

# RECOMMENDATIONS

## CBD-WIDE REVITALIZATION RECOMMENDATIONS

*Foster a development pattern that will revitalize the CBD and focus the most intense development in Core.*

**A** plan works at varying levels of detail, laying out a sketched vision, broad policies, and specific recommendations. This section of the Plan provides detailed recommendations for systems affecting the entire CBD.

**Land Use and Zoning** are the Plan's backbone, justifying and beginning the legal process to establish new standards and requirements that will shape downtown development. Silver Spring's zoning will be adjusted to encourage redevelopment throughout the CBD.

**Urban Design** elements are intended to contribute to the downtown's function, appearance, value, and safety. A safe and attractive community is one where people will spend time and money.

**Circulation Systems** cover all transportation methods. The character and capacity of roads passing through the CBD are addressed, along with routes, facilities, and the overall environment for cyclists, walkers, and transit riders. As the hub of trails, buses, roads, and transit, Silver Spring offers commuting and recreation transportation options.

**Housing** is part of building the downtown community, as residents live in, use, and become involved in Silver Spring's daily life and future. The Plan renews the commitment to creating housing downtown while supporting existing housing in the CBD. Recommendations include new housing types to provide variety and opportunity.

**Community and Cultural Facilities** are the buildings and spaces that create a public presence downtown and provide useful and entertaining services to the community. Existing buildings and proposed new buildings and spaces have the potential to round out Silver Spring's offerings.

**Historic Preservation** preserves the past, contributes to downtown's aesthetic character, and can have significant economic return as unique structures are rehabilitated for new uses. Silver Spring's stock of historic buildings can be renovated and woven into the community fabric.

**Environmental** impacts of CBD redevelopment will be felt downtown and in surrounding areas. Issues in Silver Spring range from the sometimes hidden effects of stormwater run-off to the aesthetics and environmental impacts of street trees.

## LAND USE AND ZONING

*This Plan recommends focusing new development near transit at the Core, and offers flexible zoning options to encourage redevelopment.*

### VISION

This Plan is intended to create a development environment that invites revitalization. Zoning is a local government tool that affects development demand, densities, and patterns. Zoning alone, without market demand, cannot make investment happen. However, zoning can deter development.

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#### *Objective:*

- Creating a development envelope that encourages revitalization and focuses high density development in the Core, and transitions down from the Core to the surrounding residential areas.

#### *Summary Recommendations:*

- **Core**—Rezone specific sites to provide additional development incentives.
  - **Ripley**—Rezone to add flexibility and development incentives including the transfer of open space off-site or contribution to a park fund through an overlay zone.
  - **South Silver Spring**—Rezone to create development and renovation incentives, while preserving the integrity of surrounding residential neighborhoods. Application of an overlay zone allows the transfer of density from demolished buildings.
  - **Fenton Village**—Rezone to encourage revitalization while remaining sensitive to the transition between the commercial district and adjacent single-family neighborhoods. Additional density with height restrictions is allowed in much of the district through an overlay zone.
  - **Other Areas**—Rezone the Easter Seals site to allow for future development.
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## SILVER SPRING CBD ZONING HISTORY

The 1975 *Sector Plan for the Silver Spring CBD* implemented CBD Zones in downtown Silver Spring for the first time. To meet the goals of the 1975 Plan, CBD-3 zoning was applied liberally in the Core, and CBD-2 zoning was applied in most of the CBD east of the railroad tracks outside the Core. The area west of the tracks was predominantly CBD-1, with some C-2 zoning remaining in South Silver Spring. Because the level of development activity resulting from the new Silver Spring Metrorail station could not be anticipated, the Plan recommended adjusting the zoning at a later date.

Although the 1975 rezoning actually reduced the maximum commercial Floor Area Ratio (FAR) in the CBD from 14 (allowed under C-2 zoning) to 8, the extent of the CBD-3 zoning would prove, 17 years later, to be more than the market or the infrastructure of the CBD could support, even with the opening of Metrorail.

As recommended in 1975, the zoning was re-evaluated in the 1993 *Sector Plan for the Silver Spring CBD*, which rezoned most of the CBD to focus high-density development in the Core and allow densities to decrease down from the Core to the surrounding residential areas. The rezoning also sought to balance CBD development with the capacity of existing and planned infrastructure. New zones were created and applied as well. The CBD-0.5 Zone was used at the edges of the CBD to make a transition into residential neighborhoods beyond the CBD. The CBD-R1 and CBD-R2 Zones were designed to provide strong housing incentives at specific downtown locations.

## CURRENT ZONING PHILOSOPHY

Redevelopment of the Silver Spring CBD requires zoning that encourages development. Zoning should attract development to the CBD by providing flexibility in building design and uses. Flexibility will also allow Silver Spring to respond to market changes without cumbersome revisions to the Sector Plan.

Since 1993, the residential and business communities have indicated that existing zones are disincentives to redevelopment, particularly in depressed areas of the CBD. The use limits in projects exceeding 1 FAR in the CBD-R2 Zone, and the limited allowable FAR in the CBD-0.5 Zone are some examples of how application of the CBD zones deter redevelopment in Silver Spring. This Plan's recommendations are designed to alleviate current zoning disincentives.

