



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

MCPB No. 13-109

Project Plan No. 920130050

The Blairs Master Plan

Date of Hearing: October 24, 2013

DEC 23 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-2, the Montgomery County Planning Board is authorized to review project plan applications; and

WHEREAS, on April 25, 2013; Blair Towers, LLC, Blair Office Building, LLC, Blair Shopping Center, LLC, Blair Stores, LLC ("Applicant") filed an application for approval of Project Plan No. 920130050 for a mixed-use development of 3,825,400 gross square feet, including 450,000 square feet of commercial uses and 3,375,400 square feet of residential uses, located in the Eastern quadrant of the intersection of Colesville Road (MD 384) and Eastern Avenue ("Subject Property") on 30.36 acres of land comprised of seven CBD-R2 zoned lots located in the 2000 Silver Spring ("CBD") Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's project plan application was designated Project Plan No. 920130050, The Blairs Master Plan ("Application" or "Project Plan"); and

WHEREAS, following review and analysis of the Application by Planning Board Staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 11, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 24, 2013, the Planning Board held a public hearing on the Application, and at the hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 24, 2013, the Planning Board voted to approve the Application subject to conditions on motion of Commissioner Anderson, seconded by Commissioner Wells-Harley, with a vote of 4-0; Commissioners Anderson, Carrier, Dreyfuss, and Wells-Harley voting in favor and Commissioner Presley abstaining.

Approved as to
Legal Sufficiency

Christina Smith 12/5/13

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board APPROVES Project Plan No. 920130050, The Blairs Master Plan, for a mixed-use development consisting of no more than 3,825,400 square feet of gross floor area, including 450,000 square feet of commercial uses and 3,375,400 square feet of residential uses with a maximum of 2,800 dwelling units, including 12.5% MPDU's, and a waiver of the gross floor area devoted to retail or personal service commercial uses pursuant to Section 59-C-6.234, subject to the following conditions:¹

1. Development Ceiling

The development is limited to a maximum 2.89 FAR, and a maximum 3,825,400 gross floor area consisting of a maximum 450,000 square feet of commercial uses and a maximum of 2,800 residential units (new and existing).

2. Housing

The Applicant must provide a minimum of 12.5% of the total number of newly constructed units as Moderately Priced Dwelling Units on-site, consistent with the requirements of Chapter 25A, in accordance with the Department of Housing and Community Affairs ("DHCA") letter dated August 13, 2013.

3. Architecture, Building Height, and Mass

- a) The buildings within the upper escarpment (Parcels A, E, and F) and lower escarpment, Parcel H, are limited to a maximum building height of 200 feet as determined by the Department of Permitting Services applicable building height measurement point.
- b) The buildings within the lower escarpment, Parcel G, are limited to a maximum building height of 180 feet as measured from their respective fronts as determined by the Department of Permitting Services applicable building height measurement point.
- c) Buildings in Block G of Parcel G must maintain a minimum setback from the current northerly right-of-way line of Blair Mill Road of 16 feet (townhouse building face; 0 feet to courtyards). The maximum height for

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

these buildings will be further reviewed at the site plan stage for compatibility. Maximum building height permitted will be based upon building step backs, materials, massing, and architecture.

- d) Buildings in blocks F1 and F2 of Parcel G must maintain a minimum setback from the current northerly right-of-way line of Eastern Avenue of 18 feet for townhouse building face (as to F-1), and 16 feet for townhouse building face (as to F-2). The maximum height for these buildings will be further reviewed at the site plan stage for compatibility. Maximum building height permitted will be based upon building step backs, materials, massing, and architecture.

4. Public Use Space, Facilities, and Amenities

- a) With the submittal of the final site plan for the development, the Applicant must demonstrate a minimum of 20% of the net lot area as public use space on-site. A variable amount of public use space is permitted with each phase and will be approved with each site plan.
- b) The Applicant must provide public art on-site, integrated into the overall site design. The public art components must be commensurate with the size of the public use space in which the art will be located.
 - i) The Applicant must present final public art concepts to the Art Review Panel for review and comment that will be available to the Planning Board prior to scheduling the Planning Board hearing for the site plan application which contains the public art associated with each building or public use space area to be completed in the same phase.
 - ii) Final detail and design of the public art must be determined by the applicable Certified Site Plan.
- c) As a public amenity, the Applicant must provide streetscape improvements per the Silver Spring CBD Streetscape Standards, or as amended (or as approved by Staff), including the undergrounding of public utilities along the property's frontage on Blair Mill Road, Colesville Road, and East-West Highway, with the phasing of the streetscape improvements determined at the time of the applicable site plan which adjoins the particular frontages.

- d) All record plats that include public use space must include a note that all public use spaces as illustrated on the Certified Site Plan(s) must be maintained in perpetuity by the property owners and access must be provided to the general public.

5. Parks and Recreation

- a) The site plans that include construction and completion of the public dog park must include details for signage, design, operations, and management that insure performance as a public dog park.
- b) The site plans that include construction and completion of the playgrounds must include details for design to insure the playgrounds (collectively) meet the needs of various age groups.
- c) At a minimum, a multi-use court for residents that accommodates a variety of uses, including half-court basketball, must be identified prior to the first site plan submission for the development and included as part of the public use space area for the relevant site plan.

6. Staging of Amenity Features

- a) The development must be completed in accordance with the preliminary phasing plan and development program dated September 17, 2013 unless modified at the time of each site plan.
- b) The Applicant must complete the on-site public use space improvements associated with each phase prior to issuance of the final use and occupancy permit for that phase.
- c) The Applicant must install the landscaping associated with each phase no later than the next growing season after completion of the building and site work.

7. Environment

The Applicant must achieve a LEED Certified rating certification at a minimum, or energy and environmental design standards that the Department of Permitting Services identifies as equivalent to a certified-level rating in the appropriate LEED rating system. The Applicant must make good faith efforts to achieve a LEED Silver rating, or energy and environmental design standards that the Department

of Permitting Services identifies as equivalent to a Silver-level rating in the appropriate LEED rating system. Before issuance of the final use and occupancy certificate, the Applicant must inform MNCPPC Staff of the LEED Certification Level that they are qualified for. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to Staff a written report for the public record purposes only from the Applicant's LEED consultant, analyzing the feasibility of achieving a LEED-Silver rating (or equivalent), to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating (or equivalent), including their associated extra cost. Submission of this report constitutes compliance with this condition.

8. The Applicant must obtain approval of a Final Forest Conservation Plan from the Planning Department prior to issuance of a Sediment Control Permit from the Department of Permitting Services for new construction. The Final Forest Conservation Plan must be consistent with the approved Preliminary Forest Conservation Plan.
9. The Applicant must plant twenty-four (24) three-inch caliper native canopy trees as mitigation for the removal of specimen trees. The species and location of plantings must be identified on the Final Forest Conservation Plan.
10. An International Society of Arboriculture certified arborist must certify tree protection measures on Final Forest Conservation Plan.

BE IT FURTHER RESOLVED that all elements of Project Plan No. 920130050, The Blairs Master Plan, received by The M-NCPPC on September 17, 2013, are required except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein) and having considered the entire record, all applicable elements of Section 59-D-2.42, and the relevant provisions of Section 59-D-2.43, the Planning Board, with the conditions of approval, FINDS:

- (a) The development complies with all of the intents and requirements of the CBD-R2 zone as applied comprehensively to the Project.**

The Subject Property is zoned CBD-R2. Section 59-C-6.212 of the Montgomery County Zoning Ordinance establishes the CBD-R2 Zone and outlines the description,

intent and general requirements of the CBD zones. The CBD-R2 zone is intended for use in areas of a central business district designated to accommodate high density residential development. As described below, the Subject Property will meet the overall intents of the CBD zone and will, under Section 59-C-6.213(b), foster and promote the orderly development of the Central Business Districts of the county so that these areas will enhance the economic status of the county as well as providing an expanding source of employment and living opportunities for its citizens in a desirable urban environment.

Overall Intent

The overall intent of the CBD zones is as follows:

- 1) *To encourage development in accordance with an adopted and approved master or sector plan by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan and the Site Plan is approved on review by the Planning Board.*

With regards to the overall density and intensity on the Site, the Sector Plan sets a cap of 2,800 dwelling units under the optional method. The Sector Plan also recommends limiting commercial square footage on the site to 450,000 square feet. The maximum approved by the Board for this Application is 2,800 residential dwelling units and 450,000 square feet for commercial uses. The Floor Area Ratio of the Project is 2.89, which is well within the 5.0 maximum allowed by the zone. The Sector Plan does not include a specific recommendation for height on this site, however, Section 59-C-6.235(b) of the Zoning Ordinance states that the height normally allowed in the CBD-R2 zone is 143 feet, but may be increased up to 200 feet if approved by the Planning Board in the process of site plan as not adversely affecting surrounding properties. The Planning Board finds that within the upper escarpment, a maximum building height of 200 feet is appropriate. Building heights of up to 200 feet in the upper escarpment are appropriate due to the heights of existing buildings across East-West Highway and along Blair Mill Road and Colesville Road. The heights within these adjacent and confronting properties range from 140 to 170 feet with varying setbacks from the street. An urban form is important in this portion of the site to emphasize the mixed use nature of the upper escarpment, where a lively pedestrian realm is essential to its success. The existing high rise residential buildings on the Subject Property which front East-West Highway and Blair Mill Road will also buffer confronting properties from the new buildings. These existing buildings on the site will provide

visual relief from the streets, as well as a sufficient step back to minimize shadow effects.

For the lower escarpment, the Planning Board finds a maximum building height of 200 feet is appropriate within Parcel H, and 180 feet is appropriate within Parcel G, which is located in close proximity to the adjacent residential neighborhoods in South Silver Spring and the District.

The close proximity of future buildings in Parcel G to existing garden apartment buildings and single family residential dwelling units requires compatibility to be closely examined as part of future site plan reviews. As conditioned, the maximum height for these buildings will be further reviewed at the site plan stage for compatibility, along with further evaluation of step backs, building materials, massing, and architecture. The Planning Board finds the two buildings in Blocks F1 and F2 of Parcel G, which will include townhome units in the fronts surrounding parking garages with much greater density of units on opposite sides, is an appropriate approach; however, the ultimate height of these buildings must be further evaluated at the site plan stage.

- 2) *To permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities in central business districts to meet the needs and requirements of workers, shoppers, and residents.*

The Project Plan includes the redevelopment of a large site within the Silver Spring Central Business District. The Planning Board recognized that redevelopment of the site will allow the area to continue to modernize and provide superior amenities. Within the site itself there will be a variety of land uses and activities including residential buildings of varying heights, office space, hotel space, and retail space. All of these land uses will be connected by a cohesive open space network. When these various elements combine, interesting passive and active activities for residents, workers, and shoppers will be readily available.

- 3) *To encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas.*

The development will include a public green space area with visibility from East-West Highway as pedestrians walk south from the Silver Spring Metrorail station. Pedestrian-oriented walkways within the site will lead to retail storefronts surrounding the public green space area and will continue to the lower escarpment, which will enhance the circulation system and overall desirability of the area. Residents south of the site will also benefit from public use spaces that front Eastern Avenue and connect to the extended open space network on the site. These connections provide more direct access to the retail on the upper escarpment and the Metrorail station.

- 4) *To promote the effective use of transit facilities in the central business district and pedestrian access thereto.*

The site offers direct pedestrian linkages to the Metrorail station and Silver Spring Transit Center on a north-south axis that is the most direct route from the southern end of the site and points beyond. The Project Plan also includes bus stops on the periphery to directly link residents and visitors of the site to bus transit infrastructure within Montgomery County and the District of Columbia.

- 5) *To promote improved pedestrian and vehicular circulation.*

An attractive pedestrian environment will be provided through the system of private streets proposed, which adequately break up the upper and lower superblocks, given the challenging grade differential in the middle of the site. The construction of Private Street B will connect the development to surrounding multi-family properties while at the same time increasing the permeability of the site. Vehicular access points to the various garages within the site are located towards the periphery of the property to minimize conflicting pedestrian and vehicular movements.

- 6) *To assist in the development of adequate residential areas for people with a range of different incomes.*

The provision of 12.5% MPDUs in the development will increase the number of MPDUs available in this very desirable section of Silver Spring. This increase will allow for more MPDU residents to live within walking distance of a range of amenities, reducing the need for auto-oriented expenses.

(7) To encourage land assembly and the most desirable use of land in accordance with a sector plan.

For land assembly, the lotting diagram allows for the proposed private streets to provide maximum accessibility to, from, and within the site. The logical parcels that result after the creation of the roads establishes blocks that will allow for building orientations that support a pedestrian friendly, civic, green, commercial, residential, and transit oriented downtown as envisioned by the Sector Plan.

Requirements of the CBD-R2 Zone

General Requirements

The data table below lists the required development standards approved by the Planning Board and binding on the Applicant. The Planning Board finds, based on the aforementioned data table, and other evidence and testimony of record, that the Application meets all of the applicable requirements of the optional method of development in the CBD-R2 zone.

Project Data Table for the CBD-R2 Zone (Optional Method of Development)

Development Standard	Zoning Ordinance Permitted/ Required	Approved and Binding on the Applicant
Site Area (square feet)		
Gross Tract Area	18,000 sf	30.36 acres (1,322,792 sf)
Less Dedication for Public ROW	n/a	0.69 acres (30,366 sf)
Less Prior Dedication for Public ROW		3.09 acres (134,677 sf)
Net Lot Area	n/a	26.58 acres (1,157,749 sf)
Density		
Max. Total FAR	5.0	2.89
- residential	n/a	2.55
- commercial	1.0 or 450,000 sf ¹	0.34 (450,000 sf)
Retail & Personal Service Use	5% of GFA	3.27% ²
MPDUs [Chapter 25A] Units	12.5%	12.5%
Min. Public Use Space		
On-Site	20%	20%
Off-Site Amenity Space	n/a	4%
Min. Building Setbacks (ft) [59-C-10-3.8]		
Front	0 ft	0 ft

Rear	0 ft	0 ft
West Side	0 ft	0 ft
East Side	0 ft	0 ft
Max. Building Height (ft)		
Upper escarpment, Parcels A, E, F	143 ft	200 ft ³
Lower escarpment, Parcel H	143 ft	200 ft
Lower escarpment, Parcel G	143 ft	180 ft
Vehicle Parking (number of spaces)⁴		
Retail	1,055 spaces	322 spaces
Residential	3,160 spaces	2,953 spaces
Total spaces	4,215 spaces	3,275 spaces
Bicycle Parking		
Number of spaces	1 space for every 20 auto spaces, but not more than 20 in any 1 lot	To be determined at site plan
Motorcycle Parking		
Number of spaces	2% of auto spaces, but not more than 10 in any 1 lot	To be determined at site plan
Footnotes		
¹ 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. ² The Planning Board may waive a portion of this requirement upon during the course of project plan approval upon a finding that full compliance with this requirement is not practical, feasible, or would result in such uses being required on other than the ground or first floor. ³ Per Section 59-C-6.235(b), the Planning Board can approve a height that exceeds 143 feet, up to 200 feet, in the CBD-R2 zone for an optional method of development in the process of site plan. ⁴ Parking is required for the Subject Property, as it is located in the Silver Spring Parking Lot District. Total number of spaces will be determined at certified Site Plan.		

