

MARCH 26, 2024 ADDENDUM TO:
ELLSWORTH PLACE – STATEMENT OF JUSTIFICATION
SKETCH PLAN
M-NCPPC FILE NUMBER 320240060
8661 COLESVILLE ROAD, SILVER SPRING, MD 20910
SUBMITTED JANUARY 22, 2024

A. PRIOR APPROVALS

Prior approval in the former CBD-3 Zone of the office tower was for a 192' height and 299,307 SF of office GFA in virtually the same location as the proposed residential tower. See M-NCPPC Site Plan number 81988046F. There are existing structural columns above the roofline of the 1990s portion of the Ellsworth Place (formerly City Place) retail center that were placed in anticipation of the tower being built in a future phase.

B. DAP CONSULTATIONS

The Applicant has been in consultation with the Silver Spring Design Advisory Panel (DAP) on two occasions and has a third meeting scheduled for the Sketch Plan on April 17, 2024. Each meeting has provided an opportunity to further explore discussion and collaboration to enhance the design of the building above the existing retail center and address how the building meets the design guidelines. The Applicant will continue this process at this conceptual stage and again at Site Plan, when much more clarity will be provided, including anticipated materials within the schematic level of architectural design.

C. SECTOR PLAN CONFORMANCE

The Applicant's proposal meets the recommendations of the 2022 Downtown Silver Spring and Adjacent Communities Sector Plan. Specifically, the residential tower meets the Vision, the Goals, and the Recommendations for the Downtown **Ellsworth District**, where the subject property lies (Sector Plan pages 37-41).

URBAN DESIGN

The new residential tower steps back above the retail center base in a way that differentiates the proposed design from the existing building, utilizing the Downtown Silver Spring Design

Guidelines and multiple constructive consultations with the Silver Spring DAP. The recommendations for shared-street that can be closed for a farmer’s market and other festivals and outdoor events remains unchanged with this proposal.

ZONING

This proposal utilizes the recently applied CR-8 Zone to provide “maximum flexibility” for the development of the residential tower above the existing retail center, creating a true “mixed-used development.”

Plan-Wide Recommendations (Sector Plan, Chapter 3)

LAND USE & ZONING

The proposal provides new multifamily residential units, up to 450, in the heart of the downtown, thereby increasing the existing population in the Plan area. As for the Goals, this proposal redevelops the underutilized site of Ellsworth Place, adding both height and density. The residential tower above the existing retail center increases flexibility in the CR-8 Zone to respond to market conditions. A minimum of 15% MPDUs of those permitted and constructed will be provided. As for the Recommendation, this Optional Method Development will provide a monetary contribution toward new public open space downtown.

ECONOMIC GROWTH

The completed project will contribute to the County tax base and provide additional employment opportunities downtown. As for the Recommendation to improve the public realm, this project changes an approved but unbuilt office tower to a realistic residential tower. It will arise above a five-story retail center, further increasing significant pedestrian activity along Colesville Road and Fenton Street.

HOUSING

As for the Housing Recommendation, the tower will provide up to 450 residential units, including 15% MPDUs. This new housing is in a transit-rich location, close to a myriad of employment

centers. It will provide a range of unit sizes and types. The addition of the residential component will turn a block currently devoted to retail uses into a mixed-use neighborhood.

URBAN DESIGN

Turning to the Sector Plan's Urban Design Recommendation, this project takes advantage of additional allowable height while considering the street-level experience, views, and building form. The new development is compatible with the urban form and scale of the immediate surrounding neighborhood. The base of the tower is the existing retail center, which will be further animated by an architecturally interesting building above. The new building will further activate the walkable environment on that block of the downtown. The proposal is going through the review process of the DAP, which envisions an innovative building form with setbacks and building materials atop an existing retail center, with a design that incorporates architectural features and building articulation as well as suitable access to light and air. The new building will comply with the noise ordinance through mitigation strategies for affected units. By way of a monetary contribution, the Applicant will fund improvement of public spaces in the downtown. The pedestrian and bicycle network along Fenton Street will be improved through coordination with MCDOT on the Fenton Street Bikeway design, reinforcing the Sector Plan's Green Loop concept.