## IMPLICATIONS FOR LAND USE

The proposed zoning changes expand land use options in some locations and also provide additional density where the allowed density may deter revitalization (Map 3).

- A mix of uses continues to be recommended for the CBD's Core. In the Urban Renewal Area, development is guided by the *Amended Silver Spring Urban Renewal Plan*, which specifies that no more than 50 percent of gross floor area should be office uses on the block bordered by Georgia Avenue, Colesville Road, Fenton Street, and Ellsworth Drive.
  - The air rights above the Metro power station located at the Metro tracks on Colesville Road are appropriate for additional development if Metro agrees to sell or lease those rights.
- The proposed zoning in the Ripley District doesn't exclude previously recommended high-rise housing, but offers additional density for commercial uses, increasing the likelihood that some of the Ripley District will develop as commercial, rather than high-rise residential, in the short-term. The overlay zone proposed for this area allows flexibility in development standards, density and open space transfer incentives, retaining existing FARs, and expanded uses.

- **South Silver Spring** could develop businesses that support the CBD's emerging high-tech graphics and communications arts uses, depending on the market, policy decisions, and incentives. The adjacent stable residential neighborhoods could be bolstered by new housing in this area. The overlay zone proposed for this area allows flexibility in development standards, density and open space transfer incentives, retaining existing FARs, and expanded uses.
- **Fenton Village** will continue as a transitional mixed-use neighborhood of retail, residential, and office uses. The proposed zoning is designed to encourage redevelopment of existing businesses and new development, and to ensure compatibility with surrounding residential communities. The proposed Overlay Zone for portions of Fenton Village allows increased density, expanded uses, open space transfer incentives, and specific building heights.

## ZONING RECOMMENDATIONS FOR REVITALIZATION AREAS

Four revitalization areas within the Silver Spring CBD warrant zoning changes to achieve the important public goal of downtown revitalization: the Core, the Ripley District, South Silver Spring, and Fenton Village. In these areas, and on specific sites outside these revitalization areas, the Plan recommends changing the base zones, and applying two new overlay zones. Generally, the zoning is intended to provide development incentives and flexibility. Specifically, the zoning changes will increase the overall development envelope of three districts and continue development focus in the Core (Maps 4, 5, and 6).

New zoning in these revitalization areas should include incentives that (1) capitalize on the momentum created by the proposed projects for Silver Spring's CBD (Discovery Communications headquarters, expansion of Montgomery College, improvements to Jesup Blair Park, Downtown Silver Spring's mixed-use entertainment center, and a new County parking facility off East West Highway); (2) create heightened investor interest and an improved investment climate in Ripley and South Silver Spring; (3) position Ripley and South Silver Spring to take advantage of their strategic locations near the Silver Spring Metro Station and proposed multi-modal Transit Center; (4) position Ripley and South Silver Spring to take advantage of land use options that can be supported by the current real estate market; and (5) achieve additional market rate housing.

The two proposed overlay zones are designed to encourage development on properties in the Ripley, South Silver Spring, and Fenton Districts. The proposed overlay zones offer development standards that provide incentives for revitalization.

Minimal zoning changes are recommended in the CBD Core or areas outside the revitalization areas discussed above. The northern and eastern sections of the CBD outside the revitalization area are mature and stable districts, with minimal new development or redevelopment anticipated. Visions established for these areas have not changed since 1993, and therefore, no significant zoning changes are warranted.

No zoning changes are recommended on land zoned for industrial uses in the southeast portion of the CBD. This area has long been envisioned as a location for service commercial and industrial land uses, and many of the businesses in this district have operated there for decades. According to the 1993 Sector Plan, "light industrial activities are valuable and necessary within the CBD and this area offers appropriate locations for these land uses." Because this industrial area is near to a single-family residential

neighborhood, compatibility issues have been raised. Compatibility issues can be mitigated through better code enforcement, design, etc., techniques this Plan strongly supports. The industrial area, which abuts the railroad tracks, is not considered a good location for housing.

### ***Recommendations***

The Plan's land use and zoning recommendations focus the densest development in the Core and around the Transit Center, and provide a diversity of retails, residential, office, hotel, civic, and park uses. Zoning and other plan recommendations are intended to provide additional development incentives and ensure that development projects in the Core contribute to the Plan's vision for downtown Silver Spring.

## **CORE**

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.

## **VISION**

Prompted by redevelopment proposed by the Downtown Silver Spring Project, the Core will be reborn as the commercial, civic, and entertainment center of Silver Spring and its surrounding neighborhoods. Development on the Urban Renewal site will be in a pedestrian-friendly, town center pattern with stores and streetscape that encourage people to walk. A mix of public and private uses, special events, and daily shopping, will serve the community and its visitors. This repositioning of the Core with new uses in a well-integrated, pedestrian-friendly environment will be the catalyst for redevelopment throughout the CBD as existing businesses upgrade and new businesses are drawn to the CBD. Combined with public investment, Silver Spring will become a downtown for the future (Maps 8, 9, 10, 11, and 12).

