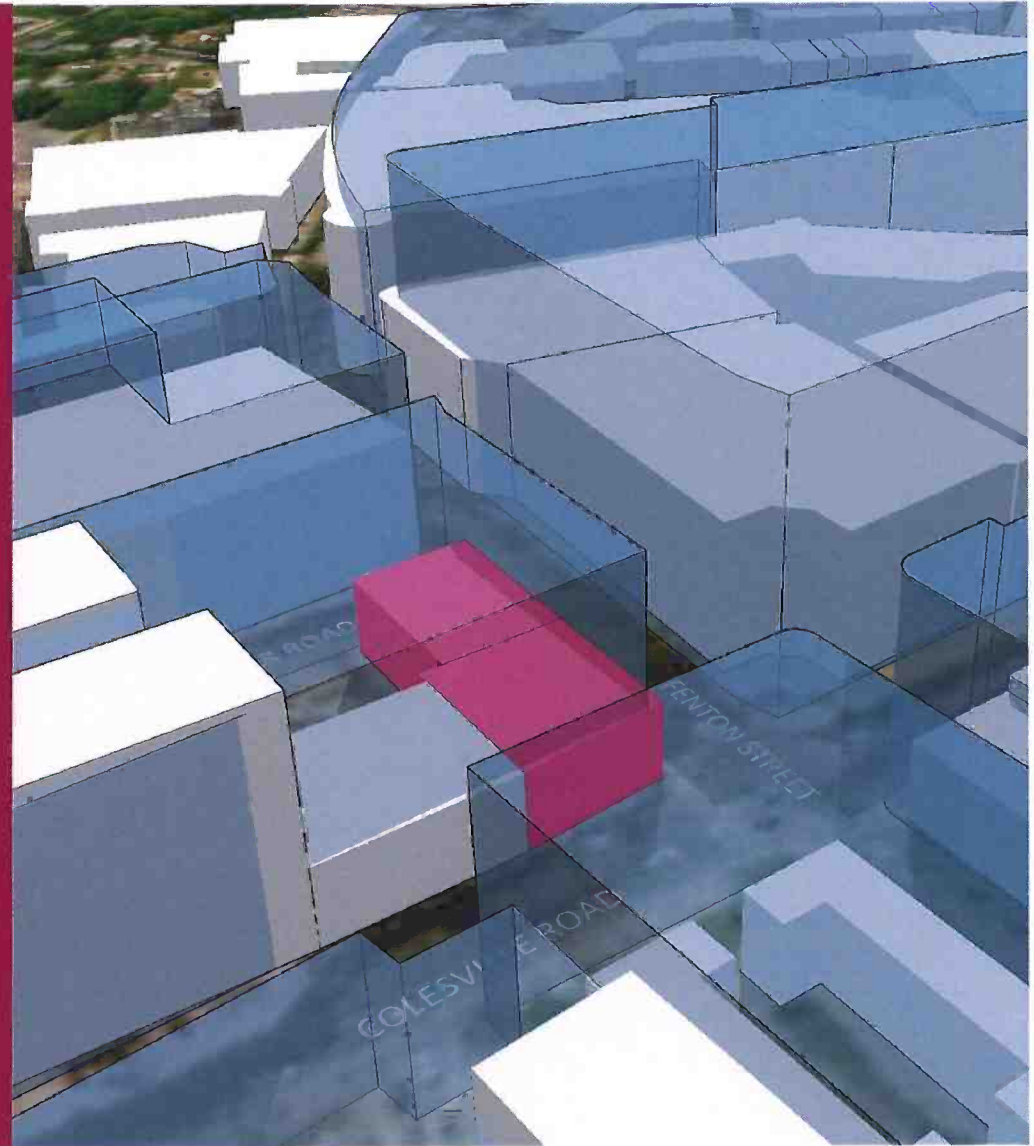
SITE

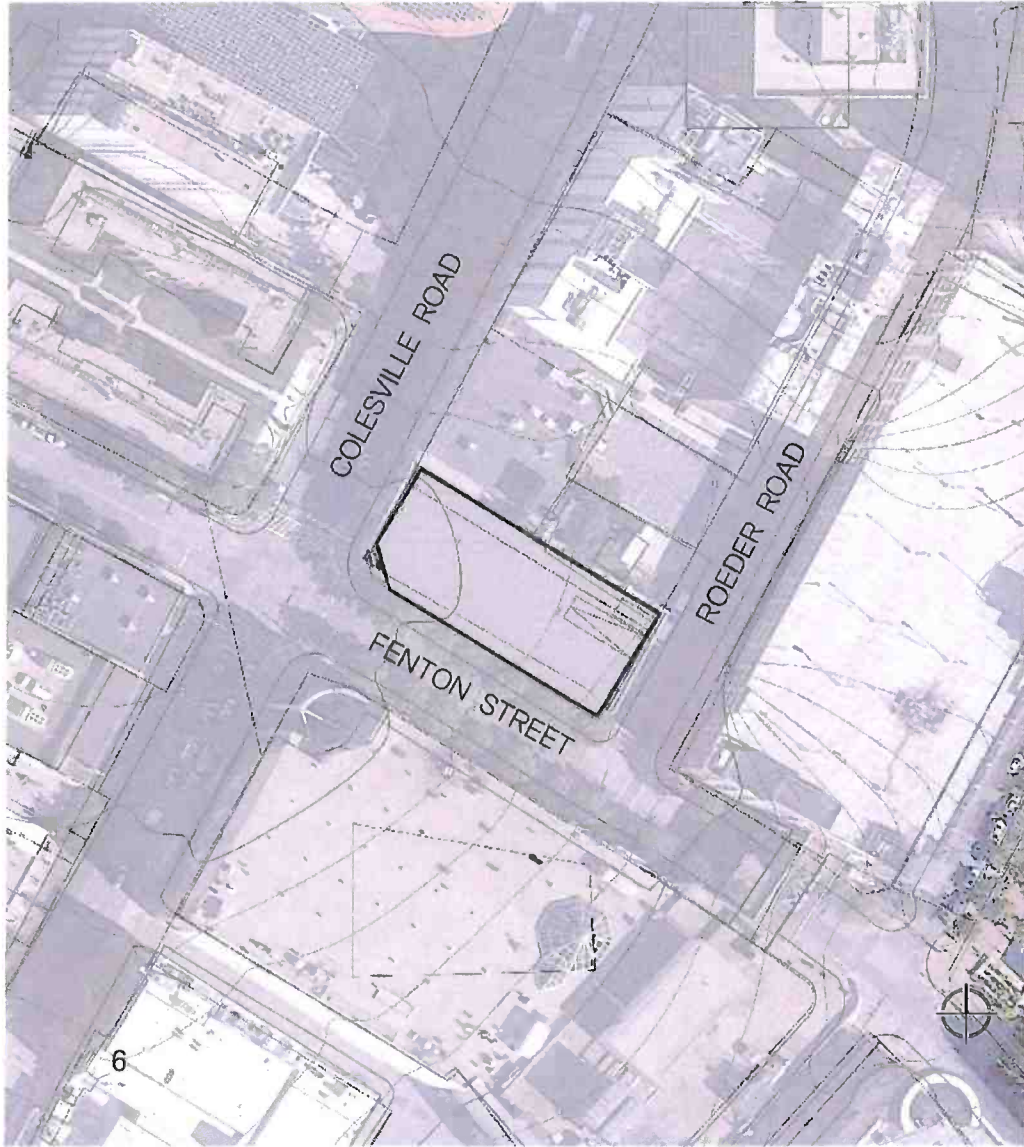
Existing Conditions

Facing Southeast

- Blue indicates maximum building envelope under existing zoning
- White portrays existing built condition
- Magenta is the subject property's ex. bldg