Retail & Personal Service Use Requirement

Under Section 59-C-6.234, footnote 3, of the Zoning Ordinance, the maximum density of development for the CBD-R2 zone requires at least 5% of the gross floor area consist of retail or personal service commercial uses. The Planning Board finds that full compliance with this requirement is not practical. The development includes 3.27% retail and personal service uses rather than the full 5%. The Sector Plan limits commercial development on the Subject Property to 450,000 square feet, and ground floor retail and personal service use opportunities on the Subject Property are viable only in certain areas. As a result, a total of 3.27% of the commercial development on the Subject Property will be retail and personal service uses, located within the upper escarpment along Private Street A, at the ground level. Visibility and pedestrian traffic will be greatest in this location, which is the closest area to the Metrorail station and is also in close proximity to the more intense commercial and residential

development in the core area of Silver Spring. Retail and personal service uses here will be highly visible and benefit by being in close proximity to complimentary uses in the area. The Board agreed with the Applicant that placing more retail on the second floor to meet the requirement is not practical.

Public Amenities Requirement

According to the Zoning Ordinance (59-C-6.215(b)) a further requirement of optional method projects is the provision of additional public amenities:

“Under the optional method greater densities may be permitted and there are fewer specific standards, but certain public facilities and amenities must be provided by the developer. The presence of these facilities and amenities is intended to make possible the creation of an environment capable of supporting the greater densities and intensities of development permitted.”

To this end, the Application is proffering the following package of amenities and public facilities:

- 20% of the net lot area as public use space on-site
- Public art on-site
- Streetscape improvements per the Silver Spring CBD Streetscape Standards

(b) The development conforms to the Sector Plan and the Master Plan.

The Application is in substantial conformance with the Sector Plan. The Subject Property lies within the “Other Areas of the CBD” section identified in the Sector Plan. The Sector Plan makes recommendations for the site on page 69, where it sets a cap of 2,800 dwelling units under the optional method of development. The Subject Property is also subject to a limitation in the Zoning Ordinance that caps the amount of non-residential development on 10 or more contiguous acres to 450,000 gross square feet in the CBD-R2 zone, under the optional method requirements. The Application includes a maximum of 2,800 dwelling units as well as a maximum of 450,000 gross square feet of commercial development at full build-out, in accordance with the Sector Plan and Zoning Ordinance limitations.

The Sector Plan provides general urban design recommendations for redevelopment projects in the Silver Spring CBD. The guidelines most applicable to the Application are as follows:

Create an attractive pedestrian environment by creating a system of short blocks, and defining streets with buildings, open spaces, and streetscaping at a human scale created by street-front retail, frequent doors and windows, architectural detail, and appropriately scaled building heights.

An attractive pedestrian environment will be provided through the system of private streets proposed, which adequately break up the upper and lower superblocks, given the challenging grade differential in the middle of the Subject Property. Buildings are located as close to these private streets as possible, leaving room only for streetscape treatment. New and existing buildings along the periphery of the Subject Property frame the thoroughfares, with the exception of Eastern Avenue, where the first townhome units are set back 18 feet from the right-of-way line to respect the less dense development in the District of Columbia. Architectural details such as doors and windows will be closely reviewed at the time of site plan.

Through urban design treatments, establish streetscapes that emphasize the hierarchy of the circulation system.

Although streetscape specifications will be finalized at the site plan stage, the Applicant has shown on the Project Plan appropriate streetscapes that correspond to the classification of each road. East-West Highway will include the standard Silver Spring streetscape design with a brick sidewalk, streetlights, and street trees. The off-road shared use path along Colesville Road will be extended to the northern boundary of the Subject Property's Colesville Road frontage. Blair Mill Road will also have an off-road shared use path for superior bicycle accessibility, and Eastern Avenue will conform to the streetscape standards within the District of Columbia.

Create formal and informal civic spaces—buildings and open spaces—that add to property values, provide amenity, and improve downtown's aesthetic appearance.

The development includes a network of informal civic spaces (the civic spaces will remain under private ownership) within a tract where civic areas are currently absent. The public use space design includes such spaces in a linear spine where public use space will not be directly associated with any one building but will instead convey a sense of openness and allow for varied public gathering locations.

The Sector Plan provides roadway recommendations which are applicable to the roads that bound the Subject Property. On page 76 of the Sector Plan, the circulation

objective for both Georgia Avenue and Colesville Road is outlined: "Georgia Avenue and Colesville Road are and will remain regional transportation corridors and primary transit routes, but in Silver Spring, they must also serve as urban boulevards.... These corridor roads must serve pedestrians as well as vehicular traffic." Other applicable Sector Plan recommendations for Colesville Road include continuity of design treatment along Colesville Road as remaining sites redevelop and cohesive streetscaping by filling in streetscape gaps in the context of an expanded Silver Spring Streetscape Plan to help create a pedestrian and mass transit-friendly corridor. The Project Plan includes a streetscape for Colesville Road that will continue the existing treatment via future construction of a shared use path, measuring eight to 10 feet in width, with a tree panel separating the path from the street. Flexibility in the ultimate width is necessary to appropriately tie in with the sidewalk in front of the gas station use located north of the Subject Property at the corner of East-West Highway and Colesville Road.

For Private Street B, the Board approved this road as a private street and found that private ownership is in the public interest. The Sector Plan allows the roadway to be improved as a private street upon this finding from the Board. This roadway will accommodate two-way vehicular access, on-street parking, and pedestrian and bicycle facilities within a 60 foot wide parcel and public access easement. Roadway construction must be in accordance with MCDOT roadway standards for a two lane business district street. The private roadway will allow the Applicant to install non-standard landscaping and traffic calming devices, including a "speed table," to improve the pedestrian experience. Designating the roadway as a private street is consistent with the Sector Plan and will provide a superior transportation facility for pedestrians, bicyclists, and motorists.

(c) Because of its location, size, intensity, design, operational characteristics and staging, the development would be compatible with, and not detrimental to, existing or potential development in the general neighborhood.

The location, size, intensity, design, and operational characteristics outlined in the Application are compatible with the existing and potential development in the general neighborhood. The orientation of the various new buildings responds to the surroundings. The majority of the ground floor retail spaces and residential units will contain entry and exit points from the roadways and public use areas of the Subject Property, where visibility and pedestrian activity will be greatest. The garage entry and loading dock entry points are located behind buildings, where possible, to limit

truck movement through the Subject Property. The layout of the proposed private roads is such that vehicles are directed quickly from main thoroughfares to parking garages and loading areas without having to wind through the Subject Property.

The block in which this project is located is one of the closest in the Silver Spring downtown area to the Silver Spring Metrorail station. The height of buildings in the upper escarpment ranges from 120 feet to 200 feet. Buildings across East West Highway are approximately 25 to 30 feet in height, on a similar topographical elevation as that of the proposed buildings. Buildings within the lower escarpment range in height from 50 feet for Blair Towns and up to 200 feet for the residential buildings in Block E. The new buildings along Eastern Avenue are proposed to be 140 to 180 feet in height and the new building that fronts Blair Mill Road is also proposed to be 140 to 180 feet in height. To improve compatibility with single family homes across Eastern Avenue within the District of Columbia and four story garden apartments across Blair Mill Road, these buildings will be lined with townhome units to further set back the upper floors of the building, thereby increasing the distance from the higher floors from less dense development across the street. This approach also makes the upper floors more difficult to see from the roads and sidewalks along Eastern Avenue and Blair Mill Road. The 18 foot drop in elevation from the upper escarpment to the lower escarpment creates a natural tenting effect within the Subject Property, despite buildings in the lower escarpment being of similar height to those in the upper escarpment. Further evaluation of the buildings in the lower escarpment is required at the time of site plan to ensure compatibility with the surrounding neighborhood.

Staging of construction will occur in such a way that the necessary private roads and parking spaces as well as supporting public use spaces adjacent to each building must be completed prior to use and occupancy of the different buildings.

(d) As conditioned, the development would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, is subject to a traffic mitigation agreement that meets all the applicable requirements.

The Application development program will not overburden existing public facilities and services nor those programmed for availability. The Subject Property is located within a transportation management district, therefore, the Applicant is required to

enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation.

The Subject Property is located in the Montgomery Blair High School Cluster. The other schools that serve this location include Sligo Creek Elementary School and Silver Spring International Middle School. The 1,690 new multi-family housing units are estimated to generate approximately 71 elementary school students, 66 middle school students, and 56 high school students. The current Subdivision Staging Policy School Test for FY 2014 requires school facility payments for subdivision approval at the elementary, middle, and high school levels in the Blair Cluster.

(e) The development is more efficient and desirable than could be accomplished by the use of the standard method of development.

Development of the Subject Property will occur under the optional method of development, which is more efficient and desirable than the standard method of development in this location. The optional method allows greater densities at key locations, such as proximity to mass transit, in exchange for greater public amenities and facilities. Construction of a standard method project would yield overall development constructed to a maximum 1.0 FAR with maximum building heights of 60 feet. For a site located in the Silver Spring CBD, buildings constructed under the standard method would not be required to have significant public amenities or substantial open space, and would be insufficient to reach the critical mass and density envisioned for the Subject Property within very close proximity to the Silver Spring Metrorail station. Additionally, the greater number of affordable housing units provided under the optional method far exceeds what could be achieved under the standard method. The 20% public use space provided on the Subject Property will contribute to the vision of the Silver Spring CBD Green Space Guidelines, whereas only 10% public use space would be required for a standard method project, making this achievement more difficult. Given the recommendations of the Master Plan and the Subject Property's proximity to transit, employment, and services, the Planning Board finds the optional method of development is much more desirable and efficient for this large site.

(f) The development will include moderately priced dwelling units in accordance with Chapter 25A of the Montgomery County Code.

The Applicant must provide a minimum of 12.5% of the total number of units as MPDUs. The Project Plan has been reviewed by DHCA. DHCA recommended approval with the condition that final MPDU locations, bedroom compositions and layouts be determined at certified site plan with review and approval by DHCA.

(g) The development satisfies applicable requirements for forest conservation under Chapter 22A of the Montgomery County Code.

Forest Conservation

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the Subject Property was approved on June 27, 2012. The NRI/FSD identifies environmental features, conditions, constraints and forest resources on the Subject Property and within 100-feet of its perimeter. The Subject Property contains no forest, streams, buffers, or rare, threatened, or endangered species. There are 13 specimen trees with a diameter at breast height (dbh) of 30 inches or greater onsite with an additional six within a 50 foot perimeter. Twenty-one onsite trees are significant with a dbh of 24-30 inches, and an additional 12 significant trees on its perimeter.

The net tract area of 27.28 acres is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). A Preliminary Forest Conservation Plan was submitted on April 25, 2013 and revised on August 5 and August 12, 2013. With no existing forest onsite, meeting the Forest Conservation Law requires an afforestation threshold of 4.09 acres to be met through off-site mitigation.

Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria to identify certain trees, shrubs, plants and specific areas as priority for retention and protection and further requires those features to be left in an undisturbed condition unless a variance is obtained in accordance with Chapter 22A-21 of the County code. The resources that have been identified on the Project Plan include trees with a DBH of 30 inches or greater.

The Applicant submitted a variance request on July 22, 2013 with revisions on August 9, 2013 for impacts to and removal of specimen trees. Stately specimen

trees line the Subject Property along East-West Highway, Blair Mill Road, and Eastern Avenue. The Applicant requested a variance to remove six specimen trees, five significant trees (24"-29" in diameter at breast height), and impact a significant portion of the critical root zones to an additional three specimen trees. Efforts to treat and protect the retained three specimen trees will be made; however, impacts to the critical root zones are above 30 percent, and the trees may not survive as a result. On the Subject Property, the total caliper inches of specimen trees proposed for removal will be 291 inches, requiring a minimum mitigation planting of 24 native canopy trees, each with a dbh of three inches or greater.

Under Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship. The existing specimen trees evaluated in this request are located throughout the lower escarpment within green areas surrounding the residential towers. Without a variance, the Applicant would not be able to redevelop the Subject Property in a way that would allow for the building elevations to align with streets, future building footprint modifications, as well as infrastructure and driveway connections to existing service areas. This site layout, features, and design elements are desirable and necessary in a CBD zone project and are consistent with the goals of the Sector Plan. The Planning Board found that requesting the trees to remain undisturbed would result in an unwarranted hardship.

The Board made the following findings necessary to grant the Variance:

1. *Granting the variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as this Application is proposing a development consistent with the CBD-R2 zone. The trees and/or their critical root zones lie within the developable area of the Subject Property. The re-development of the parcels, including the reconfiguration of the vehicular circulation on the future road network, grading requirements, utility access, and proposed below grade service along East-West Highway will impact the existing specimen trees and/or their critical root zones. Due to the layout of the site, granting the variance will not confer a special privilege to the applicant.

2. *The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant.*

The variance is based upon CBD optional method use of the site, access to the site, existing infrastructure, and a desire to build a modern, state of the art mixed use development, rather than on conditions or circumstances which are the result of actions by the Applicant.

3. *The need for the variance is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The variance is a result of the site design and layout on the Subject Property and not a result of land or building use on a neighboring property.

4. *Granting the variance will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen trees being removed are street and landscape trees. Although there will be an immediate loss from the stormwater filtration they provide, the overall Project Plan will improve water quality above existing levels through additional plantings, the use of green roofs, porous surfaces, and biofiltration systems.