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### ***Objective:***

- Recreate the Core as the active center of downtown Silver Spring, ensuring that development contributes to the Plan's vision for downtown Silver Spring.

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### **Analysis of Existing Conditions**

The CBD's Core is centered on the intersection of Georgia Avenue and Colesville Road and includes the traditional retail center of Silver Spring. The Core is the focus of transportation, commercial, and retail activity. It has the most varied and intensive uses, as well as a concentration of historic buildings. The Core also has an important residential component: high-rise apartments that offer convenience and housing choices.

Particular features include the 14-acre Urban Renewal Area being developed as a mixed use retail, entertainment, hotel, and office development; the existing MARC, Metrorail, and bus stations; the site of the proposed Discovery Communications corporate offices; the townhouses underway at Cameron Hill; the historic Silver Spring Shopping Center; and the Silver Theatre, being redeveloped by the American Film Institute.

Rather than seeking one large project to remake and define the CBD, a number of projects will reshape downtown. The proposed Discovery Communications corporate headquarters, combined with the Downtown Silver Spring project will refocus downtown around mixed restaurant and retail development that includes a pedestrian-oriented main street and includes indoor and outdoor civic spaces. Some features of the development, such as the American Film Institute (AFI) at the Silver Theatre, will appeal to the regional market, but are also scaled to the community and use Silver Spring's unique resources.

While there is general consensus that the development proposed on the Urban Renewal site is the correct scale, density, and mix of uses, this plan must ensure that the project encourages spin-off development by making connections to surrounding downtown neighborhoods and to transit.

This Plan also ensures that development surrounding the Urban Renewal site contributes to the complete downtown environment. This Plan must address the public realm: the CBD's roads, parks, and other community and transportation infrastructure should be enriched and designed to create a strong foundation for continued downtown economic success.

## RECOMMENDATIONS

The Plan's land use and zoning recommendations focus the densest development in the Core and around the Transit Center, and provide a diversity of uses—retail, residential, office, hotel, civic, and park uses. Zoning and other plan recommendations are intended to provide additional development incentives and ensure that development projects in the Core contribute to the Plan's vision for downtown Silver Spring.

This Plan reconfirms the zoning applied to all parcels in the Core and sites outside the revitalization areas with the following exceptions.

- Rezone the parcels on the northwest corner of Colesville Road and Georgia Avenue from C-2 to CBD-2.

These parcels were rezoned from CBD-3 to C-2 in 1993 to reflect the existing commercial service uses (gas station) and to limit redevelopment. A change in zone would provide this site with additional development flexibility and permit development that is more consistent with the vision for the Core and the development on adjoining parcels.

- Rezone the block bounded by Fenton Street, Colesville Road, Cedar Street, and Roeder Road from CBD-1 to CBD-2.

Rezoning to CBD-2 will reflect existing development that now exceeds the standards of the CBD-1 zone. Additionally, zoning that reflects existing structures encourages property owners to re-invest in their properties, and alleviates difficulties with lenders and insurers who may view properties that do not conform to existing zoning as a risk regardless of "grandfathering" clauses that make such properties conforming.

- Rezone the northwest corner of the block bounded by Fenton Street, Roeder Road, Cedar Street, and Ellsworth Drive from CBD-1 to CBD-2.

Despite the intent of the 1993 down zoning, there is existing development on a portion of this blocks that exceeds the current zoning. Zoning that reflects existing structures encourages property owners to re-invest in their properties, This correction may also alleviate difficulties with lenders and insurers who may view properties that do not conform to existing zoning as a risk regardless of “grand fathering” clauses that make such properties conforming.

- Rezone the National Concrete Ready Mix parcels located on Cedar Street and Ellsworth Drive from CBD-1 to CBD-2 with a height limit of 60 feet, allowing the height to exceed 60 feet up to a maximum height of 75 feet with Planning Board approval based on compatibility with surrounding structures.

CBD-1 zoning is too restrictive on this parcel to encourage market feasible infill redevelopment to occur on this site.

- Rezone the parcel located in the middle of the block bounded by Roeder Road, Cedar Street, and Ellsworth Drive from CBD R-2 to CBD-2.

CBD-R2 zoning is too restrictive to allow future development to occur on this site.

- Allow additional height above 143 feet on the Silver Triangle site with Planning Board approval.

Given this site’s central location in the CBD, its proximity to the proposed Transit Center, and its potential to create a downtown landmark and amenities, it is appropriate to consider increased height and density.

## RIPLEY DISTRICT

A revitalized Ripley District will be a focal point of high-density commercial development, linking Georgia Avenue and East West Highway with bike trails and pedestrian routes, organized around civic open space.

### VISION

Through the combined effort of economically viable zoning and public and private investment, the Ripley District is envisioned as a revitalized, mixed-use district with its primary focal point a high-density commercial development. It will link Georgia Avenue and East West Highway with bike trails and pedestrian routes, organized around open space (Maps 13, 14, 15, and 16). Expanding the range of uses and adding market-responsive commercial density near Metro will stimulate development and allow both commercial and high-rise residential uses. (However, high-rise housing is not viable in today's market because rents supported by the Silver Spring market cannot cover the development cost associated with high-rise housing.)