PARK TRAILS & OPEN SPACES

Regarding the Parks Trails and Open Spaces Recommendation, this project will make a monetary contribution to be applied to improving or implementing open space features in the downtown.

TRANSPORTATION

Turning to the Transportation Recommendation, this project is quick walking distance to the Silver Spring Transit Center, the Library's coming Purple Line station, the US 29 BRT Line, and multiple Metrobus and Ride On bus routes along Colesville Road (US 29) and Fenton Street. The residential tower, being proximate to this rich transit environment as well as to County public parking garages, will provide no onsite parking. The tower will provide onsite, private, indoor bicycle parking for its residents. Continued coordination with MCDOT on the Fenton Street Bikeway design will reinforce the Green Loop concept. With a minor exception to the residential entrance on Colesville Road, the project anticipates no change to the existing sidewalks along the frontage.

The property is within the Silver Spring Parking Lot District (PLD); the new residents will be able to utilize available County garages, making arrangements to secure permits as needed. The County Council passed ZTA 23-10 and it became effective March 15, 2024. This zoning provision allows for residential uses to be exempt from providing parking if located within a half mile from a Metrorail or Purple Line Station or ¼ mile from a BRT station. The subject property easily qualifies. MCDOT has indicated that a parking agreement will no longer be required. The Applicant will encourage residents with cars to purchase monthly passes to park within the nearby public parking garages. No additional right-of-way dedication is necessary to implement the road elements of adjacent roadways.

RESILIENT DOWNTOWN

Regarding the Resilient Downtown Recommendation, the project will provide 35% green canopy through green roof elements proposed on both the 6th floor and the tower roof, and add a cool roof component to the existing retail building. There are no existing SWM facilities on the property today.

COMMUNITY FACILITIES

The site sits within the Northwood High School cluster. The Applicant has reviewed the 2024 FY capacities and notes that there are no capacity issues within this public schools cluster.

HISTORIC RESOURCES

The tower will be constructed above the 1990s portion of the Ellsworth Place retail center; it will not intrude upon the 1947 former Hecht's Department Store structure. The project received a positive Preliminary Consultation before the Historic Preservation Commission on March 6, 2024, and will return to HPC for a further Preliminary Consultation prior to the Planning Board's Site Plan public hearing.

D. ZONING ORDINANCE COMPLIANCE

GBT Realty Corp. manages and operates Ellsworth Place, which is owned by several of its LLCs. The property is located at 8661 Colesville Road, Silver Spring. As to Necessary Findings:

1. the Sketch Plan application meets the objectives, general requirements, and standards of the Zoning Ordinance and conforms with the requirements of the CR-8 Zone;

2. the Sketch Plan substantially conforms with the recommendations of the 2022 Downtown Silver Spring and Adjacent Communities Sector Plan, as explained in the Statement of Justification and this Addendum;
3. Section 7.3.3.E.3. of Chapter 59 does not apply to this Sketch Plan application, which is filed under the new CR-8 zone and the 2022 Sector Plan;
4. Section 7.3.3.E.4. does not apply to this application as the property was not subject to a Local Map Amendment;
5. the Sketch Plan achieves compatibility with existing nearby development, which comprises the adjoining Ellsworth Place retail center plus high-rise and mid-rise apartments, stores, restaurants, office buildings, the United Therapeutics R&D complex, theaters, gyms, coffee houses, and various public facilities including the Silver Spring Civic Building and Plaza; any nearby proposed development would be welcomed;
6. the Sketch Plan provides satisfactory vehicular, pedestrian, and bicycle access, circulation, and parking connectivity; existing loading docks for Ellsworth Place and the adjoining Downtown Silver Spring project will remain and will continue to be accessed through a shared-use agreement;
7. the Sketch Plan proposes a public benefits package that is appropriate for downtown Silver Spring and, in particular, the Ellsworth District; and
8. the Sketch Plan proposes to construct the residential tower above the existing Ellsworth Place retail center in a single phase.

BEVERIDGE + DIAMOND, P.C.

By:  _____

Gus B. Bauman

1900 N Street, NW, #100

Washington, DC 20036

(202) 789-6013

gbauman@bdlaw.com

Counsel for Applicant