(h) The development satisfies applicable requirements for water quality resources protection under Chapter 19 of the Montgomery County Code.

The stormwater management concept for the site was deemed acceptable by the Montgomery County Department of Permitting Services on August 12, 2013. The concept meets the required stormwater management goals by the use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) with the use of a green roof and micro-bioretenion/planter boxes. A waiver for the full quantity volume was granted since full treatment of ESD volume is not possible due to onsite constraints.

(i) Any public use space or public facility or amenity to be provided off-site is consistent with the goals of the applicable master or sector plan and serves the public interest better than providing the public use space or public facilities and amenities on-site.

The Application does not include public use space and amenities to be provided off-site, other than the improvements to the property frontages within the right-of-way for

East-West Highway, Blair Mill Road, Eastern Avenue, and Colesville Road. These improvements are consistent with the goals of the Sector Plan and serve the public interest by providing a consistent and aesthetically pleasing streetscape within the Silver Spring CBD.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Project Plan shall remain valid as provided in Montgomery County Code § 59-D-2.7; and

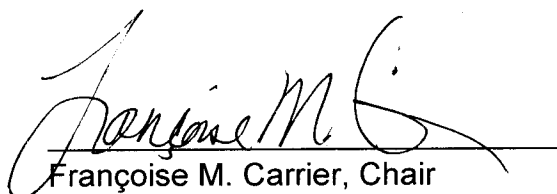
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board, and that the date of this Resolution is DEC 23 2013 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, December 12, 2013, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON MPDU
MANAGER, DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

IAN DUKE
VIKA, INC.
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874

ALAN WARD
SASAKAI ASSOCIATES, INC.
64 PLEASANT STREET
WATERTOWN, MA 02472

SRI VEALMAMTI
THE TOWER COMPANIES
2000 TOWER OAKS BOULEVARD
FLOOR 9
ROCKVILLE, MD 20852

E. K. HOBSON
8220 EASTERN AVENUE, NW
WASHINGTON, DC 20012

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GIATHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER RESOURCE
PLANNING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

BING THOM
BING THOM ARCHITECTS
1430 BURRARD STREET
VANCOUVER BRITISH COLUMBIA V6Z 2A3

ROBERT BREWER
LERCH, EARLY & BREWER, CHARTERED
3 BETHESDA CENTER
SUITE 460
BETHESDA, MD 20850

BING THOM
BING THOM ARCHITECTS
10 I STREET, SW
SUITE 222
WASHINGTON, DC 20024

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

EDWARD MURN
THE TOWER COMPANIES
2000 TOWER OAKS BOULEVARD
FLOOR 9
ROCKVILLE, MD 20852

MIKE GOODMAN
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874

WILLIAM KOMINERS
LERCH, EARLY & BREWER, CHARTERED
3 BETHESDA CENTER
SUITE 460
BETHESDA, MD 20850

MARK MORELOCK
VIKA ENGINEERING
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874



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

MCPB No. 13-110
Preliminary Plan No. 120130220
The Blairs Master Plan
Date of Hearing: October 24, 2013

DEC 23 2013

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review preliminary plan applications; and

WHEREAS, on April 25, 2013, Blair Towers, LLC; Blair Office Building, LLC; Blair Shopping Center, LLC; Blair Stores, LLC ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create nine recorded parcels on 0.52 acres of land in the CBD-R2 zone, located in the northeast quadrant of the intersection of Fairmont Avenue and Old Georgetown Road ("Subject Property") in the 2000 Silver Spring Central Business District ("CBD") Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120130220, The Blairs Master Plan ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 11, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 24, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 24, 2013, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Anderson, seconded by Commissioner Wells-Harley, with a vote of 4-0; Commissioners Anderson, Carrier, Dreyfuss, and Wells-Harley voting in favor, and Commissioner Presley abstaining.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 120130220 to create nine recorded parcels on the Subject Property, including a waiver of an above ground parking garage that crosses parcel

Approved as to
Legal Sufficiency:

Christina Smith 12/3/13

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
MNCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

lines pursuant to Section 50-38, subject to the following conditions:¹

1. This Preliminary Plan is limited to nine parcels for a maximum of the following:
 - a) 125,000 square feet of retail uses
 - b) 200,000 square feet of office uses
 - c) 125,000 square feet for 200 hotel rooms
 - d) 2,800 residential units (new and existing)
 - e) A total of 3,825,400 gross floor area, with a maximum 2.89 FAR
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated August 12, 2013, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 19, 2013 and two letters dated October 11, 2013, and does hereby incorporate them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements which are associated with each plat, as required by MCDOT.
5. Prior to recordation of the first plat for the upper escarpment (Parcels A, E, and F as shown on the Preliminary Plan lotting diagram), the Applicant must coordinate with the Maryland State Highway Administration ("MDSHA"), to obtain final approval of access points on East-West Highway (MD 410).
6. Prior to issuance of MDSHA access permits for Street B, the Applicant must satisfy the provisions for access and improvements on Colesville Road (MD 384) as required by the MDSHA.
7. The Applicant must comply with the District of Columbia Department of Transportation ("DDOT") Memorandum, dated June 11, 2013, from Ms. Anna

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

Chamberlain, regarding coordination and improvements to DDOT roadways.

8. The Subject Property is located in the Montgomery Blair High School cluster area. The Applicant must make a School Facilities Payment to MCDPS at the elementary, middle, and high school levels at the multi-family unit rates for all net new residential units for which a building permit is issued and a School Facilities Payment is applicable. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
9. The Applicant must show on the applicable final record plat(s) the following right-of-way dedications, Public Improvement Easements, or Public Access Easements consistent with the 2000 Approved and Adopted *Silver Spring CBD Sector Plan* and Montgomery County Code Chapter 50 Subdivision Regulation requirements:
 - a) Colesville Road (MD 384): A dedication of 12.5 feet is required to provide 62.5 feet between the property line and right-of-way centerline to support a master planned future right-of-way of 125 feet.
 - b) East-West Highway (MD 410): A dedication of 25.6 feet is required to provide 55 feet between the property line and right-of-way centerline to support a master planned future right-of-way of 110 feet.
 - c) Private Street B/ Draper Lane: A Public Access Easement, measuring 60 feet wide, over the full extent of the proposed private roadway and sidewalk to support this master planned roadway, except in the following locations as shown on the Preliminary Plan:
 - i. Approximately 63 feet southeast of the intersection of Street C, where the parcel width will be 58 feet, and
 - ii. Approximately 286 feet northwest of the intersection of Street C, where the parcel width will be 58 feet.
10. Prior to approval of the first certified Site Plan associated with Preliminary Plan No. 120130220, Blairs Master Plan, the Applicant must provide for review by Staff a public use and access easement to Montgomery County, in trust for the public, in a recordable form containing provisions to address the following for all private streets within the development:
 - a) The Applicant must determine the final extent, delineation, and alignment of the Private Streets at the time of Site Plan.
 - b) The Private Street must be located within its own parcel, separate from the proposed development, and must be shown on the record plat.
 - c) Entitlement for open and unobstructed public use of the easement for all customary vehicular, pedestrian and bicycle, and loading access. The easement granted to the public must be volumetric, in order to accommodate uses below and above the street easement area, and must accommodate public utility easements.

- d) Obligation for the Applicant to design and construct the streets pursuant to MCDOT Road Code Standard 2005.01 Modified: Two Lane Business District Street;
 - e) Obligation for the Applicant to construct the streets pursuant to comparable MCDOT structural construction standards, at the Applicant's expense;
 - f) Obligation to install traffic control devices within the easement area, based on prevailing standards, at the County's request, and at the Applicant's expense;
 - g) Obligation for the Applicant to maintain and repair the streets in acceptable conditions for all access and loading purposes, at its expense;
 - h) Obligation for the Applicant to keep the streets free of snow, litter, and other obstructions and hazards at all reasonable times, at its expense;
 - i) Entitlement for the Applicant or its designee to close private streets for normal maintenance and repair at reasonable times and upon reasonable prior notice to the public. Closure for recreational purposes, i.e., block parties, parades, races, etc., must follow MCDOT protocol to include, but not be limited to:
 - i. Signage notifying public of road closures, lane restrictions, or parking restrictions to be in place at least one week prior to closure at locations in accordance with adopted MCDOT standards.
 - ii. Maintain vehicular and pedestrian access to properties abutting closure if possible, and open to emergency vehicle passage at all times.
 - iii. Traffic control devices to be placed in accordance with adopted MCDOT standards.
 - iv. Written notice in accordance with adopted MCDOT standards.
 - v. Coordination with affected civic associations, homeowners associations and businesses to be notified in writing two weeks prior to event.
 - vi. Dimensions of signage in accordance with adopted MCDOT standards.
11. The Applicant must ensure short term public bicycle parking is installed along the retail frontages and near public use space. Secure long term bicycle parking must be installed, internal to the proposed residential buildings or garages, for residents' use. Exact bicycle rack and private long term bicycle parking locations will be determined at the time of Site Plan for each parcel.
12. The Applicant must provide a detailed staging and phasing plan for the proposed development, including all frontage and internal roadway/ sidewalk improvements, at the time of each Site Plan. At a minimum, the proposed

Draper Lane/ Private Street B must be fully constructed and open to traffic prior to the final use and occupancy permit issued for the last newly constructed building within Phase One (i.e. the entire lower escarpment).

13. The Applicant must enter into a Traffic Mitigation Agreement ("TMAg") with the Planning Board and MCDOT to participate in the Silver Spring Transportation Management District and must execute the TMAg prior to the release of any above grade building permit for development on the site exclusive of any sheeting and shoring permit. The TMAg must include trip mitigation measures recommended by MCDOT.
14. The Applicant, as part of the TMAg or separately, must coordinate with the MCDOT Chief of Commuter Services to install a Capital Bikeshare station on the site at a location and at a time mutually agreed upon between the Applicant and the County. The location of the bikeshare station must be finalized, in writing by the MCDOT Chief of Commuter Services, prior to the release of the first building permit within Phase One for the lower escarpment. The access and maintenance agreement for the bikeshare station must be finalized as part of the certified site plan for the project phase which includes a bikeshare station.
15. The Applicant must provide a noise analysis at the time of the first site plan submittal, and all subsequent site plan submittals thereafter. The noise analysis must include exhibits showing existing and 20 year projected 60, 65, and 70 dba Ldn noise contours. If the noise analysis demonstrates an adverse noise impact to portions of residential buildings on the site plan, then prior to issuance of the building permits associated with each site plan an engineer specializing in acoustics must certify that the building shell for the affected portions of the residential building has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The builder must commit to construct the units in accordance with these design specifications, with any changes that may affect acoustical performance approved by the acoustical engineer in advance of installation.
16. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for 145 months from the date of mailing of the Preliminary Plan Resolution.
17. No grading or recording of plats before certified site plan approval unless permitted by the Planning Board at site plan. The Applicant may apply for and obtain demolition and associated rough grading permits at any time.
18. Final approval of the number, location, and height of buildings will be decided at site plan.

19. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or location or right-of-way width or alignment, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the site plan.

BE IT FURTHER RESOLVED, that, having considered the recommendations and findings of its Staff as presented at the Hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the Master Plan.*

The Preliminary Plan Application is consistent with the Sector Plan. Generally, the Sector Plan's vision for Silver Spring's future is "to create a development environment that invites revitalization." The Sector Plan outlines themes of a transit oriented downtown, residential downtown, commercial downtown, green downtown, civic downtown, and pedestrian friendly downtown to achieve this vision. The Application is consistent with all six themes.

The Sector Plan seeks to create a transit oriented downtown—it strives to balance the needs of pedestrians and vehicles as well as commuter and local traffic, and at the same time, maximize the investment in Silver Spring's transit infrastructure. The Subject Property offers improved and direct pedestrian linkages to the Metrorail station and Silver Spring Transit Center from the southern end of the site and points beyond. Vehicular access points to the various garages within the site are located towards the periphery of the Subject Property to minimize conflicting pedestrian and vehicular movements. The Application also includes bus stops on the periphery to directly link residents and visitors of the site to bus transit infrastructure within Montgomery County and the District of Columbia.

With a net new 1,690 residential units, bringing the total number of units on the Subject Property to 2,800, the theme of a residential downtown is supported. With regards to a commercial downtown, the Application includes the maximum amount of commercial development allowed by the Sector Plan and Zoning Ordinance for this site. The commercial development is located on the upper escarpment of the site, off of East-West Highway. This location is closest to the Metrorail station and more established high-rise commercial buildings in the Silver Spring Core. The commercial development is oriented in such a way to draw pedestrians into the site, where vehicular traffic will be less disruptive than on a major thoroughfare. The majority of retail activity on the site

will take place at the ground level, emphasizing the street-oriented commercial nature of the upper escarpment.

For a green downtown and civic downtown, the Application includes a public use space concept that truly invites residents and non-residents to explore its intricacies. Blair Park offers a contiguous green area, 22,500 square feet in size, in an area of the CBD where large green spaces are lacking. Blair Park will be flexible enough to allow for a wide range of public activities, including concerts, farmers markets, and festivals as well as less formal gatherings such as picnics and outdoor ballgames. The overall public use space concept for The Blairs Master Plan, and Blair Park in particular, contributes to the goal of the Sector Plan to achieve a CBD with a wide range of green and civic spaces.

The Application will contribute to a pedestrian friendly downtown environment as envisioned by the Sector Plan. With ground floor retail and residential units on the upper floors, as well as the placement of a significant amount of new parking spaces on the site below grade or partially below grade (with the exception of limited on-street parking spaces), there will be new activity on areas of the site currently used as parking lots. Ground level retail uses will help activate the sidewalk areas in front of buildings in the upper escarpment. The open space concept will link residents living in the lower escarpment to the upper escarpment in an inviting way that encourages pedestrian travel rather than vehicular travel.

The Application will improve future vehicular access by realigning specific site entrances and creating a new internal road network, comprised of private streets, including a master planned road connection (Draper Lane) from Colesville Road to Blair Mill Road. Pedestrian and bicycle access to the site will be provided on all frontage and internal roadways. Parking will be provided through a combination of structured garages and on-street spaces.