5



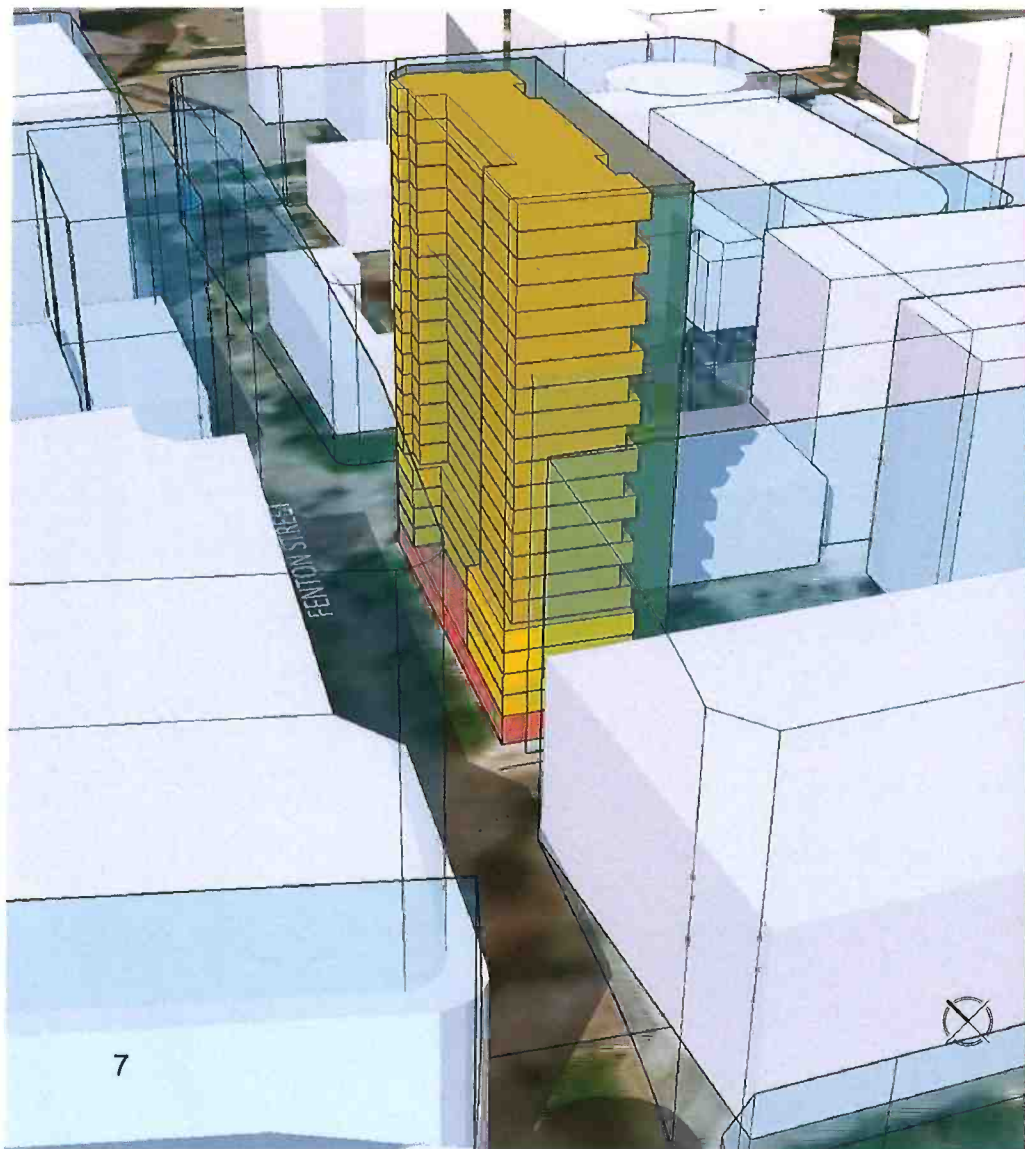


SITE

Concept Layout

- Proposed Building Footprint indicated
- Garage entry and service located on Roeder Road





SITE

Concept Layout

Facing Northwest

- Light Blue indicates maximum building envelope under recommended base zoning (height may be increased by 150% using BHIZ)
- Gold and gray box portrays proposed building height at 250 feet.
- Gold is the subject property's residential tower.
- Salmon is the subject property's commercial first floor
- White portrays existing built condition





SITE

Concept Layout

Facing Southeast

- Light Blue indicates maximum building envelope under recommended base zoning (height may be increased by 150% using BHIZ)
- Gold and salmon in gray box portray proposed building height at 250 feet.
- Gold is the subject property's residential tower
- Salmon is the subject property's commercial first floor
- White portrays existing built condition





MASSING MODEL

Facing Northwest

- Gold is the subject property's proposed residential tower
- Salmon is the subject property's commercial first floor



MASSING MODEL

Facing Southeast

- Gold is the subject property's proposed residential tower
- Salmon is the subject property's commercial first floor



MEMORANDUM

March 4, 2022

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: Pamela Dunn, Senior Legislative Analyst
Livhu Ndou, Legislative Attorney

SUBJECT: Silver Spring Downtown and Adjacent Communities Plan

PURPOSE: Worksession to develop recommendations for Council consideration

Expected Attendees

Casey Anderson, Chair, Montgomery County Planning Board
Gwen Wright, Director, Montgomery Planning Department
Elza Hisel-McCoy, Down County Chief, Planning Department
Larissa Klevan, Master Plan Supervisor, Planning Department
Atara Margolies, Planner Coordinator, Planning Department

BACKGROUND

On March 3, the Council staff report for the first worksession on the Silver Spring Downtown and Adjacent Communities Plan was posted. In preparing for the worksession, staff realized that testimony on two specific properties located in districts covered by the staff report were not included.