The zoning objectives for the Ripley District include providing for a new inter-connected street system; expanding the zoning options permitted near Metro to allow uses supported by the current market; addressing obstacles to redevelopment: the need for inter-connected streets creates small parcels not suitable for a combination of building floor area and required open space, and the need for dedication for the Metropolitan Branch Trail reduces the available building area; and addressing the character of Georgia Avenue to create an attractive street with adequate light and air.

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#### *Objective:*

- Encourage mixed-use development near the Transit Center by facilitating market feasible development and upgrading the physical environment.
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#### **Analysis of Existing Conditions**

The Ripley District, a triangular area just south of the Silver Spring Metrorail Station between Bonifant Street, Georgia Avenue, and the CSX railroad tracks, is centrally located in downtown Silver Spring, has frontage along Georgia Avenue, and is near the proposed Transit Center. Despite the area's central location and its proximity to Metrorail, the only new development since 1993 has been a small social service center called Progress Place.

The district is dominated by automotive shops, public and private parking lots and garages, and small warehouse facilities. Existing buildings and land uses do not take advantage of the area's excellent location or development potential.



The Ripley District will most likely have the opportunity to capture future private development once key Core properties are developed. There may be potential to jump start development in the Ripley District by relocating selected community facilities, like the Fire Station. (See Community Facilities section.) Many properties in the Ripley District are virtually landlocked. A new interconnected street system and new public open spaces can improve access and circulation throughout the district. As the 1993 Silver Spring CBD Sector Plan stated, the Ripley District may need public improvements to precede redevelopment. Public infrastructure improvements in roads, bike trails, and streetscape should contribute to creating a coherent and vital neighborhood. An interconnected street system, public spaces which improve access, circulation, organization, and a sense of place will change the perception of the Ripley District and attract new development to Georgia Avenue.

## RECOMMENDATIONS

This Plan is intended to create a development environment that invites revitalization. Zoning alone, without market demand, cannot make investment happen. However, zoning can deter development. This has been the case in the Ripley District's CBD-R2 zone because achievable rental rates do not cover development costs for high-rise housing, the land use envisioned in Ripley by the 1993 Sector Plan.

New zoning should facilitate a new inter-connected street system, allow an expanded range of market-responsive uses near Metro, and address obstacles to redevelopment that include small parcels not suitable for a combination of building floor area and required open space, and the reduction of available building area due to dedication of the Metropolitan Branch Trail. The zoning should also facilitate improvements to the character of Georgia Avenue.

- Retain the CBD-2 Zone on parcels currently zoned CBD-2.

Existing zoning supports the Plan's vision and goal, as stated above, by allowing a variety of uses and providing enough density to encourage redevelopment of the Ripley District near the Transit Center.

- Rezone all CBD-R2 properties in the Ripley District to CBD-2.

CBD-2 zoning will encourage redevelopment near the Transit Center by allowing more commercial density in response to the current market. CBD-2 also provides the flexibility for both commercial or residential high-rises, or mixed use projects, whereas the CBD-R2 zone was intended primarily to stimulate high-rise residential development. Projects approved under the CBD-R2 zone in the Ripley and South Silver Spring areas have not been built because high-rise housing has not been economically viable in Silver Spring in recent years. (As indicated earlier, the rents which can be supported by the Silver Spring market cannot cover the development costs associated with high-rise housing.)

- Apply the Ripley/South Silver Spring Overlay Zone to portions of the Ripley District.

This overlay zone will encourage redevelopment in the Ripley District by providing more flexibility in the development standards and the range of permitted uses, while ensuring that new development is compatible with nearby uses.

## **SOUTH SILVER SPRING**

The revitalization of the under-used buildings and properties in this gateway to the County and the CBD will create a strong economic future for a neighborhood of complementary mixed uses spurred by spin-off use from Discovery Communications, Montgomery College's expansion, improvements to Jesup Blair Park, and recent commercial improvements along East West Highway.

### **VISION**

While public investment will create incentives and structure for revitalizing South Silver Spring, the neighborhood's character and shape must ultimately be determined by the market. A variety of reuse options for this gateway neighborhood include start-up business space, retail, and housing. With Discovery Communications located in the Core, South Silver Spring Gateway has the potential to offer supporting high-tech graphics and communication arts business uses to the CBD's emerging communications industry. Potential spin-off from Montgomery College's expansion could create demand for new business space and uses to complement the College's new Health Sciences building on Georgia Avenue. Its proposed partnership with American Film Institute should also foster development of supporting businesses. Located next to a stable residential neighborhood, South Silver Spring could also redevelop with in-fill housing, convenient to the renovated park (Maps 17, 18, 19, 20, and Figure 1).

South Silver Spring has the potential to become a unique, varied, and pleasant neighborhood. Physical improvements to accommodate pedestrian, bicycle and car access will add legibility and visual interest to South Silver Spring in a neighborhood combining new and renovated buildings.

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#### ***Objective:***

- Encourage new economic activity in South Silver Spring, including expansion of Montgomery College and other redevelopment.