The immediate area is well served by transit that includes the Red Line Silver Spring Metrorail Station, Metrobus, RideOn, and the Silver Spring VanGo Circulator. Future transit in the area includes a proposed Purple Line station at the existing Metrorail Redline station. Specific transit routes near the Site include:

1. RideOn Bus Routes 1, 2, 3, 4, 5, 11, 12, 13, 18, and 28
2. WMATA Metrobus Routes J5, Q1, Q2, Q4, S2, S4, Y5, Y7, Y8, Y9, Z2, Z6, Z8, Z9, Z11, Z13

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2000 Approved and Adopted Silver Spring CBD Sector Plan and the 2005 Countywide Bikeways Functional Master Plan include the following nearby roadway/bikeway facilities:

1. Blair Mill Road: a Business District roadway with master planned on-road bicycle facilities located along the southern site frontage, between Eastern Avenue, NW and East-West Highway, with a minimum master planned right-of-way of 70 feet.
2. Colesville Road: a Major Highway with master planned dual bicycle facilities located along the northern site frontage, between Eastern Avenue, NW and East-West Highway, with a minimum master planned right-of-way of 125 feet.
3. East-West Highway: a Major Highway with master planned shared use path bicycle facilities located along the eastern site frontage, between Colesville Road and Blair Mill Road, with a minimum master planned right-of-way of 110 feet.
4. Draper Lane/Private Street B: a proposed Business District roadway with master planned on-road bicycle facilities located through the site, between Colesville Road and Blair Mill Road, with a master planned right-of-way of 60 feet.

The Preliminary Plan satisfies the master plan roadways and pedestrian/bikeways recommendations. For Colesville Road, the Applicant must dedicate 12.5 feet to provide 62.5 feet between the property line and right-of-way centerline to support a master planned future right-of-way of 125 feet. For East-West Highway, the Applicant is required to dedicate 25.6 feet to provide 55 feet between the property line and right-of-way centerline to support a master planned future right-of-way of 110 feet. Because of the location of an existing building on the site, a deviation from the master plan recommendation that all future right-of-way for East-West Highway come from the south side was approved by the Planning Board. The proposed right-of-way dedication is consistent with dedication previously approved for the 1200 East-West Highway development (#120050840). The right-of-way shown on the Preliminary Plan allows for a consistent dedication line with all necessary roadway facilities.

For Private Street B, the Planning Board finds that private ownership is in the public interest, in accordance with the 2000 Silver Spring CBD Sector Plan. This roadway will accommodate two-way vehicular access, on-street parking, and pedestrian and bicycle facilities within a 60 foot wide parcel and public access easement. Roadway construction will be in accordance with MCDOT roadway standard 2005.01 Modified, a Two Lane Business District Street.

- 2. Public facilities will be adequate to support and service the area of the approved subdivision.*

Adequate Public Facilities Review

A traffic study (dated March 20, 2013 and revised with errata sheets on July 16, 2013) was submitted for the subject application per the *LATR/TPAR Guidelines* since the

development was estimated to generate more than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods.

Trip Generation

A site trip generation summary for the development shows that the Application will generate 894 peak-hour trips during the weekday morning peak period and 1,163 peak-hour trips during the weekday evening peak period. When compared to existing uses (less those identified for removal through this Application), the development will result in an increase of 582 peak-hour trips during the morning peak period and 701 peak-hour trips during the evening peak period. As a commercial development within the Silver Spring Transportation Management District (“TMD”), the Applicant must enter into a Traffic Mitigation Agreement to participate in the Silver Spring TMD.

Local Area Transportation Review

A summary of the capacity analysis/Critical Lane Volume (“CLV”) analysis for the weekday morning and evening peak-hour periods shows that the total built condition will remain within the policy area congestion standard of 1,800 CLV. Based on the analysis presented in the traffic study, it is concluded that the Application will satisfy the LATR requirements of the APF test.

Transportation Policy Area Review

Because the development is within the Silver Spring CBD Policy Area, the Application is exempt from both the roadway and transit tests set forth in the 2012-2016 Subdivision Staging Policy. As a result, the Applicant is not required to pay transportation impact tax to satisfy the TPAR requirement.

The Application for The Blairs Master Plan development satisfies the LATR and TPAR requirements of the APF review.

Other public facilities and services

Other public facilities and services are available and will be adequate to serve the development. The Subject Property will be served by public water and sewer systems. The Application has been reviewed by the Montgomery County Fire and Rescue Service (“MCFRS”), and emergency vehicle access has been deemed adequate. Electrical and telecommunications services are also available to serve the Subject Property. Local health clinics, police stations and fire stations are all operating within acceptable levels as established by the Subdivision Staging Policy.

The Subject Property is located in the Montgomery Blair High School Cluster. The 1,690 new multi-family housing units are subject to the Annual School Test effective for FY14. The current Subdivision Staging Policy School Test for FY 2014 requires school facility

payments for subdivision approval at the elementary, middle, and high school levels in the Blair Cluster.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision.*

The Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The parcels in their respective locations are of a satisfactory size, width, shape and orientation that are appropriate for the location of the subdivision.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

There are no onsite wetlands, floodplains, streams or their associated buffers on the Subject Property. There is neither onsite forest nor specimen trees onsite. The Applicant applied for an exemption from submitting a forest conservation plan. Exemption 42013105E was confirmed on January 16, 2013 because the Subject Property is less than 1.5 acres in size and therefore qualified for an exemption under section 22A-5(s)(1) of the Montgomery County Forest Conservation Law, because the Application is on a tract of land less than 1.5 acres with no existing forest or existing specimen or champion trees, and the afforestation requirements would not exceed 10,000 square feet.

5. *All stormwater management requirements shall be met as provided in Chapter 19, article II, title "storm water management", Section 19-20 through 19-35.*

The stormwater management concept for the Preliminary Plan was deemed acceptable by the Department of Permitting Services on August 12, 2013. The concept meets the required stormwater management goals by the use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) with the use of a green roof and micro-bioretenion/planter boxes. A waiver for the full quantity volume is granted since full treatment of ESD volume is not possible due to onsite constraints. The concept plan complies with Section 50-24(j), which requires that stormwater requirements be satisfied as part of preliminary plan review; however, the stormwater management concept must be resubmitted prior to any future site plan approvals so additional details can be reviewed by DPS. The Blairs Master Plan will implement stormwater management treatment where none exists today, reduce impervious cover, and increase the number of trees on the site, all of which help slow down and infiltrate stormwater runoff.

6. *Practical difficulties or unusual circumstances exist so that a waiver is required of Section 50-29(b)(2) of the Subdivision Regulations is appropriate, and i) a waiver is the minimum necessary to provide relief, ii) such a waiver is not inconsistent*

with the purposes and objectives of the General Plan, and iii) such waiver is not adverse to the public interest.

The Planning Board approved an above grade parking garage that crosses parcel lines pursuant to Chapter 50-38 of the Subdivision Regulations, which gives the Board the authority to grant a waiver "from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest." Section 50-20(b) of the Subdivision Regulations references underground parking facilities which extend under rights-of-way but makes no reference to above ground parking facilities that extend over parcel lines. The two additional levels to the existing parking garage located south of Private Street B will extend over Private Street B. This connection will help create a cohesive mixed use project with logical connections between buildings and open spaces. The extension of the parking garage across Private Street B will connect the upper and lower escarpments in spite of the challenging gradient between these two areas of the plan.

The waiver is the minimum necessary to provide relief from the strict application of Section 50-20(b) of the Subdivision Regulations. The waiver is needed to supply an adequate number of parking spaces for the commercial development on the site and achieve a cohesive mixed use development. The waiver is not inconsistent with the purposes and objectives of the General Plan but will allow for greater compliance with the recommendations contained in the Sector Plan, which calls for a commercial downtown that builds on the CBD's existing base of business activity. The waiver is not adverse to the public interest, for the garage will not adversely affect the operations of Private Street B.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 60 months from its initiation date (as defined in Montgomery County Code Section 50-35(h)), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 23 2013 (which is the date that this Resolution is mailed to all parties of record); and

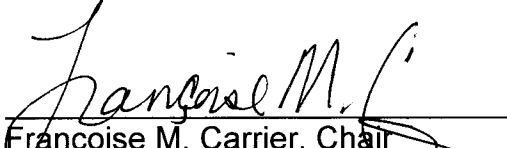
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, December 12, 2013, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON MPDU
MANAGER, DHCA
100 MARYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

IAN DUKE
VIKA, INC.
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874

ALAN WARD
SASAKAI ASSOCIATES, INC.
64 PLEASANT STREET
WATERTOWN, MA 02472

SRI VEALMAMTI
THE TOWER COMPANIES
2000 TOWER OAKS BOULEVARD
FLOOR 9
ROCKVILLE, MD 20852

E. K. HOBSON
8220 EASTERN AVENUE, NW
WASHINGTON, DC 20012

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GIATHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER RESOURCE
PLANNING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

BING THOM
BING THOM ARCHITECTS
1430 BURRARD STREET
VANCOUVER BRITISH COLUMBIA V6Z 2A3

ROBERT BREWER
LERCH, EARLY & BREWER, CHARTERED
3 BETHESDA CENTER
SUITE 460
BETHESDA, MD 20850

BING THOM
BING THOM ARCHITECTS
10 I STREET, SW
SUITE 222
WASHINGTON, DC 20024

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

EDWARD MURN
THE TOWER COMPANIES
2000 TOWER OAKS BOULEVARD
FLOOR 9
ROCKVILLE, MD 20852

MIKE GOODMAN
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874

WILLIAM KOMINERS
LERCH, EARLY & BREWER, CHARTERED
3 BETHESDA CENTER
SUITE 460
BETHESDA, MD 20850

MARK MORELOCK
VIKA ENGINEERING
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874



ideas that work

Attorneys at Law

3 Bethesda Metro Center, Suite 460
Bethesda, MD 20814-5367

Tel. (301) 986-1300
www.lerchearly.com

October 29, 2014

Casey Anderson, Chair
and Members of the Montgomery County Planning Board
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: The Blairs, Phase I – Request for Permit Filing and Processing

Dear Mr. Anderson:

On behalf of our client, this letter is to request the Planning Board's favorable consideration of conditions which will expedite the commencement of construction and the completion of the first phase of The Blairs. We are pleased that your Staff has recommended approval of the pending Site Plan. We look forward to presenting the Site Plan to you on November 13, 2014. We would like this request to be considered at the same time.

As the Board will recall, at the time of the Project Plan presentation we discussed with the Board the wisdom of allowing certain subsequent approvals and implementation processes to occur simultaneously, in order to save time and money during the construction process and to avoid the usual interregnum between the site plan approval and the ability to start construction. Doing so will not only benefit the owner, but also will enable needed public amenities and affordable housing units to be available much sooner for the benefit of the general public. At the time of the Project Plan review, the Board agreed with us that demolition of Blair Towers buildings could occur at any time; in fact, the buildings are now vacant and their demolition is scheduled to occur in the next several months. However, the Board asked that we revisit our other sequencing requests at the time the first site plan was presented to the Board.

In the ordinary course, an applicant cannot file the application for approval of its record plat until the approved site plan has been fully certified by your Staff. Further, DPS will not issue building permits, including foundation-to-grade/sheeting and shoring permits, until the record plat has been recorded. With this request, we seek the Board's permission: (a) to file the record plat application once the applicant has filed its certified site plan package for Staff approval, (b) to file for review of foundation-to-grade/sheeting and shoring permits after the certified site plan and the record plat applications have been filed, but before they have been finally approved, and (c) to obtain approval of, and commence work under the foundation-to-grade/sheeting and shoring permit(s) once the site plan has been certified and after the record plat has been filed for approval and is pending, whether or not the record plat has been actually approved or recorded. We believe that DPS will allow these activities to occur as requested, if the Board adopts appropriate conditions at the time of Site Plan approval.

The reasons for this request are as follows:

1. The request to be able to file for record plat approval before the site plan has been certified will save a few weeks to a few months in time. Given the substantially developed nature of the current site, and the extensive detail of the pending site plan, there is sufficient protection of the public interest to allow an early filing of the record plat application. This is particularly true since the property in question is already a subdivided lot—the new record plat will simply delineate within the existing recorded lot the specific boundaries for the land representing the approved site plan’s buildings and private road features. The new record plat will not propose any public dedications. One truncation of 249 square feet will be handled by a deed of dedication, as needed.
2. As indicated above, the new record plat will be an amendment of the configurations of the existing ownership lots within the current record lot. **That record lot itself will not change.** Attached as Exhibit A to this letter is a drawing of the existing lots at the Blairs (showing both the record lots and the ownership lots). Attached as Exhibit B is the proposed new record plat (really, an ownership plat), showing the reconfiguration of the ownership lots to fit the boundaries of the site plan components. The residue of existing Ownership Lot 21-C will also become a new ownership lot through this plat. As you can see from these exhibits, the proposed changes are quite modest in scope, and do not present significant public policy issues which might compel sequential plan processing.
3. Once the Blair Towers buildings have been demolished, the applicant would like to engage in excavation, sheeting and shoring, and foundation construction work, even if the record plat application is still pending. The applicant’s internal working schedule shows a potentially long hiatus for the details of above-ground building permit plans preparation and DPS review, which the applicant would like to use productively for excavation and foundation construction work. We estimate that being able to obtain foundation to grade/sheeting and shoring permits as requested may save up to six months of time.

We propose for the Board’s consideration the following additional condition of approval for the pending site plan:

“20. Permit Filing and Processing

- (a) The applicant may file the application for record plat approval at any time after filing the certified site plan application with Staff.
- (b) The applicant may apply for foundation-to-grade and sheeting and shoring permits with DPS at any time after both its certified site plan application and record plat application have been filed with Staff.
- (c) DPS is authorized by the Planning Board to issue foundation-to-grade and sheeting and shoring permits at any time after the site plan has been certified and the new record plat application has been filed, regardless of whether the new record plat application has been approved or the plat

recorded. Applicant may commence work under those permits once they are issued.

- (d) Any above grade building permit may not be issued until after the record plat has been approved and recorded.
- (e) Applicant shall pay the full building permit fee for each phase as part of the foundation-to-grade permit for that phase.”

Thank you very much for your consideration of this practical issue.