DISTRICT RECOMMENDATIONS

1. Ellsworth District

The Council received written testimony from Ms. Deborah Chalfie, Art Deco Society of Washington, Preservation Chair. Her comments pertain to several historical resources in the Plan area and begin with commendations to the staff of the Historic Preservation Office (HPO) for their meticulous research of the social history of downtown Silver Spring, and their thoughtful recommendations with regard to the preservation and adaptive reuse of historic buildings overall.

However, Ms. Chalfie also expresses her concern with statements in the Draft Plan that “undermine a commitment to ensuring that the (Silver Spring Center) Shopping Center as a whole is preserved”. She writes that encouraging “activation” of the parking lot at Ellsworth Plaza (the crescent-shaped lot that fronts on Georgia Ave between Ellsworth Place and Colesville Road) is emphasized over preservation-related goals, including preserving the parking lot’s character-defining shape and its relationship to the building and the streets. And, that her preservation-related concern is exacerbated by the Plan’s language under the recommendations on Parks and Open Spaces, and the recommended Opportunity Sites for the Ellsworth District.

Parks and Public Spaces

- Support continued work with the Maryland Historical Trust on appropriate improvements to the parking lot at the Silver Spring Shopping Center to better draw pedestrians through the lot into the Ellsworth Place pedestrian mall.

Ms. Chalfie believes this recommendation “treats the Center parking lot as an appendage of the Ellsworth mall”, and should be stricken.

Opportunity Sites:

- Parking Lot at Ellsworth Plaza: Refer to Section 3.9.1 in the Historic Resources section on appropriate approach for improving this parking lot.

Likewise, the reference to the “Parking Lot at Ellsworth Plaza” rather than the “Parking Lot at the Silver Spring Shopping Center” marginalizes the site instead of making preservation the primary goal.

Council staff recommends the language above be revised to address Ms. Chalfie’s concerns and believes Council staff and Planning staff can find appropriate language that doesn’t remove these recommendations from the Plan.

2. Metro Center

The Council also received testimony from Mr. Tim Eden, Development Manager of Starr Capital. His testimony is in reference to 8600 Georgia Avenue, 8501 Colesville Road, and 8615 Ramsey Street.

The existing zoning for this site is CR-5.0 C-4.0 R-4.75 H-145 T. The proposed zoning is CR-5.0 C-5.0 R-5.0 H-200 T, which is consistent with the 20% increases in height throughout the Plan-area. However, Mr. Eden notes in his written testimony that the neighboring properties to 8600 Georgia Avenue are proposed to be zoned at 240 feet in height with an FAR of 8.0.

Looking at the Metro Center zoning map, 8600 Georgia Avenue is Map Number 28. It is directly south of Map Number 64 on the Downtown North zoning map. As can be seen from the corresponding table, the testimony is accurate in stating that the abutting and confronting properties to 8600 Georgia Avenue all received a proposed height of 240 feet.

In addition, while one of two confronting properties has a proposed total density of 5.0 FAR, the other confronting property and the abutting properties—Map Numbers 68C, 64 and 27B—all have a proposed total density of 8.0 FAR.

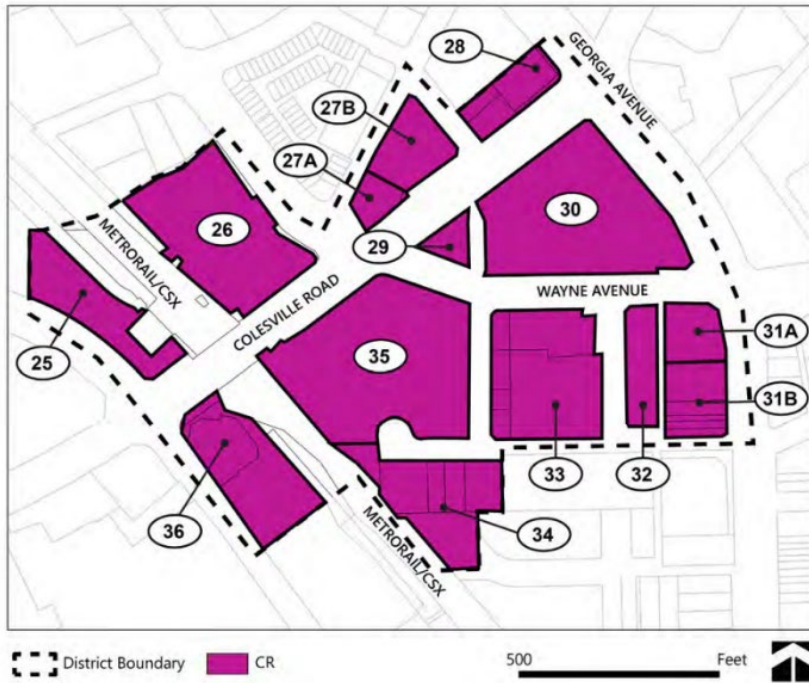
Council Staff therefore recommends the proposed zoning for Map Number 28 be CR-8.0 C-8.0 R-8.0 H-240.