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#### **Analysis of Existing Conditions**

South Silver Spring is on the southwest edge of the CBD, abutting the District line, north of the intersection of Georgia and Eastern Avenues. The area is characterized by mixed building types and disparate commercial uses including aging industrial, neighborhood convenience and service retail, offices, motels, a postal facility, and the former Canada Dry bottling plant. A variety of older buildings in the area offer reuse opportunities for developing and expanding high-tech and communications businesses. North along East West Highway are the NOAA buildings, with their upgraded streetscape and the recently renovated Blair Apartments.

As are many areas of the CBD, South Silver Spring is shaped by its relationship to the Georgia Avenue Corridor. At the southern end of Georgia Avenue, this neighborhood marks the entrance into the CBD and to the County. A significant gateway feature is Jesup Blair Park which, with facilities and access improvements, can become an asset for Montgomery College and neighborhood homes and businesses. The neighborhood is composed of large blocks that, while they offer redevelopment opportunities, also make it difficult to get through and around the district. As in the past, South Silver Spring must build upon its ability to support major CBD development initiatives.

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## **Incubator Space**

Small businesses in the Silver Spring CBD could benefit from incubator space, both physical and virtual, because it provides small businesses with the resources they need to establish themselves, create jobs, and contribute to economic redevelopment.

Physical incubators are inexpensive spaces, proximate to business services and complementary businesses, that enable transferring technology, and sharing resources. Virtual incubators link developing businesses via computer, creating an on-line business community that can also share information and ideas. Both types of incubators share the goal of producing jobs and establishing businesses, a goal that also serves downtown revitalization.

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Housing is also a desired goal for South Silver Spring, although it may be difficult to realize due to South Silver Spring's ownership pattern (small parcels in multiple ownership), the poor image of the area's vacant buildings, and an unwillingness to convert commercial property into residential uses. Public policies and action, including demolition and/or renovation of existing structures, land assembly, assisting office-to-housing conversions, and a transfer of development rights program could encourage housing development in the long term, particularly in the northern sector of the area nearest to the Transit Center and the Capital Crescent Metropolitan Branch Trail.

The recent renovation of five buildings into the Blair Mill Arts Center, whose tenants include advertising agencies, interior design firms, photo and art studios, and Discovery's re-use of the Caldor building may also indicate a future market direction for South Silver Spring.

The American Film Institute's plans to develop the Silver Spring Theatre as a major film and video exhibition center, and that organization's educational mission have the potential to create partnerships with Montgomery College and with new and existing media-related businesses such as film and broadcast studios and sound stages. Discovery Communications has similar potential for such partnerships.

Montgomery College's plan to expand the Takoma Park campus into South Silver Spring is a chance to introduce new and reinvigorated uses to this part of the CBD. The College plans to expand buildings along Georgia Avenue and into Jesup Blair Park with improvements to the park and to Blair Road. The plan also includes a pedestrian bridge over the railroad tracks, connecting the expanded campus.

As part of the revitalization efforts connected with the College's expansion, improvements are planned for Jesup Blair Park, including new and refurbished playing fields and tennis courts; improved parking, pathways, and jogging trails; and a covered pavilion and seating areas. Jesup Blair Park is also the setting for the historic Jesup Blair House. The house is currently used by the Housing Opportunities Commission (HOC). The park upgrade is intended to meet the needs of surrounding residents and business owners and to accommodate the College's expansion.

The Planning Department's *Class B and C Office Study* identified seven properties in the Silver Spring market area with leasable space in excess of 700,000 square feet, clustered predominantly in South Silver Spring. These buildings are vacant and obsolete. Three of these buildings—the Gramax Building, 7915, and 7923 Eastern Avenue—are completely vacant. They create a sense of abandonment in South Silver Spring that has been difficult to overcome.

South Silver Spring's locational advantage is its relative proximity to Core development. But, its deteriorating building stock, lack of visibility and poor access, hybrid pattern of development, and uneven densities have made it difficult to define a vision for the area. South Silver Spring is relatively distant from the Metro station and is separated by the railroad tracks from the CBD's other commercial areas. Many of the buildings have not been upgraded in years and the area is dominated by several large, vacant, and under-used office, retail, and warehouse buildings.

Montgomery County and the District of Columbia are currently working on a partnership to improve the section of the Georgia Avenue Corridor between the two jurisdictions to spur revitalization. The effect of these efforts has resulted in business and development interest in South Silver Spring.

## RECOMMENDATIONS

Current zoning discourages the redevelopment of vacant or under-used buildings in South Silver Spring. As in the Ripley District, the high-rise housing envisioned for South Silver Spring properties in the 1993 Sector Plan is not economically viable in the near term because achievable rental rates do not justify development costs. South Silver Spring should be rezoned to encourage redevelopment while protecting surrounding residential neighborhoods.

Zoning for revitalization in South Silver Spring includes providing flexibility for such uses as computer assembly and high-tech communication arts; creating pedestrian connections; providing incentives for redevelopment of existing, outdated buildings which detract from the area's potential; addressing the character of Georgia Avenue to create an attractive street with adequate light and air; and improving the area's image compared to other parts of the CBD.

- Rezone all CBD-R2 properties in South Silver Spring to CBD-2.