Very truly yours,

LERCH, EARLY & BREWER, CHARTERED

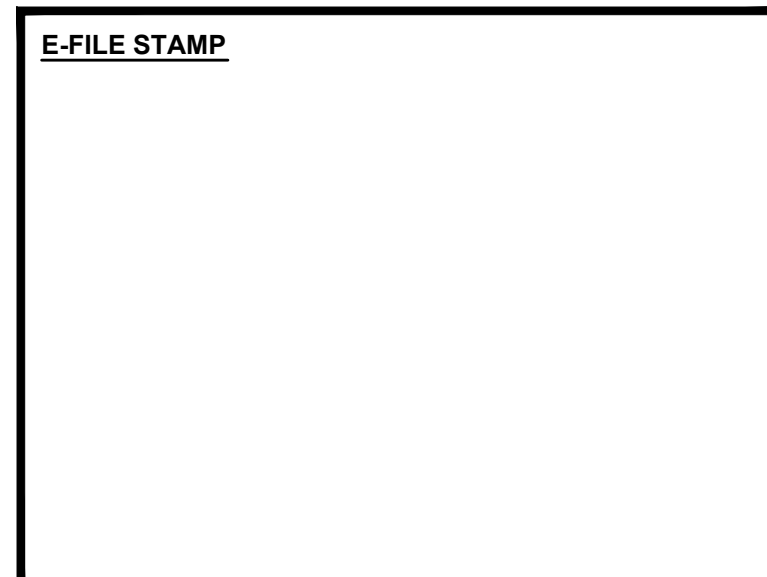


Robert G. Brewer, Jr.



William Kominers

cc: Mr. Sri Velamati
Mr. Robert Kronenberg
Ms. Stephanie Dickel
Mr. Michael Goodman



THE BLAIRS MASTER PLAN PROJECT PHASING

THE PROJECT IS PROPOSED TO BE TWO ESSENTIAL PHASES: PHASE 1 (LOWER ESCARPMENT) AND PHASE 2 (UPPER ESCARPMENT). NUMBERING DOES NOT INDICATE SEQUENCING/ORDER. PROJECT PHASING ORDER MAY BE ALTERED OR POTENTIALLY COMBINED, DEPENDING UPON MARKET CONDITIONS. DETAILED PHASING, STAGING LOCATIONS, LIMITS OF CONSTRUCTION AND SEQUENCING TO BE DETERMINED AS PART OF EACH SITE PLAN, DEPENDING UPON FINAL GRADING PROPOSED & AGENCY INTERACTION FOR LIFE SAFETY PURPOSES.

PHASE 1A - LOWER ESCARPMENT
DEMOLITION OF BLAIR TOWERS (FOUR EXISTING RESIDENTIAL BUILDING F2, ALONG WITH EXISTING SWIMMING POOL BY EXISTING BLAIR HOUSE.)

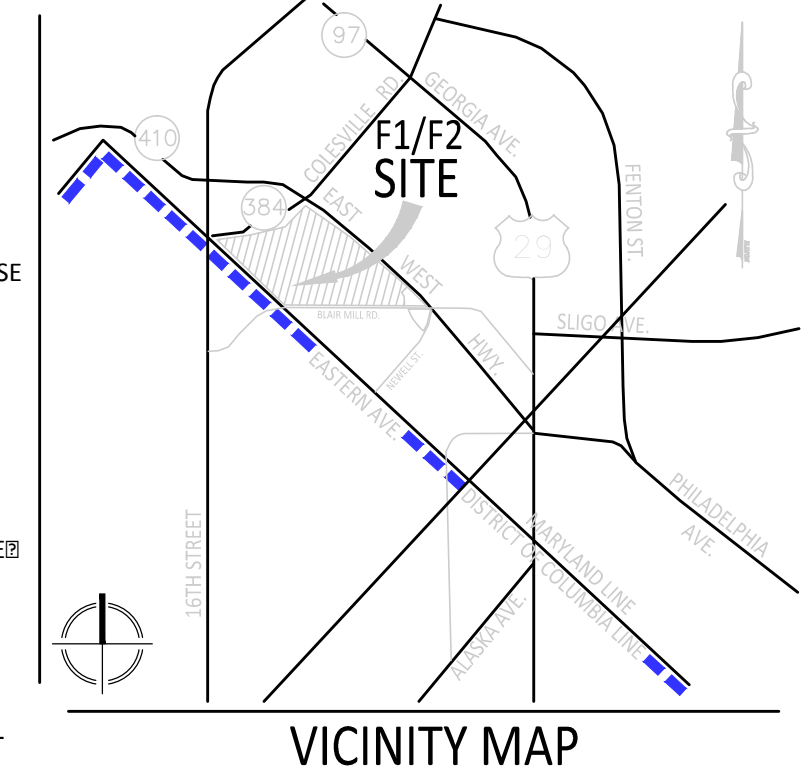
PHASE 1B - LOWER ESCARPMENT
DEVELOPMENT AND CONSTRUCTION OF RESIDENTIAL BUILDING F1, ALONG WITH ASSOCIATED STRUCTURED PARKING AND RELATED LANDSCAPING/CONSTRUCTION OF DOG RUN/CONSTRUCTION OF PORTAL DRIVE BETWEEN EASTERN AVENUE AND STREET C, CONSTRUCTION OF STREET C, BETWEEN PORTAL DRIVE AND THE CONNECTION POINT TO EASTERN AVENUE AND STREET C, AND DEVELOPMENT AND CONSTRUCTION OF RELATED RESIDENTIAL AMENITIES, AND STREETScape FRONTAGE IMPROVEMENTS.

PHASE 1C - LOWER ESCARPMENT
DEVELOPMENT AND CONSTRUCTION OF RESIDENTIAL BUILDING F2, ALONG WITH COMPLETION OF STRUCTURED PARKING GARAGE BELOW GRADE, CONNECTING TO BLOCK F1, AND RELATED SITE LANDSCAPING/ DEVELOPMENT AND CONSTRUCTION OF 'THE MEWS' PUBLIC USE AREA AND RELATED RESIDENTIAL AMENITIES, AND STREETScape FRONTAGE IMPROVEMENTS.

PHASE 1D - LOWER ESCARPMENT
DEVELOPMENT AND CONSTRUCTION OF RESIDENTIAL BUILDING G, ALONG WITH STRUCTURED PARKING GARAGE BELOW GRADE, CONSTRUCTION OF STREET B FROM BLAIR MILL ROAD RIGHT OF WAY TO STREET C, AND

PHASE 2 - UPPER ESCARPMENT
DETAILED UPPER ESCARPMENT PHASING IS NOT YET DETERMINED AT THIS TIME. PHASE 2 INCLUDES CONSTRUCTION OF RETAIL, OFFICE, AND RESIDENTIAL BUILDINGS IN BLOCKS A, B AND CONSTRUCTION OF RELATED STRUCTURED PARKING AND PRIVATE STREET AB CONSTRUCTION OF 'BLAIR PARK' AND THE TERRACE' PUBLIC USE AREAS/ RECONFIGURATION OF LOADING FOR BLAIR EAST BUILDING/DEVELOPMENT AND CONSTRUCTION OF RELATED AMENITIES, POTENTIAL PUBLIC ART COMPONENTS AND STREETScape FRONTAGE IMPROVEMENTS/ ADDITION OF PARKING FLOORS ABOVE EXISTING GARAGE.

COMPLETION OF STREET C TO STREET B/ DEVELOPMENT AND CONSTRUCTION OF 'RACHEL CARSON GREEN' PUBLIC USE AREA, RELATED SITE LANDSCAPING AND PEDESTRIAN CONNECTION FROM RIGHT OF WAY TO STREET C, AND 'BLAIR STOPPING GROUNDS' PUBLIC USE AREA/DEVELOPMENT AND CONSTRUCTION OF RELATED RESIDENTIAL AMENITIES, POTENTIAL PUBLIC ART COMPONENTS, AND STREETScape FRONTAGE IMPROVEMENTS.



VIKA
ENGINEERS PLANNERS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 914-4100
FAX: (301) 914-2102
GERMANTOWN, MD. TRICONS, VA.

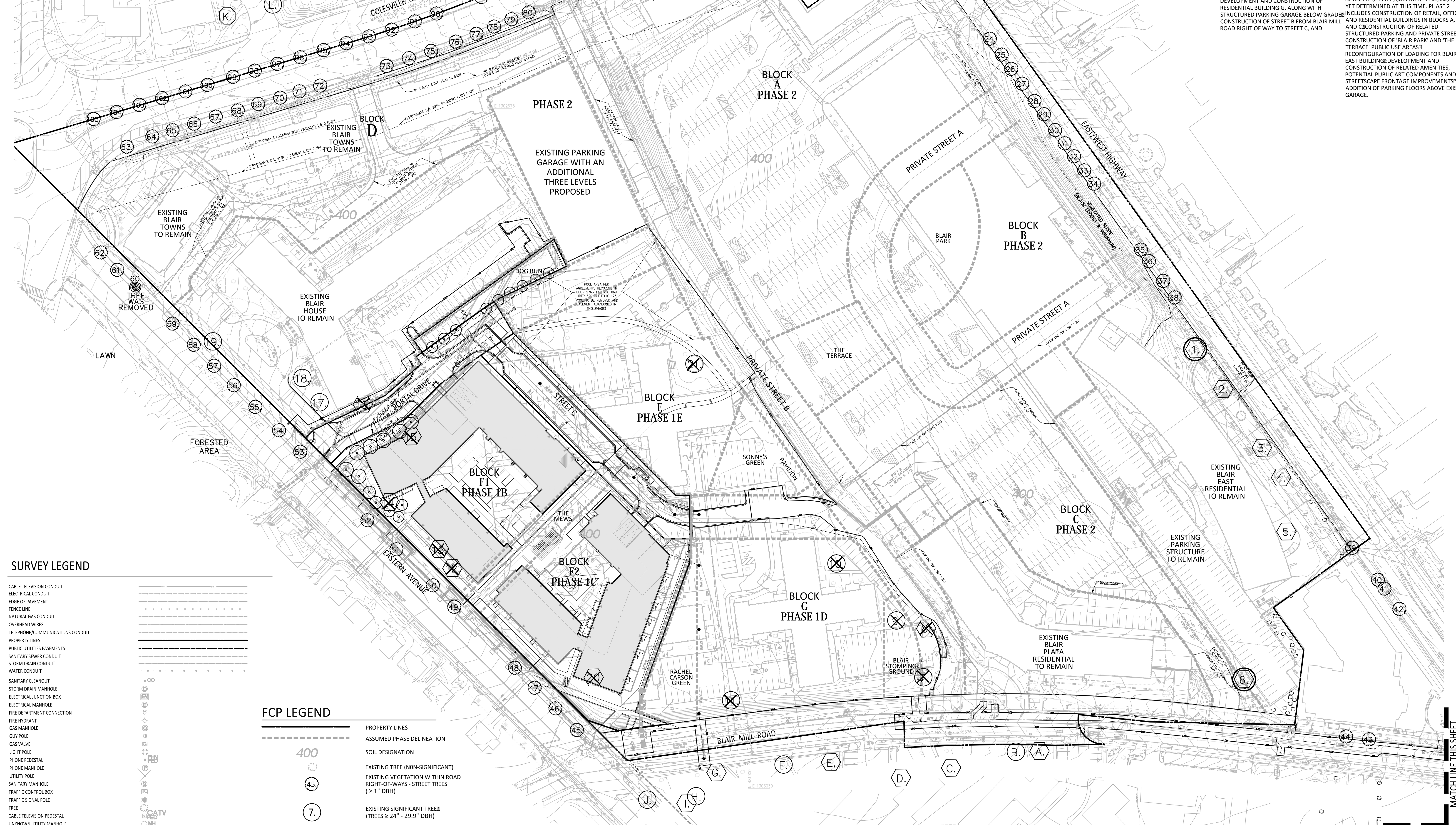
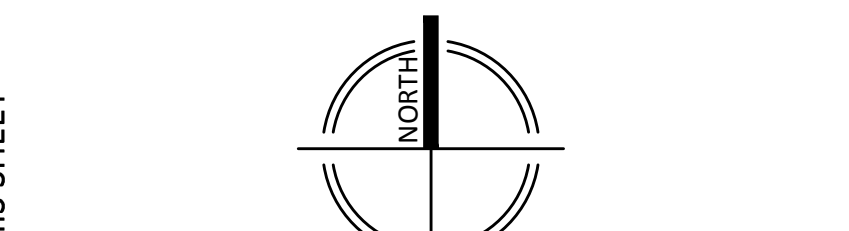
PREPARED FOR:
THE TOWER COMPANIES
2000 Tower Oaks Boulevard
Ninth Floor
Rockville, MD 20852
301-984-7000
Sri Velamati

FOREST CONSERVATION NOTES:

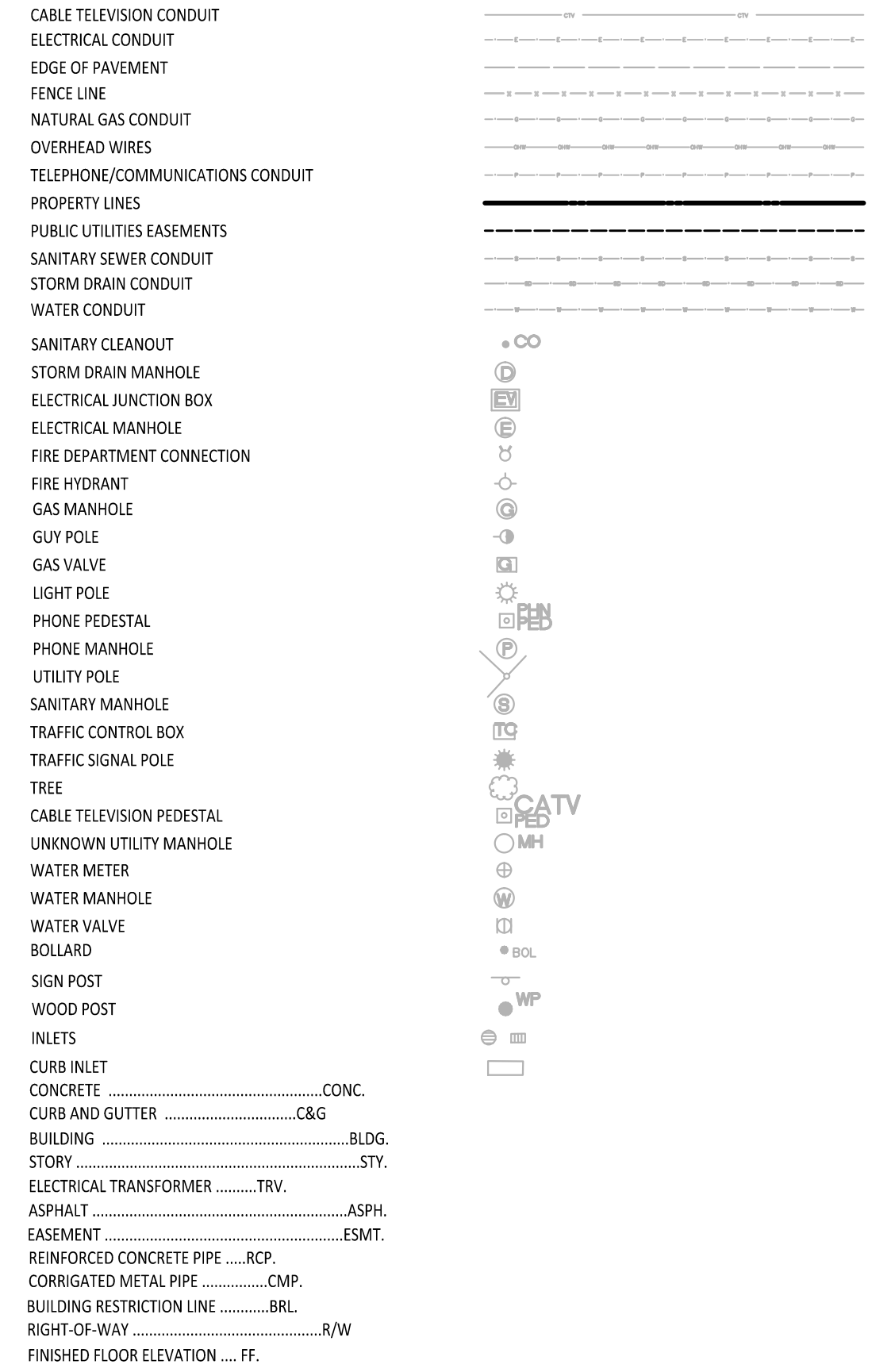
- THE SITE IS LOCATED ON TAX MAP NO. JN23 AND WSSC MAP NO. 210NW02.
- THE SUBJECT PROPERTY INCLUDES THE FOLLOWING PARCELS:
PARCEL LEGAL DESCRIPTION TAX NO. LIBER & FOLO
N616 PARCEL A-10 OF BLAIR PARK 03576632 L 19355, F 00145
N784 PARCEL A-10 OF BLAIR PARK 00976327 L 19355, F 00153
N838 PARCEL A-14 OF BLAIR PARK 00976352 L 19355, F 00161
N739 PARCEL A-17 OF BLAIR PARK 03357767 L 19355, F 00161
NOTE: PARCEL A-17 HAS RECENTLY BEEN PLATTED AS PARCEL A-23.
HOWNOWING RECORDS HAVE BEEN UPDATED THROUGH THE MD STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.
N681 PARCEL A-18 OF BLAIR PARK 03369622 L 19355, F 00161
N731 PARCEL A-18 OF BLAIR PARK 03369623 L 19355, F 00161
PHASE 1 OF THE PROJECT INCLUDES THE FOLLOWING PARCELS:
PARCEL LEGAL DESCRIPTION TAX NO. LIBER & FOLO
N739 PARCEL A-17 OF BLAIR PARK 03357767 L 19355, F 00161
- THE GROSS TRACT AREA IS 1,322,792 SF OR 30.37 ACRES. THE TOTAL EXISTING LOT AREA FOR F1/F2 IS 5.71 ACRES PLUS OFF-SITE DISTURBANCE OF 4.64 ACRES, FOR AN OVERALL PROJECT AREA OF 8.34 ACRES.
- THE SUBJECT PROPERTY IS NOT IDENTIFIED IN THE MONTGOMERY COUNTY COUNCILONAL ATLAS AND INDEX OF HISTORIC SITES.
- THERE ARE NO WATERS OF THE UNITED STATES, WETLANDS OR 100 YEAR FLOOD PLAINS OR THEIR ASSOCIATED BUFFERS LOCATED ON THE SUBJECT PROPERTY. THIS SITE IS NOT WITHIN AN SPA OR PMA.
- THE SUBJECT PROPERTY IS LOCATED IN THE CABIN JOHN CREEK WATERSHED, A CLASS (V)-P STREAM.
- IN A LETTER DATED APRIL 5, 2010, THE WILDLIFE AND HERITAGE DIVISION OF THE MD DNR STATED THAT THERE ARE NO STATE OR FEDERAL RECORDS FOR ANY RARE, THREATENED OR ENDANGERED SPECIES WITHIN THE PROJECT SITE.
- THERE IS ONE SOIL TYPE ON THE SUBJECT PROPERTY, 400 URBAN LAND.
- THE SUBJECT PROPERTY IS LOCATED ON WSSC MAP 215NW01.
- THERE ARE NO FOREST CONSERVATION EASEMENTS, CATEGORY I OR II ASSOCIATED WITH THE SITE OR ON ADJACENT OR CONTIGUOUS PROPERTIES.
- FOREST CONSERVATION MITIGATION PLANTING, FOR REMOVAL OF VARIANCE TREE CALIPERS WILL BE PROVIDED NO LATER THAN THE GROWING SEASON FOLLOWING THE RELEASE OF THE FINAL RESIDENTIAL USE AND OCCUPANCY PERMIT FOR EACH RESPECTIVE BUILDING. THEREFORE, THE PROPOSED ON-SITE MITIGATION PLANTING, WITH RESPECTS TO BUILDING F2, WILL BE INSTALLED NO LATER THAN THE GROWING SEASON FOLLOWING THE RELEASE OF THE FINAL RESIDENTIAL USE AND OCCUPANCY PERMIT FOR BUILDING F2. ANY ADDITIONAL FOREST CONSERVATION MITIGATION WILL NOT BE AN AMENDMENT TO THE FOREST CONSERVATION PLAN. PHASE 1B PROPOSES 21 MITIGATION TREES, TOTALING 131" OF MITIGATION CALIPER COMPARED TO THE REQUIRED 301". AN ADDITIONAL THREE (3) MITIGATION TREES WILL BE PROVIDED IN A FUTURE PHASE(S) TO SATISFY PROJECT PLAN 920130050, CONDITION #9.
- THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AN ALTA SURVEY PREPARED BY VIKA, INC. JUNE 2007.
- THIS PLAN IS SUBJECT TO NR/PSD #420121540 (JUNE 27, 2012).
- THE PRELIMINARY FOREST CONSERVATION PLAN #210330220 "THE BLAIRS MASTER PLAN" WAS APPROVED ON DECEMBER 30, 2013.
- THERE ARE NO AREAS OF EXISTING FOREST (AS DEFINED BY MONTGOMERY COUNTY FOREST LEGISLATION) LOCATED ON THE SUBJECT PROPERTY OR WITHIN THE NIN STUDY AREA.
- THERE ARE NO CHAMPION TREES OR TREES 78" OF THE STATE CHAMPION ON THE SUBJECT PROPERTY OR WITHIN THE NIN STUDY AREA.
- TREES SHOWN ARE EITHER TAKEN FROM AERIAL SURVEY OR FIELD LOCATED. FIELD LOCATIONS SHOWN ARE APPROXIMATE AND BASED ON VISUAL OBSERVATIONS. NO SEPARATE FIELD DATA SUMMARY SHEETS WERE PREPARED WITH THIS PLAN. EXISTING VEGETATION INFORMATION ASSOCIATED WITH THIS PROPERTY IS SHOWN ON THIS PLAN.
A TOTAL OF 301" OF SPECIMEN TREE D.B.H. IS PROPOSED TO BE REMOVED. THE MITIGATION FOR THE REMOVAL SHALL BE TWENTY-ONE (21), RANGING FROM FIVE-INCH TO THREE-INCH CALIPER, NATIVE CANOPY TREES. THE SPECIES AND LOCATION OF PLANTINGS ARE IDENTIFIED ON THIS PLAN.
REPLACEMENT: (4:1 REPLACEMENT RATIO WITH 3" CALIPER TREES) OR (30:1 4" - 75:25" THEREFORE 75.25"/3" TREES = 25 TOTAL TREES).
PROPOSED REPLACEMENT: (4:1 REPLACEMENT RATIO WITH 5", 4", AND 3" CALIPER TREES TOTALING 79" OF TOTAL MITIGATION OR 316" OF REPLACEMENT DBH). SEE MITIGATION PLANTING SCHEDULE ON SHEET 3 OF 3, FOR FURTHER DETAIL.
- AN INTERNATIONAL SOCIETY OF ARBORICULTURE CERTIFIED ARBORIST MUST CERTIFY TREE PROTECTION MEASURES ON THE FINAL FOREST CONSERVATION PLAN.
- THE PRESERVATION OF STREET TREES ALONG EASTERN AVENUE WILL BE PER DDOT APPROVAL DATED 07/24/2014.

SHEET INDEX

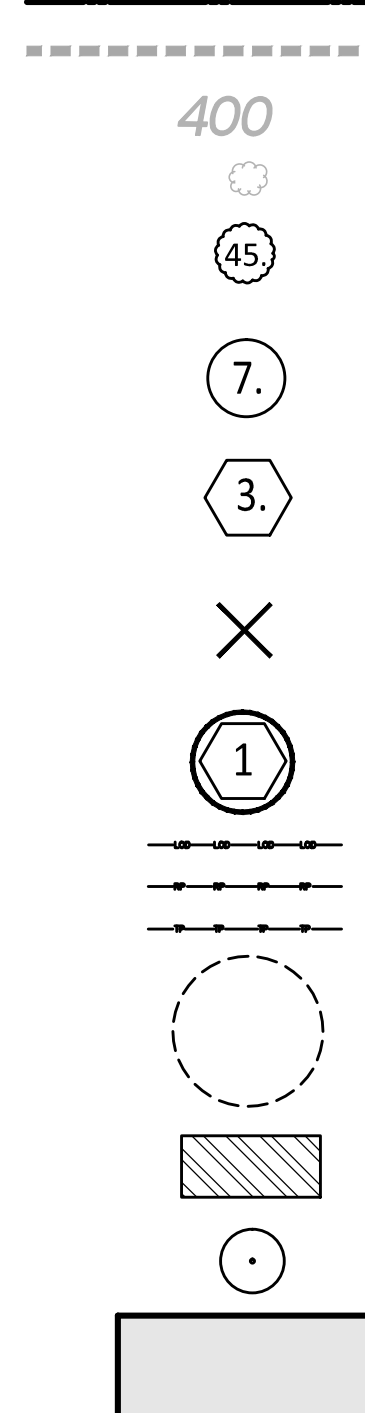
- FFCP-1: COMPOSITE FINAL FOREST CONSERVATION PLAN
- FFCP-2: DETAILED FINAL FOREST CONSERVATION PLAN
- FFCP-3: FINAL FOREST CONSERVATION PLAN NOTES, SCHEDULES & WORKSHEET