Table 6: Proposed Metro Center and Downtown North District Zoning			
Map Number	Existing Zoning	Proposed Zoning	Justification
27B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
28	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-200 CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
29	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
30	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
62	CR-5.0 C-1.0 R-5.0 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
64	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
68C	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.

The relevant proposed zoning maps are copied below.



Map 12. Proposed Downtown North Zoning



Map 9. Proposed Metro Center Zoning

Contained in this Staff Report

Testimony from Ms. Deborah Chalfie
 Testimony from Mr. Tim Eden

© Pages

© 1-4
 © 5-8



February 16, 2022

Via website upload

Honorable Members of the Montgomery County Council
Council Office Building
100 Maryland Avenue, 4th Floor
Rockville, MD 20850

Re: Views on Silver Spring Downtown and Adjacent Communities Draft Plan

Dear Montgomery County Councilmembers:

Founded in 1982, the Art Deco Society of Washington (ADSW) is a nonprofit membership organization covering the Washington DC region, whose mission is to foster awareness of, celebrate, and preserve the architectural, decorative, industrial, and cultural arts of the Art Deco era and adjacent modern movements of the 20th Century. Architectural preservation is a strong element of our mission, and we have had many successes, including in the downtown Silver Spring area. ADSW actively led the fight to preserve and restore the Silver Theatre, now the AFI & Cultural Center, and the Shopping Center at Colesville & Georgia. We also participated in supporting the preservation of the Falkland Apartments and the Canada Dry Building. ADSW has participated from the beginning of this process and appreciates the opportunity to submit its views on the Planning Board Draft submitted to the Council (Draft Plan).¹

ADSW commends the staff of the Historic Preservation Office (HPO) for their meticulous research of the social history of downtown Silver Spring, and in particular its history related to racial segregation, discrimination, and the fight for civil rights. It is vital to have a complete history of historic resources, those aspects to be deplored and those to be celebrated. Their work greatly adds to our collective understanding of the true historic context of buildings and sites.

We also commend the staff's careful work and thoughtful recommendations with regard to the preservation and adaptive reuse of historic buildings. To that end, the Draft Plan states:

The community's sense of place relies upon several historic buildings such as the Silver Spring Shopping Center and Theatre, the Fillmore, Hecht's Building, Canada Dry Building, Dyers and Cleaners Building, and the North Washington Shopping Center. ... Silver Spring's historic buildings are critical to the community's character and collective memory; offer tangible connections to the past; provide opportunities for education and interpretation; and create a diversity of building types within the plan area.²

¹ Montgomery County Planning Dept., *Silver Spring Downtown and Adjacent Communities Plan: Planning Board Draft* (Winter 2022) [hereinafter *Draft Plan*], at <https://montgomeryplanning.org/wp-content/uploads/2022/01/SSDAC-Planning-Board-Draft-FINAL-FOR-WEB-reduced2.pdf>.

² *Id.* at 166.

ADSW whole-heartedly agrees with these statements. In particular, Downtown Silver Spring's rich collection of Art Deco commercial buildings does indeed provide "texture and depth to the architectural character of the plan area."³ We offer these comments in the hope that the Council will vote to *ensure and expand* "preservation and adaptive reuse of designated historic properties," not merely "encourage"⁴ as per the Planning Board Draft.

Silver Theatre and Silver Spring Shopping Center

There can be no argument that the Silver Theatre and Silver Spring Shopping Center are the historic crown jewels of downtown Silver Spring, and ADSW was proud to have played a central role in ensuring their preservation and restoration. Designed by John Eberson, the Silver Spring Shopping Center stands as a rare, early example of a neighborhood "park & shop" center with parking integrated into the complex. The Streamline Moderne Theatre and the Shopping Center, *including the parking lot*, are doubly protected in that the Center is designated in the Master Plan for Historic Preservation, and the Maryland Historical Trust (MHT) holds a historic preservation easement on the property.