CBD-2 zoning will encourage redevelopment near the Transit Center by allowing more commercial density in response to the current market. CBD-2 also provides the flexibility for both commercial or residential high-rises, or mixed use projects, whereas the CBD-R2 zone was intended primarily to stimulate high-rise residential development. Projects approved under the CBD-R2 zone in the Ripley and South Silver Spring areas have not been built because high-rise housing has not been economically viable in Silver Spring in recent years. (As indicated earlier, the rents which can be supported by the Silver Spring market cannot cover the development costs associated with high-rise housing.)

- Rezone all CBD-0.5 properties in South Silver Spring to CBD-1.

CBD-1 zoning will encourage revitalization of South Silver Spring. The CBD-0.5 Zone is a disincentive in South Silver Spring. Redevelopment of South Silver Spring's vacant or underutilized buildings is discouraged by the FAR limitations of the CBD-0.5 Zone, which reduces development options and limits potential income.

- Apply the Ripley/South Silver Spring Overlay Zone to portions of South Silver Spring.

This overlay zone will encourage redevelopment in South Silver Spring by providing more flexibility in the development standards and the range of permitted uses, while ensuring that new development is compatible with nearby uses.

### **Ripley/South Silver Spring Overlay Zone**

This overlay zone would encourage redevelopment in the Ripley District and in South Silver Spring by providing more flexibility in the development standards and the range of permitted uses. At the same time, the overlay zone would be structured to ensure that new development is compatible with nearby uses and that it incorporates critical design elements, such as streetscaping and useful public open spaces (Map 20).

- Apply the Ripley/South Silver Spring Overlay Zone to portions of the Ripley and South Silver Spring Revitalization areas to: allow the needs of a specific area to be addressed without affecting all of the CBD zones, provide for a mix of housing and commercial uses, allow small parcels to become usable development sites, allow transfer of density and open space within the overlay area, improve the character of Georgia Avenue, provide the option to create larger open spaces, and encourage redevelopment of the Williams and Gramax properties in South Silver Spring.

## **SUMMARY OF RIPLEY/SOUTH SILVER SPRING OVERLAY ZONE**

### **Draft Purpose Clause**

- Facilitate the implementation of an organized and cohesive development pattern appropriate for an urban environment.
- Encourage attractive design and ensure compatibility with existing buildings and uses within and adjacent to the overlay zone.
- Provide flexibility in development standards to encourage innovative design solutions.
- Allow for the transfer of development credits and open space requirements within the Overlay District, which would:
  - recapture some developable area lost to the construction of circulation projects, thereby making small parcels developable
  - enable the transfer of open space increases in the buildable area of the site, thereby providing market feasible floor area on small parcels.
- Allow new uses.

## Major Provisions

- Allow new uses.
- Limit building height for new construction along Eastern Avenue, fronting one-family detached dwellings in the District of Columbia as follows: at the property line, building heights should be limited to 45 feet. Above 45 feet, the building may step back 60 feet and its height may increase to 90 feet.
- Allow the transfer of development credit from razed buildings (similar to the existing text amendments). Transfer may be to other sites within South Silver Spring or the Ripley District only.
- Allow the transfer of public use space requirement to other sites in the same district. Joint funding of off-site public use space may occur by multiple property owners.
- No front yard parking along Georgia Avenue.
- Allow alterations, repairs or reconstruction of buildings under the standards of the zone in effect at the time the building was constructed.

## FENTON VILLAGE

With an upgraded streetscape, new housing, and lively mix of multi-cultural, specialty, and convenience shops serving local and regional customers, the neighborhood-scale commercial uses along Fenton Street and its cross streets can become Silver Spring's own global village.

## VISION

Fenton Village is envisioned as a diverse community of people living and working together to create a tightly-knit urban neighborhood, conducive to strolling and browsing; its businesses providing personal service and a traditional town atmosphere not found in shopping centers or malls. Fenton Village has many strengths, including multi-cultural shops and restaurants, unique small businesses, a pedestrian-scaled physical environment, clusters of complementary businesses, "captive" market demand from surrounding neighborhoods, and proximity to Washington, D.C. Many of these specialty businesses already draw customers from a regional market, and by capitalizing on redevelopment in the Core, can begin to fill an unserved market niche (Maps 22, 23, 24, and 25).

New zoning should include incentives that capitalize on the momentum created by the proposed projects for Silver Spring's CBD Core. The zoning objectives for the Fenton Village include: providing development incentives, ensuring accomplishment of the vision/urban design goals for the district, and providing a housing incentive. Height limits would be implemented through the proposed overlay zones to ensure compatibility with adjoining neighborhoods.

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**Objective:**

- Revitalize Fenton Village by positioning it to benefit from redevelopment on the Urban Renewal site, facilitate housing that will upgrade the physical environment and bring in new residents, and provide a pedestrian-friendly environment that encourages people to stroll and stay.
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**Analysis of Existing Conditions**

Fenton Village is located south of Wayne Avenue and the CBD's Core, between Georgia Avenue on the west and the CBD boundary on the east. Originally a single-family residential neighborhood, today it is a mix of multi-cultural shops, neighborhood-serving retail, business services, small office buildings, and auto-related businesses, some of which draw a regional clientele. Commercial establishments are supported by public parking lots and garages. The east side of Fenton Street, while commercial, is adjacent to a single-family residential neighborhood that should be buffered from redevelopment.