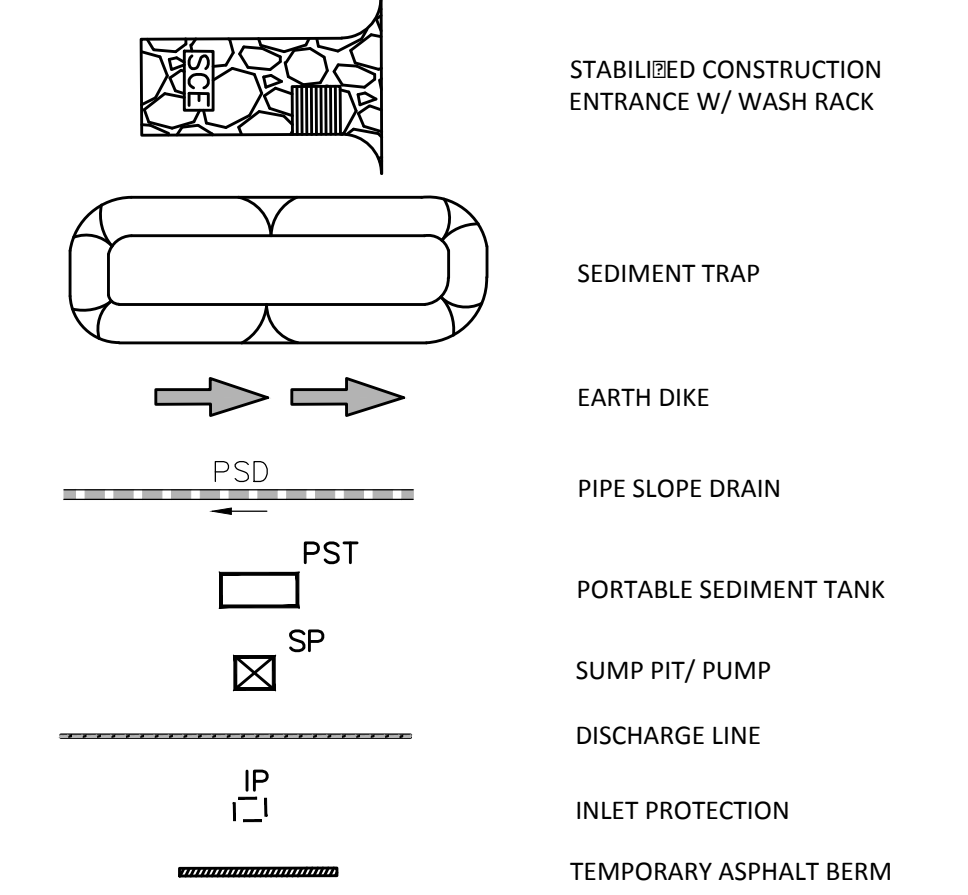
SURVEY LEGEND



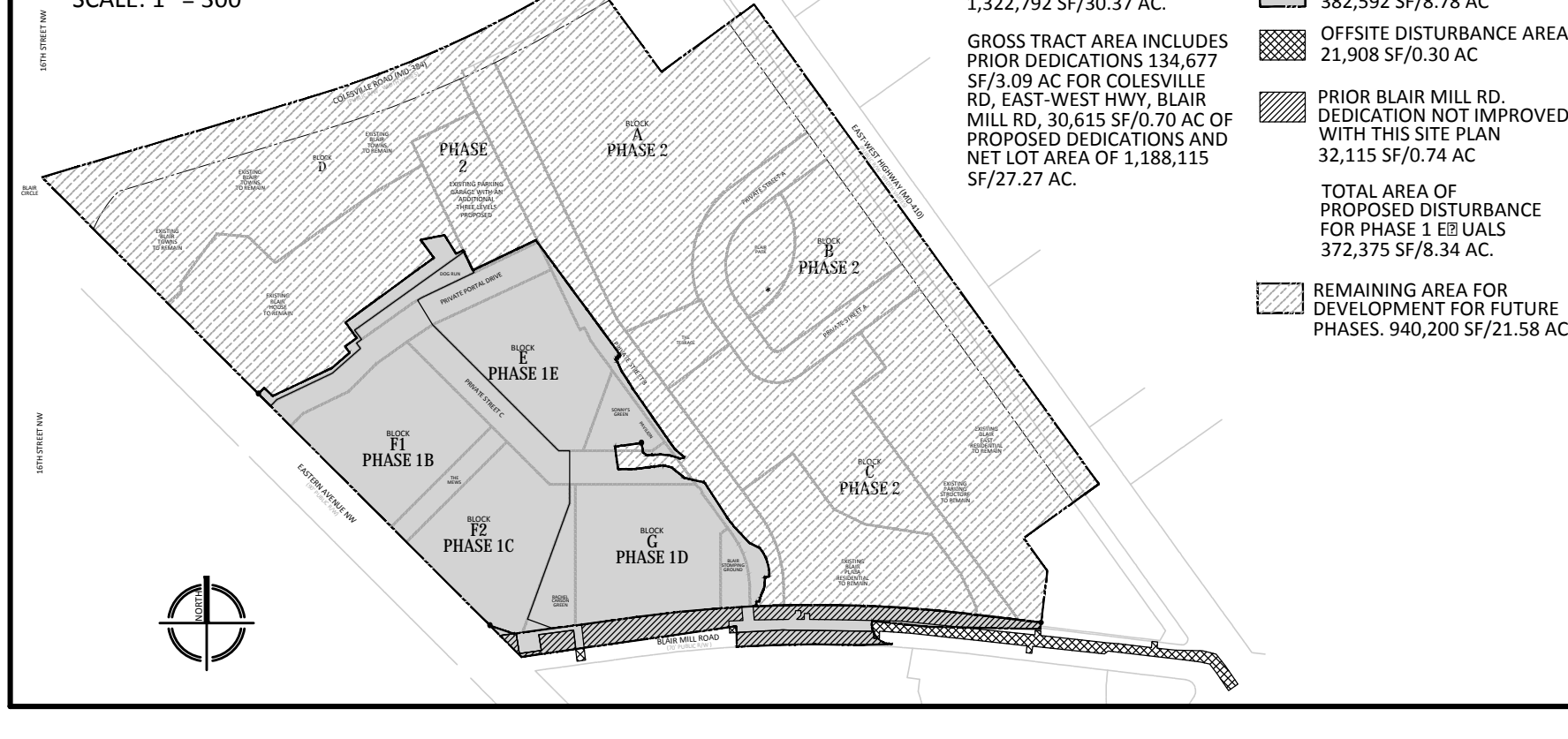
FCP LEGEND



SEC LEGEND



AREAS DIAGRAM



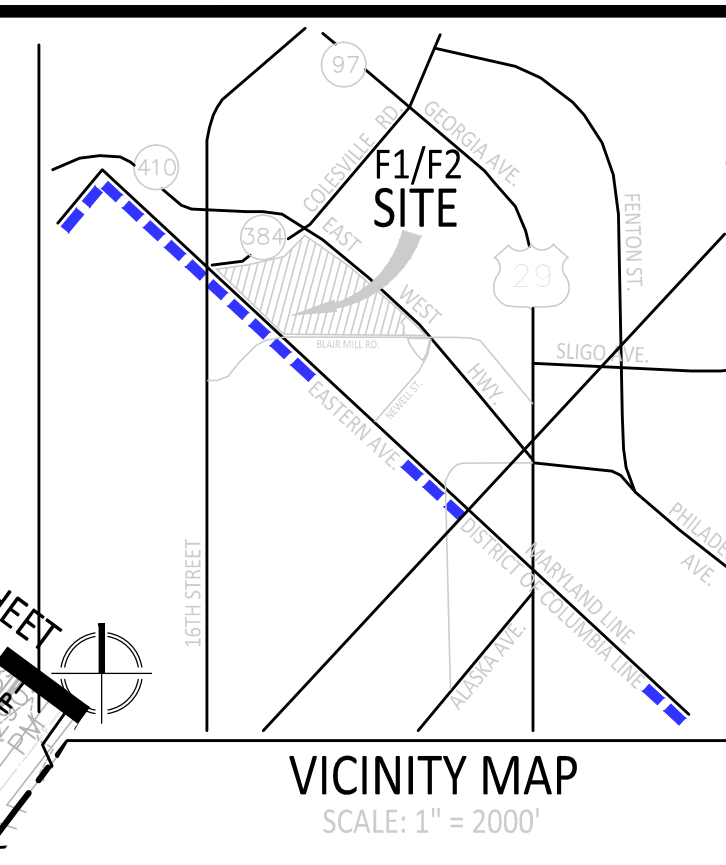
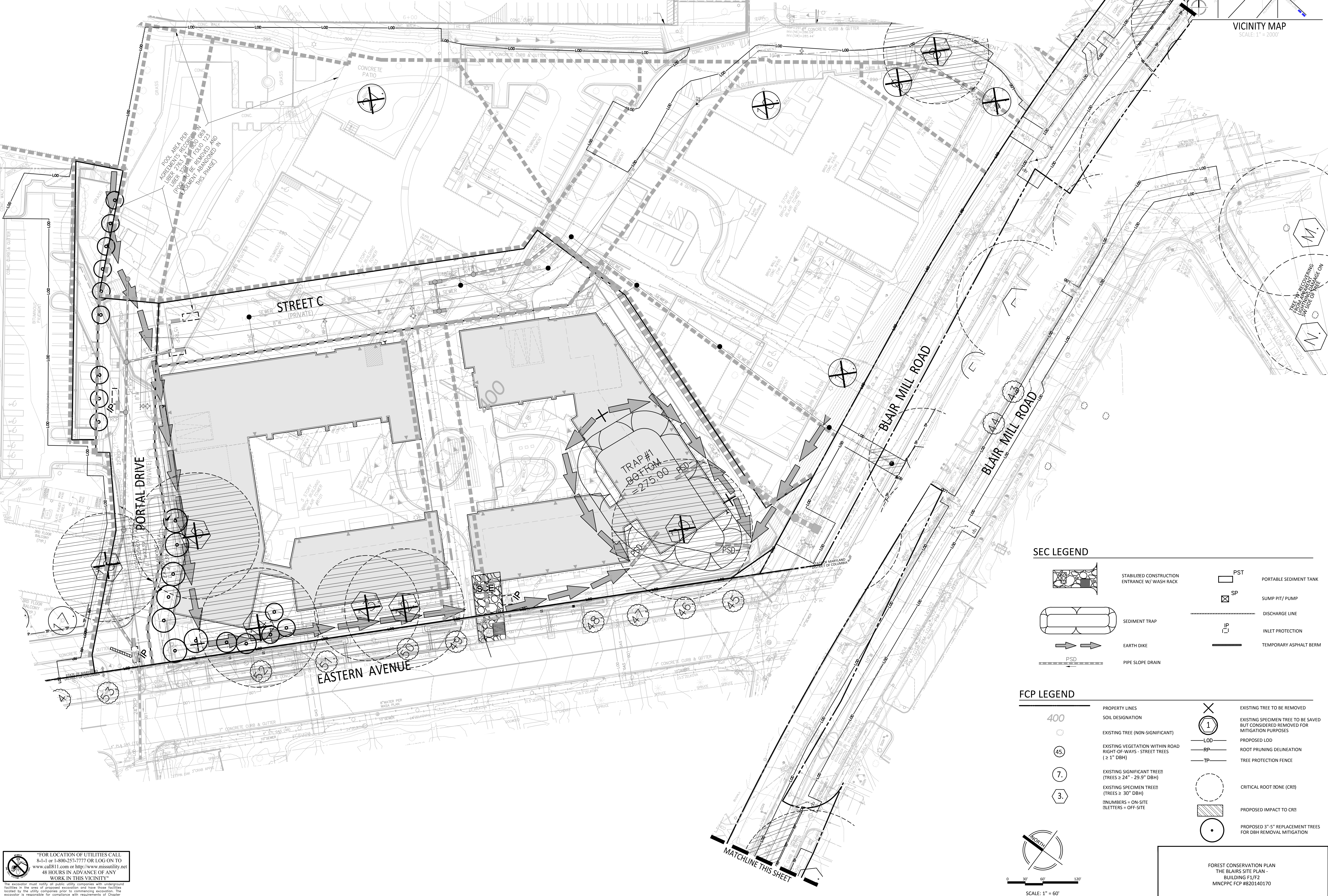
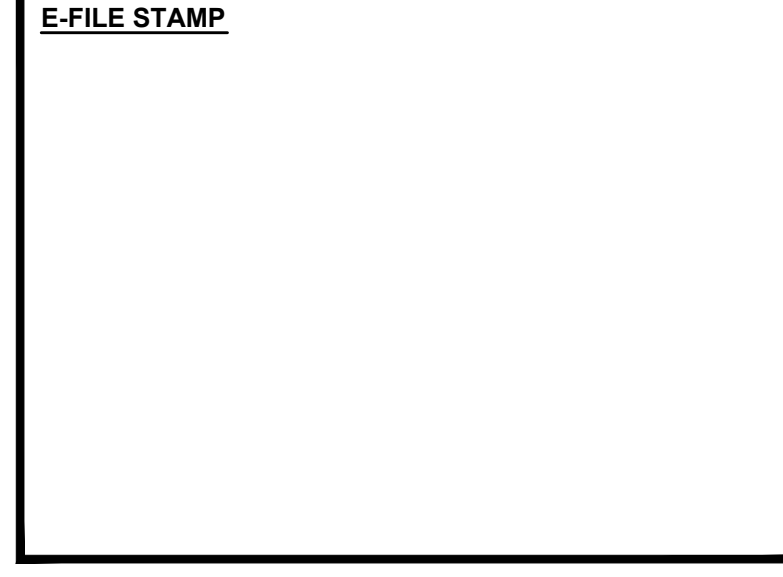
"FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.mdnasshield.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"
The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located and marked prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 50A of the Montgomery County Code.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A QUALIFIED PROFESSIONAL ENGINEER AS DEFINED BY MONTGOMERY COUNTY, MARYLAND, UNDER THE LAWS OF THE STATE OF MARYLAND.
Notson P. Kirchner, P.E.
PE-187670-0001
Expiration Date: June 30, 2016

THE BLAIRS
SITE PLAN
BUILDING F1/F2
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW02
TAX MAP: JN23
MNCPPC
820140170

PHASE 1 COMPOSITE
FINAL FOREST
CONSERVATION
PLAN

DRAWN BY: CLC
DESIGNED BY: IPD
DATE ISSUED:



VICINITY MAP
SCALE: 1" = 2000'



ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2362
GERMANTOWN, MD TYSONS, VA

PREPARED FOR:
THE TOWER COMPANIES
The Tower Companies
2000 Tower Oaks Boulevard
Ninth Floor
Rockville, MD 20852
301-984-7000
Sri Velamati

DESIGN CONSULTANTS
ARCHITECTS
Design Collective, Inc.
603 East Pratt Street
Suite 300
Baltimore, MD 21202
410-685-6655
Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC
64 Pleasant Street
Watertown, MA 02472
617-926-3300
Alan Ward

ATTORNEY
Leitch Early & Brewer
3 Bethesda Metro Center
Suite 400
Bethesda, MD 20814
301-986-1300
Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells + Associates
8730 Georgia Avenue
Suite 200
Silver Spring, MD 20910
301-448-2323
Nancy Randall

CIVIL ENGINEER
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD 20874
301.916.4100
William Robinson

DATE	REVISIONS
2/7/2014	1. INITIAL SUBMISSION
2/12/2014	2. FINAL SUBMISSION RESPONSE
3/12/2014	3. AGENCY COMMENT RESPONSE
3/18/2014	4. AGENCY COMMENT RESPONSE
3/19/2014	5. AGENCY COMMENT RESPONSE

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL (A CERTIFIED ARCHITECT AND REGISTERED LANDSCAPE ARCHITECT) UNDER THE LAWS OF THE STATE OF MARYLAND.
Nelson P. Kitchner, P.E.
Albertus E. Lewis, No. MA-4722AM
Expiration Date: June 30, 2016
Registration Expires: 12/31/2015
Expiration Date: November 11, 2015