In 2020, the Historic Preservation Commission (HPC) and the MHT approved some substantial but "sensitively-designed"⁵ and "completely *reversible*"⁶ incursions into the parking lot (e.g., decking and outdoor tables to allow for outdoor dining, plantings, and a sculpture), temporarily eliminating nearly half of the parking spaces. There were no approved changes to the building, sidewalks, curbs, or canopy. The Draft Plan states that "[f]urther reimagining and activation of this parking lot would be appropriate and encouraged with respect to the ongoing preservation of the site." To that end, since the lot once housed a small gas station, **ADSW supports the Plan's recommendation to explore adding a one-story building to the parking lot**, as long as: it is small in size to preserve full view of the Shopping Center's architecture; its architecture is compatible with the Art Deco architecture of the Shopping Center; and the positioning of the added building "respects the relationship between the Shopping Center and streets."⁷ It would be fitting to see another small-scale business such as a small diner/coffee shop/taco stand/ice cream shop to take that place.⁸

ADSW is, however, concerned that several statements in the Draft Plan undermine a commitment to ensuring that the Shopping Center as a whole is adequately preserved. First, discussion of encouraging "activation" of the parking lot is emphasized over preservation-related goals, including preserving the parking lot's character-defining shape and its relationship to the building and the streets (including its access points from both Georgia Ave. and Colesville Rd.). This concern is exacerbated by Plan language that treats the Center parking lot as an appendage of Ellsworth mall: p. 32 under Parks and Public Spaces assigns to the parking lot the task of better drawing pedestrians through the lot to the Ellsworth Place pedestrian mall,⁹ and its listing on p. 33 as an "opportunity site"—referring to it as the "Parking Lot at Ellsworth Plaza" rather than

³ *Id.*

⁴ *Id.*

⁵ *Id.*, at 167.

⁶ *Montgomery County Historic Preservation Commission Staff Report*, re: Silver Theatre & Shopping Center, Case # 36/7-20A, at 30 (Feb. 5, 2020) (emphasis added), available at <https://montgomeryplanning.org/wp-content/uploads/2020/02/I.K.-Multiple-Addresses-Silver-Spring-Staff-Report.pdf>.

⁷ *Draft Plan*, *supra* n. 1, at 168.

⁸ To make this work, however, the recently added perimeter landscaping and approved dining space would need to be reconsidered to make room for such an addition, restore sufficient parking, and permit easy ingress and egress.

⁹ It is neither appropriate nor necessary for the Center lot to be assigned the task of drawing pedestrians to Ellsworth Plaza. There is already a large breezeway/pass-through leading directly from the middle of the Center to the pedestrian mall, plus existing sidewalks fanning out from both sides of the Center (from both Colesville Rd. and Georgia Ave.) leading to the breezeway, not to mention direct access from Ellsworth, one very short block south from the Georgia Ave. entryway. There is simply no need to further erode a historic resource in the name of additional, unnecessary "draws" through the Shopping Center to the mall, where there already is and will be more public space.

the “Parking Lot at the Silver Spring Shopping Center!” **The inappropriate marginalizing language on pp. 32 and 33 should be stricken from the Plan.**

ADSW believes it's important to preserve the parking lot: legally it is a part of the historic resource and the historic context of the Center, and its existence allows a clear view the Art Deco architecture of the Center from all vantage points. Moreover, it is also important to maintain most of the function of the lot for parking as a matter of equity; the parking's close proximity to the historic AFI Silver Theatre and Shopping Center make those two historic resources and their amenities more accessible to older residents and those with mobility-related disabilities than the further off parking garages on Wayne and Ellsworth.

Weller's Cleaners

ADSW strongly supports the Draft Plan's recommendation to amend the Master Plan for Historic Preservation to add Weller's Cleaners. The Weller's Cleaners building, with its slanted, cantilevered roof, colorful porcelain panels, glass walls, and whimsical, iconic signage with clock, make it an excellent specimen of Googie architecture, a futuristic (and still cool!) form of modern architecture especially popular in the late 1950s and 1960s. Weller's is a well-preserved¹⁰ example of this particular type of midcentury modern architecture, rare in Montgomery County, and the only such resource in the Plan area. Moreover, the building was designed by a prominent local architect, Ted Englehardt, who designed other notable, midcentury modern buildings in downtown Silver Spring. It is vital that this unique historic resource receive long-warranted protection under the Master Plan.