There is a strong and substantial market for neighborhood-serving, small-scale retail in Fenton Village. Approximately 85 percent of the CBD's 20,000 office workers are within a ten-minute walk of Fenton Street, and there are 516,000 people living within five miles of the area. Redevelopment in the Core will also create the potential for spin-off businesses in Fenton Village. These markets, however, will remain untapped until there is a better match between businesses and the marketplace.

Fenton Village can capture some of Montgomery County's substantial market for Class B and Class C office space. Ninety percent of Silver Spring firms employ fewer than 20 people, making Fenton Village's small office buildings an ideal location for many companies.

According to a recent study on B and C office space, the success of older CBD office space depends on revitalizing the economy of Silver Spring, not on extensive public financial intervention in the market. Thus, as the CBD is revitalized and Fenton Village is physically upgraded, additional stable office tenants will be attracted to the area, potentially increasing rental rates and providing incentives for more property owners to make improvements.

Housing is another development option for Fenton Village. As in other CBD revitalization areas, new housing development can upgrade the physical environment and provide a resident market for new CBD retail, employment, and entertainment opportunities.

Pedestrian traffic in Fenton Village has declined due to a variety of real and perceived problems including lack of demand for the goods and services offered in Fenton Village, inadequate pedestrian circulation, concerns about security, the ability to attract office workers from the nearby Core, and the area's deteriorating visual image.

The area is also physically disjointed, due to a lack of significant renovation or infill development in recent years. In more unified shopping districts, retailers benefit from the combined drawing power of the individual stores. In Fenton Village, the disjointed pattern of commercial activity and the lack of a resident population dilutes pedestrian traffic—a key component to retail vitality.

Also, property owners have had little incentive to renovate. Past depressed commercial rents did not generate a return on investment through increased rental rates. Lease terms were shorter and landlords were not providing the tenant improvements typically included in longer leases.

While there are many public parking lots and garages in Fenton Village, some of them are not conveniently located or are unappealing to potential shoppers. Some of these facilities could be redesigned, reused, or relocated.

Many public and private entities, including the Department of Park and Planning, the County's Departments of Economic Development and Housing and Community Affairs, the Silver Spring Regional Center, and the National Trust for Historic Preservation's Main Street program, recognize Fenton Village's potential and the need to upgrade and market the area through both physical and economic revitalization, regulatory actions, financial assistance programs, and business assistance programs. Although some physical improvements are occurring in Fenton Village, the disparity between goods demanded and goods offered has not been fully addressed.

## RECOMMENDATIONS

The goals of the new zone are to heighten investor interest and improve the investment climate in Fenton Village; to strengthen the economic vitality of Fenton Village and the Silver Spring Central Business District; to position Fenton Village to take advantage of the area's proximity to the development in the Urban Renewal Area; and to position Fenton Village to take advantage of land use options supported by the current real estate market, while remaining sensitive to the transition between the commercial district and the adjacent single-family neighborhood.

This Plan's examination of Fenton Village zoning found, despite 1997 changes grandfathering existing uses and densities, that current zoning precludes development of the varied main street envisioned by this Plan. By limiting expansion capability, the zoning limits the likelihood of renovation. The examination also pointed out that as a viable neighborhood, Fenton Village could reduce car traffic, as people walk to entertainment and shopping.

- Rezone selected properties along Wayne Avenue and Georgia Avenue from CBD-1 to CBD-2.

CBD-2 zoning is recommended in some cases to reflect existing development that exceeds the standards of the CBD-1 zone. Zoning that reflects existing structures encourages property owners to re-invest in their properties, and alleviates difficulties with lenders and insurers who may view properties that do not conform to existing zoning as a risk regardless of "grand fathering" clauses that make such properties conforming. (The property on the north side of Wayne Avenue is zoned CBD-1, but it is within the Urban Renewal Area and functions like CBD-2.) The Approved Project Plan for Downtown Silver Spring on CBD-1 properties allows buildings that are consistent with CBD-2 zoning standards.

- Rezone all CBD-0.5 properties on the west side of Fenton Street to CBD-1.

A significant number of vacant or underutilized lots have limited potential (without assemblage) to attract additional retail because they do not have enough density and cannot cover enough of their lots on the ground level to achieve the needed first floor space. CBD-1 zoning will allow increased density under the standard method, up to 2 FAR under the Fenton Village Overlay Zone, with site plan review. (Under the CBD-0.5 Zone, property owners could not realize the 1 FAR optional method density)



because the small parcels that make-up Fenton Village are less than the minimum 22,000 gross square feet required for optional method).

- Rezone selected properties on the east side of Fenton Street from CBD-0.5 to CBD-1.

A significant number of vacant or underutilized lots have limited potential (without assemblage) to attract additional retail because they do not have enough density and cannot cover enough of their lots on the ground level to achieve the needed first floor space. CBD-1 zoning will allow increased density under the standard method. (Under the CBD-0.5 Zone, property owners could not realize the 1 FAR optional method density because the small parcels that make up Fenton Village are less than the minimum 22,000 gross square feet required for optional method).