Garden and Mid-Rise Apartment Complex Historic District

ADSW also strongly supports the Draft Plan's proposed creation of a Garden and Mid-Rise Apartment Complex Historic District to be listed in the National Register of Historic Places. Two of the apartment complexes to be included in the proposed district are Art Deco apartments that have already been separately incorporated in the Master Plan (i.e., Montgomery Arms) or Locational Atlas (i.e., Spring Gardens Apartments), however both complexes do belong in a larger historic district that marks the significance of the Garden City movement.

ADSW also agrees with the inclusion of the south parcels of the Falkland Apartments in the proposed Historic District, but we continue to be disappointed that the north parcel of the Falklands – also developed as part of the New Deal to combine affordable housing with livable surroundings and green space – appears to be slated for high-density redevelopment in a plan that merely *strives* for, but does not *require*, “no net loss of market rate affordable housing.”¹¹ The County is undertaking many planning initiatives to retain and increase the supply of attainable, affordable housing with more green space, yet the Falkland Apartments are *already here*; these multifamily garden apartments remain more affordable than many of the newer high-rise apartments in downtown Silver Spring. **ADSW urges the Council to reconsider destruction of the north complex and, despite the fact it may lack the potential for historic designation on its own, to preserve Falkland North by including it in the Garden Apartments Historic District.**

Other Additions to the National Register

For some time now, ADSW has argued that midcentury modern architecture is the next frontier of historic preservation – not only as unique examples of modernist design and architecture, but also because of the stories these buildings can tell. They coincide with a formative period in the County's history as both a DC suburban bedroom community and as an identifiable community in its own right. As staff have ably

¹⁰ Clare Lise Kelly, *Montgomery Modern* 96 (2015).

¹¹ *Draft Plan*, *supra* n. 1, at 88 (emphasis added).

documented, this period was also a formative time in the community's and nation's history, as the civil rights and other social justice movements raged and made an impact on policies and practices.

ADSW thus supports the Draft Plan's recommendation to add the American National Bank Building, the Perpetual Building, the brutalist Montgomery Center Building, the Operations Research Inc. Building, and the other office buildings listed in the Draft Plan to the National Register. Adding these buildings to the National Register would represent a good start, but would not furnish protection from substantial alteration or demolition. The County's Locational Atlas for Historic Resources has only included piecemeal updates since its creation in 1976, during which time buildings erected in the 1950s and 1960s are now 60-70 years old and eligible for greater protection. **We urge the Council to add provisions to the Draft Plan to the effect that at least some of these mid-century modern office buildings should be added to the Locational Atlas as well.**

There are also many Art Deco buildings that have not yet been but should be surveyed for addition to the Locational Atlas. The old Coca-Cola Bottling building on East-West Highway (now National Tire) is already slated for demolition to build a new urban park,¹² which illustrates the importance of being proactive in designating historic resources. **ADSW urges the Council to amend the Plan to recommend that some unprotected Art Deco buildings** (e.g., Crisfield's, the old Silver Spring Tire Co./now Hertz rental cars building) **be added to the list of buildings in the plan district that should be surveyed, evaluated, and placed in the Locational Atlas.**

Fenton Village

During the development of the Draft Plan, Planning staff emphasized that there was strong community support for keeping Fenton Village largely as is. The community appreciates the area's history of: providing a toehold for small entrepreneurs, often recent immigrants; nurturing small businesses that serve diverse communities; and maintaining the small-scale of its older buildings and nearby street parking. For the most part, the Draft Plan evinces an intent to preserve these features, making some improvements to the streetscape and creating some green space. But, the Plan also repeatedly refers to new development in Fenton Village, especially between Georgia and Fenton, and behind Fenton, allowing changes in height and types (zoning) of developments, and eliminating parking. **Such changes could easily change the character of this "much-loved"¹³ district, and should be significantly constrained.**

On behalf of the Art Deco Society of Washington, thank you for the opportunity to share our views. If you have any questions, please contact me or Steve Knight, ADSW President, at president@adsw.org.

Sincerely,



Deborah Chalfie, ADSW Preservation Chair
dchalfie@adsw.org

¹² ADSW urges the County to consider whether any part of the Coca-Cola building might be preserved and reused, for instance as a gateway into the new park. At a minimum, the building should be photographed and documented for the HPC's records.

¹³ *Draft Plan*, *supra* n. 1, at 21.

I am Tim Eden with Starr Capital, development manager for 8600 Georgia Avenue, and also speaking for the two other properties on our block specifically in 8501 Colesville Rd and 8615 Ramsey St, in the Metro District.

COSTS FOR ADDITIONAL HEIGHT IN THE BHIZ

We are generally supportive of the Silver Spring Downtown Plan as proposed by the Planning Board that sets ambitious goals for housing development. We are very concerned, however, by the incentives proposed for additional height and density that will further raise development cost. The plan increases the MPDU requirement from 12.5% to 15%, that is an additional cost in a submarket that struggles to compete for multi-family renters. Each affordable housing unit is valued below cost, so that is a real economic burden. However, the Plan proposes further increases in affordable housing requirements in exchange for additional height in the CBD core area. This makes no sense, especially compared to Bethesda where height was increased as an incentive to developers to build more housing, including 15% MPDUs. In Silver Spring, we are effectively being asked to pay for additional height which adds development cost that is already under pressure from inflation and lower rents.

To further clarify, the Bethesda Sector Plan mapped the height and allowed owners to buy density at \$10/sf to fill up the building envelope. However, in Silver Spring, owners are being asked to buy density at \$5/sf (which still may not be economical), but are then also being asked to buy the additional height in the form of additional MPDUs above 15%. Thus, the overall cost in Silver Spring will be vastly greater than in Bethesda, in an area that already struggles to support development costs. If we are going to increase taxes on something, we are going to get less of it, in this case affordable and market rate housing. We note that the county and state provide affordable housing economic incentives for a good reason: affordable housing development is uneconomical. Let's not go backwards in raising cost to housing development as currently proposed.

To be comparable, and to make the \$5/sf to the CIF viable, the Plan should map the real ultimate heights, just as was done in Bethesda. In our case in the Metro District, that would be 300 feet. That

would provide incentive for these heights and development potential to be realized by purchasing additional density. We support the CIF fee because it is a more efficient methodology than the Density Averaging process, whereby developers purchase Transferable Development Rights (TDRs) from other property owners. This cumbersome process is costly, unpredictable and time consuming. However, we do not support annual increases to this CIF fee that are counterproductive.

EQUITABLE TREATMENT OF HEIGHT AND DENSITY

The Planning Board Draft for the Silver Spring Downtown Plan includes recommendations for height and density that are inconsistent and inequitable. Our site at 8600 Georgia is recommended for 200 feet and a 5.0 FAR when surrounding properties in the Metro District are recommended for 240 feet and a 8.0 FAR. In fact, the WMATA site and surrounding properties are currently zoned for 145 feet and an FAR of 5.0, exactly our zoning, and yet are proposed by the Board for a height of 240 feet and density of 8.0. It was noted in the Planning Board worksessions that our site is one of the few in the Metro District that is planned for redevelopment, yet we are not being treated equally with our neighbors as to height and density, and will be subject to additional fees or other requirements to gain the height and density we need for economic feasibility. It appears that we are being subjected to additional fees because we are prepared to move forward with development, and we cannot afford such additional costs.

For example, the most recent discussion shows our site at 200 feet, with a potential increase of 150% allowed (up to 300 feet) by meeting site plan conditions like capital improvements, affordable housing and infrastructure fees. For additional density, a fee of \$5/sf is being proposed. To build out the site from our CR-5.0, we would need another 165,000 sf that would be \$990,000 that our neighbor at CR-8.0 would not pay, and that is unfair. Another proposed extraction would be an increase in mpdus to 17.5% in exchange for additional height that would be an enormous burden compared to our neighbors. For example, another 2.5% of 350 units would be 9 units at a loss of \$200,000 sf each for an extra cost burden (loss) of \$1,800,000. We are simply asking to be treated equally with neighboring properties in the Metro District with a height of 240 feet and a density of 8.0. Thank you.



Map 9. Proposed Metro Center Zoning

Note: Overlay Zones are not shown on district zoning maps for clarity; see Map 16 Proposed Zoning

Table 3. Proposed Metro Center Zoning

Map Number	Existing Zoning	Proposed Zoning	Justification
25	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
26	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
27A	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
27B	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
28	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-200	Increase flexibility for future mixed-use development.
29	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
30	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
31A	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
31B	CR-5.0 C-4.0 R-4.75 H-145 T	CR-5.0 C-5.0 R-5.0 H-175	Increase flexibility for future mixed-use development.
32	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
33	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.
34	CR-5.0 C-4.0 R-4.75 H-200 T	CR-5.0 C-5.0 R-5.0 H-240	Increase flexibility for future mixed-use development.
35	CR-5.0 C-4.0 R-4.75 H-145 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development. Increase allowable height due to significant site constraints.
36	CR-8.0 C-6.0 R-7.5 H-200 T	CR-8.0 C-8.0 R-8.0 H-240	Increase flexibility for future mixed-use development.