- Apply the Fenton Village Overlay Zone on all CBD-1 properties in Fenton Village.

This overlay zone will encourage redevelopment in Fenton Village by providing more flexibility in the development standards and the range of permitted uses, while ensuring that new development is compatible with nearby uses.

## **FENTON VILLAGE OVERLAY ZONE**

An overlay zone would encourage redevelopment in Fenton Village by providing more flexibility in development standards and the range of permitted uses. At the same time, the overlay zone would be structured to ensure that new development is compatible with nearby uses and that it incorporates critical design elements, such as streetscaping and useful public open spaces. (See Map 21.)

- Apply the Fenton Village Overlay Zone to portions of the Fenton Village revitalization area zoned CBD-1 to allow the needs of a specific area to be addressed without affecting all of the CBD zones. The Overlay Zone will encourage a mix of housing and commercial uses by development incentives, allow small parcels to become usable development sites, limit building heights, ensure compatibility with adjacent residential neighborhoods, allow the transfer of public use space requirements to other sites in the same district, and improve the character of Georgia Avenue.

## **SUMMARY OF PROPOSED FENTON VILLAGE OVERLAY ZONE**

### **Draft Purpose Clause**

- Encourage attractive design and ensure compatibility with existing buildings and uses within and adjacent to the overlay zone.
- Provide flexible development standards to encourage innovative design solutions.
- Allow the transfer of open space requirements within the overlay district.
- Implement the transfer of open space to increase the buildable area of a site, thereby providing market feasible floor area on small parcels.
- Allow new uses.

## Major Provisions

- Allow new uses.
- Limit building height for new construction fronting along the east side of Georgia Avenue to 90 feet, and 60 feet for properties fronting on the west side of Fenton Street. Properties between Georgia Avenue and Fenton Street not fronting on either street are limited to 60 feet but may go up to 90 feet for projects that are at least 33 percent residential and where the additional height is placed closest to Georgia Avenue and tapered down moving east to Fenton Street.
- Limit building height for new construction fronting on the east side of Fenton Street to 45 feet for all uses except housing which would be allowed up to 60 feet.
- Allow the transfer of public use space requirements to other sites in the same district. Joint funding of a specific amenity may occur by multiple property owners.
- Allow 2 FAR in the CBD-1 Zone under the standard method with site plan review per 59-D-3.
- No front yard parking along Georgia Avenue.
- Allow alterations, repairs, or reconstruction of buildings under the standards of the zone in effect at the time the building was constructed.

Within the Fenton Village Overlay Zone, developers would have three choices for developing their properties:

- Standard method development.
- Under the CBD-1 Zone only: standard method development, with an 1 FAR bonus that would allow up to 2 FAR of density for non-residential development, but requiring the site plan approval pursuant to 59-D-3. Streetscaping will be required as part of the site plan approval.
- Optional method development.

## OTHER AREAS OF THE CBD

This Sector Plan reconfirms the zoning applied to all parcels in the remaining areas of the CBD outside the Revitalization Areas previously discussed, with the following exception (Maps 26, 27, and 28):

### OTHER AREAS ZONING CHANGES

- Rezone the parcels on the northwest corner of Second Avenue and Spring Street, from CBD-R1 to CBD-1 to encourage development.\* (This is the site of the recently announced Easter Seals project.)

The CBD-R1 zoning on this site is too restrictive to allow for future development on this site. Housing could still be built under the CBD-1 zone.

- Rezone the Blair property from R-10 to CBD-R2 contingent upon the passage of a zoning text amendment to cap the density at the amount allowed by the current zoning. The change in zoning would allow more flexibility and creativity for development without increasing the amount of development or changing the mix of uses. If the text amendment to cap the density fails to pass, this rezoning should not be approved as part of the Sectional Map Amendment process.\*\*

This 28-acre site is currently split zoned R-10 (20 acres) and CBD-R2 (8 acres). The Blair Park site is both residential and commercial, with apartments and townhouses surrounding a shopping plaza anchored by a Giant Food and several other stores and restaurants. The site is bounded by East Avenue, Colesville Road, East West Highway, and Blair Mill Road.

The full residential use of the property could be equivalent to 80 dwelling units per acre under standard method, or 200 dwelling units per acre or a 4 FAR under optional method development. For the Blair tract, these limits equal 2,240 dwelling units under the standard method or 5,600 units under the optional method. This Sector Plan sets a cap of 2,800 dwelling units under the optional method. This site will also be subject to the terms of a new text amendment that limits the maximum allowed commercial square footage to 450,000 square feet of standard method development in the CBD-R2 zone on sites of ten or more contiguous acres.

(The County Council applied the following limitation from the Zoning Ordinance to the text amendment: On sites of 10 contiguous acres or more, the amount of non-residential development is limited to a maximum of 450,000 gross square feet.)

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\*This site remained CBD-R1 under the Sectional Map Amendment.

\*\*The text amendment was approved by the County Council prior to the SMA.