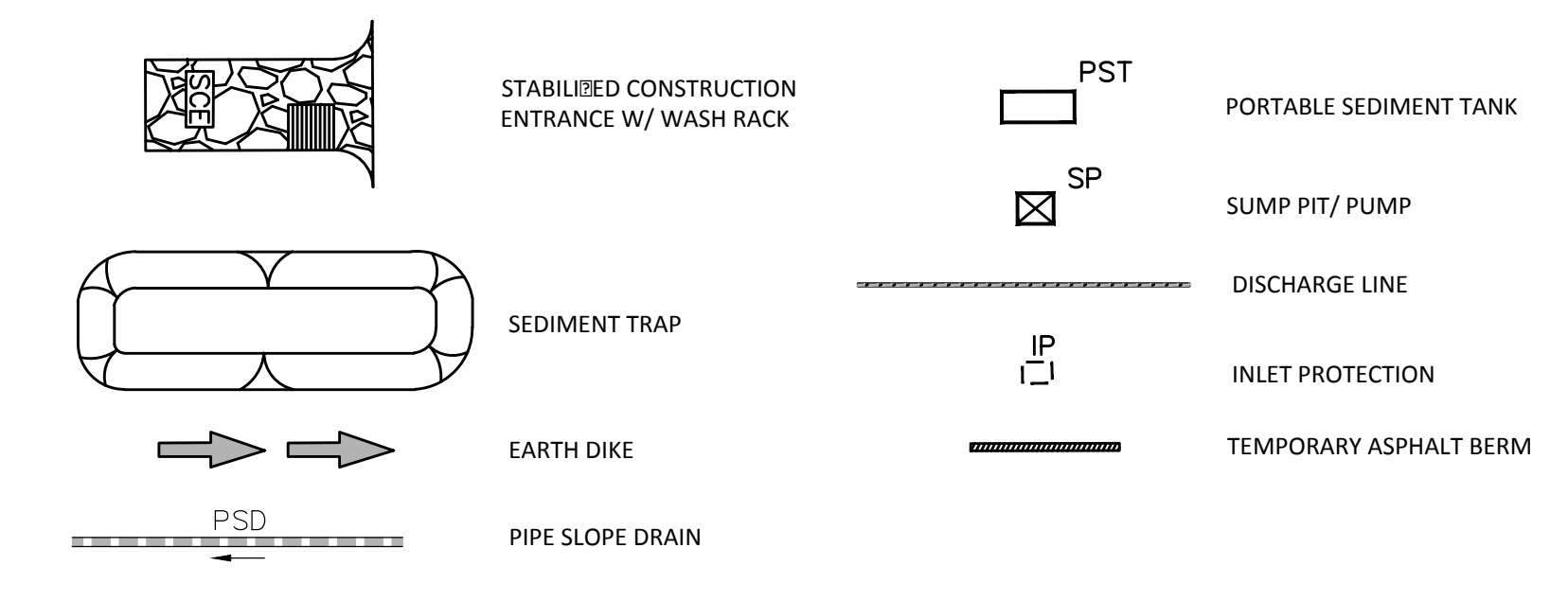
THE BLAIRS
SITE PLAN
BUILDING F1/F2
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
VSSC GRID: 210N02
TAX MAP: JN23
MNCPPC
820140170

DETAILED FINAL FOREST CONSERVATION PLAN

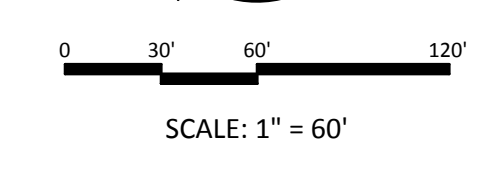
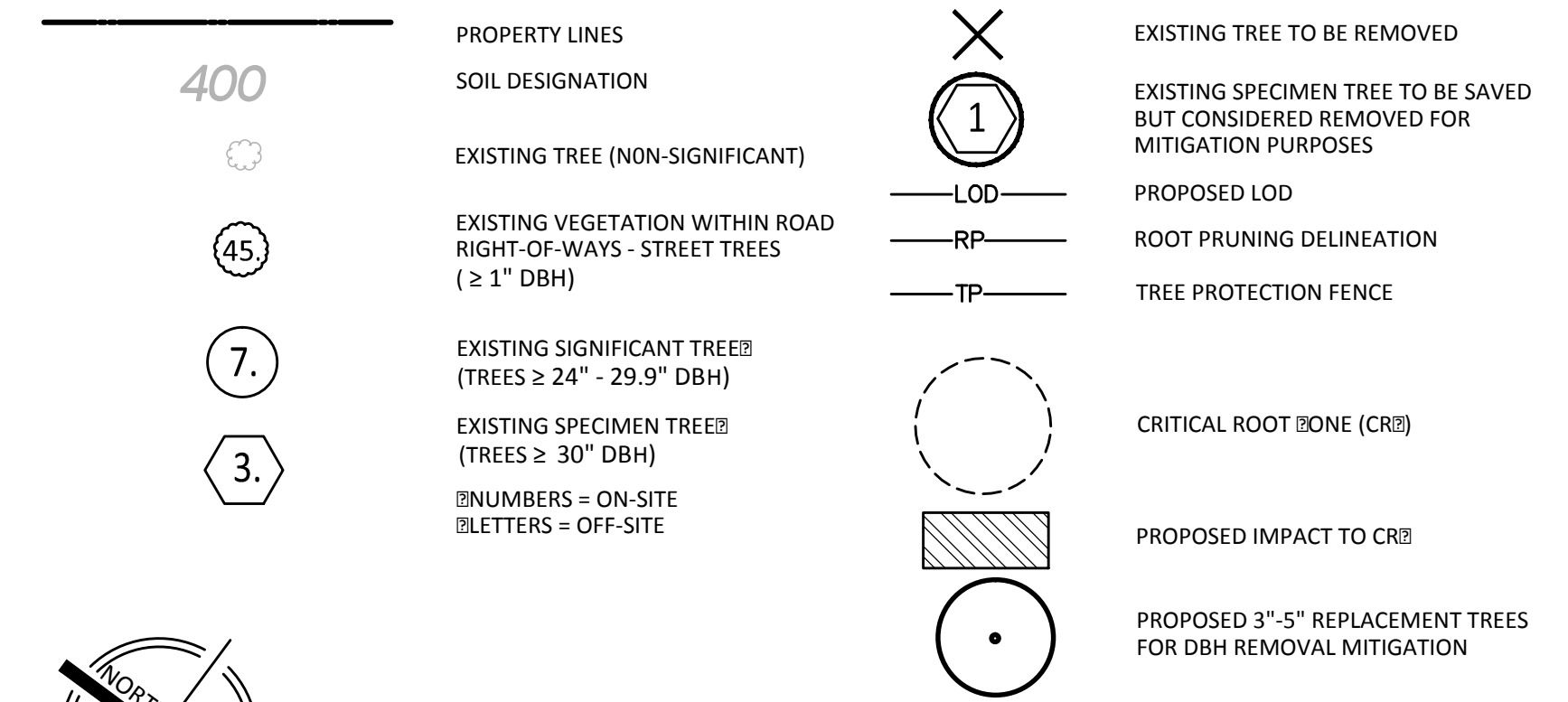
DRAWN BY: CLC
DESIGNED BY: IPD
DATE ISSUED:

SHEET NO: FFCP 2 OF 3

SEC LEGEND



FCP LEGEND



"FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com OR http://www.misutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"
The recipient must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The recipient is responsible for compliance with requirements of Chapter 51A of the Montgomery County Code.



October 8, 2014

Mr. Marco Fuster
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Forest Conservation Variance Request
Blair Park, Silver Spring, MD
NRI # 420121504
VIKA # VM1374Q

Dear Mr. Fuster:

Our client, The Tower Companies (the "Applicant"), owner of approximately 30.37 acres of land located within the boundary of Colesville Road, East-West Highway, Blair Mill Road and Eastern Avenue in Silver Spring (the "Subject Property"), hereby request a Variance for review and approval pursuant to Section 22A-21(b) of the Montgomery County Forest Conservation Law from the provisions of Section 5-1607 of the Natural Resources Article of the Maryland Code, to allow removal of trees on the Property that are 30" DBH or greater, and trees that are 75% the diameter of the county champion for that species. This Variance request is submitted for review in conjunction with a Final Forest Conservation Plan ("FFCP") that has been submitted for the proposed development on the Property (the "Project").

This supplemental variance is being provided due to an expansion of the proposed limits of disturbance for an offsite water connection which extends approximately 880' offsite and runs within the Blair Mill Road right of way. This offsite utility work increases the impacts to one variance tree (Tree A) previously provided in the report below. The tree was previously granted a variance for impacts at 2% and 180 SF of the Critical Root Zone. Careful grading/sequencing, tree protection fencing, the use of root spade exposure, and hand pruning techniques are proposed to retain the tree. Further evaluation and possible field adjustments may result in its preservation. Please see updated variance note provided for Tree A in the report below, which is now proposed to be 18% and 2,125 SF of the Critical Root Zone.

As detailed below, existing conditions, prior approvals and the nature of the Project justify the granting of the Variance pursuant to Section 22A-21(b) of the Code. Additionally, the Variance is in conformance with Section 22A-21(d) of the Code because the granting of the Variance (i) will not confer a special privilege on the Applicants that would be denied to others; (ii) is not based on conditions or circumstances which result from the action of the Applicants; (iii) is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property; and (iv) will not violate State water quality standards or cause measurable degradation in water quality.

VIKA Maryland, LLC

20251 Century Boulevard, Suite 400  Germantown, Maryland 20874  301.916.4100 Fax 301.916.2262
Tysons, VA  Germantown, MD  Washington, DC

www.vika.com

Table 1: Previously approved variance tree with increased CRZ impact - to remain

Tree #	Scientific Name/ Common Name	D.B.H (inches)	Field Condition	Disposition	CRZ Area (sf)	CRZ Impacts (sf)	CRZ Impacts (%)	Justification
OFF-SITE SPECIMEN TREES PROPOSED FOR REMOVAL OR IMPACTED								
A	<i>Quercus coccinea</i> / Scarlet oak	41	Good	Impacted	11,876	2,125	18%	Impact is needed to allow for waterline extension within the Blair Mill Road right-of-way.

Tree # A

41" Scarlet Oak (*Quercus coccinea*): This tree is located off-site, on the south side of Blair Mill Road, across the street from Blair Plaza.

- **Field Condition:** Good
- **Proposed CRZ Impact:** 18% impact to CRZ. Impact is needed to allow for waterline extension within the Blair Mill Road right-of-way.
- **Disposition:** Tree A is specified to be saved.

Justification Narrative for Tree Disturbance

Pursuant to Section 22A-21(b) of the Forest Conservation Law, the Variance request must provide the following:

- 1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**
- 2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;**
- 3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and**
- 4. Provide any other information appropriate to support the request**

We submit the following rationale in support of the Variance request:

1. The slightly increased disturbance is needed to implement the Master Plan for the Project, to provide a refined urban mixed-used project that emphasizes and re-establishes a strong orientation to the Silver Spring Metro Station while providing much needed public open space. While all Forest Conservation requirements for the site are proposed to be met off-site due the foreseen number of underground utilities (SWM facilities, water, sewer, electric, etc.) and other encumbrances, the project will provide tree lined streets and parks. The project is not seeking any special privilege – only the minimal amount of relief necessary to allow the Project to be built through the established variance process under the Forest Conservation Law.

Increased impact to the subject tree is the result of the proposed development requirements of the offsite water connection now included with the project extending approximately 880' offsite and running within the Blair Mill Road right of way. It is not the result of inappropriate action taken by the Applicants.



2. If the Variance request is not granted, the Project would not be able to be built in accordance with the master plan that the Applicants have carefully developed over several years. In addition, the disturbance or removal of the subject tree is not haphazard in anyway. As explained previously, the proposed actions have been carefully analyzed, including by careful consideration of alternatives that would still allow the Master Plan to be implemented.
3. The Project will meet all applicable water quality resource protection requirements. The Applicant has submitted a Stormwater Management Concept Plan for the Project to the Montgomery County Department of Permitting Services (DPS), Water Resources Section, which is currently under review. As shown in the Concept, the Project will provide for storm water to be stored and treated on site for water quantity control and quality improvement. The Project will meet the required water quality treatment and water quantity control needs through use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) and structural facilities. Proposed stormwater management quantity control and quality improvement techniques include micro-biofilter facilities in open spaces and along private streets, green roofs, and parks. Therefore, the increased impact to "Tree A" will not adversely affect water quality in any measurable way.
4. In addition, we do not believe that granting this request would confer on the Applicants a special privilege that would be denied to other applicants as the request herein, are typical of an application of this type. The design approach and measures taken for the avoidance and minimization of environmental impacts on this Property are clear signs of the Applicants' intent to preserve the site's natural resources.

Thank you for your consideration of this Variance request. We believe that the supporting information provided with this letter justifies the variance to slightly increase impact of one (1) specimen tree. If you have any questions or need more information, please do not hesitate to contact us so that we may discuss this matter further.

Sincerely,
VIKA, Maryland, LLC

Joshua Sloan, RLA
Associate

\\mdprojects\svm2\data3d\1000-9999\1374_DOCUMENTS\1374Q\planning\environmental\1374 Variance Letter REVISED_20141008.doc





DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Fariba Kassiri
Acting Director

October 10, 2014

Casey Anderson, Chair
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: The Blairs, DAIC 820140170, amendment to site plan application accepted on 7/27/2014

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the

Division of Environmental Policy & Compliance

variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

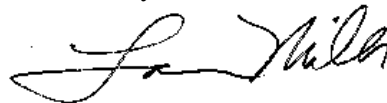
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller
County Arborist

cc: Marco Fuster, Senior Planner



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

September 10, 2014

Ms. Shannon Woodrow
Vika Maryland, LLC
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT REVISION**
Request for Blairs Park Revision
Preliminary Plan #: 120130220
SM File #: 252153
Tract Size/Zone: 24.44 Ac./CBD-R2
Total Concept Area: 24.44
Parcel(s): N/614,616,784,838,739,681,731
Watershed: Lower Rock Creek

Dear Ms Woodrow:

Based on a review by the Department of Permitting Services Review Staff, the **revised** stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via ESD to the MEP by the use of green roof and micro-biofiltration/planter boxes. Additional treatment will be provided via proprietary under ground structural volume based filters. Due to site constraints the full quantity volume can not be treated so a waiver of quantity control is granted.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. **This revision is to amend the plans and comps for the portion of the site containing blocks F1 and F2 and a portion of Portal Drive and Street C for site plan.**
2. **The remaining portion of the site will need to be resubmitted for revised approval prior to the site plan going to the Planning Board, and the original stormwater management concept letter dated August 12, 2013 continues to apply to those portions of the project. Please show more details of how areas are to be conveyed to micro-biofiltration structures and to proprietary filters. Also work with the architect to see if additional volume can be treated via ESD or structural methods. At these resubmissions no additional waivers will be granted.**
3. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
4. An engineered sediment control plan must be submitted for this development.
5. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

6. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
7. Easements and covenants must be provided for all ESD and structural stormwater management practices.
8. Green roofs to be designed by a professional with green roof experience.
9. All green roofs are to be 8 inches thick.
10. Use the latest MCDPS design standards at time of plan submittal for the stormwater structures.
11. Provide pretreatment for the underground volume based structures treating non-rooftop area.
12. Provide flow splitters to structural stormwater treatment per MCDPS design requirements.

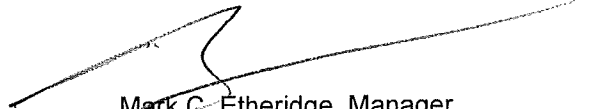
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**. Calculation of the required waiver fee will be done during detailed plan review.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



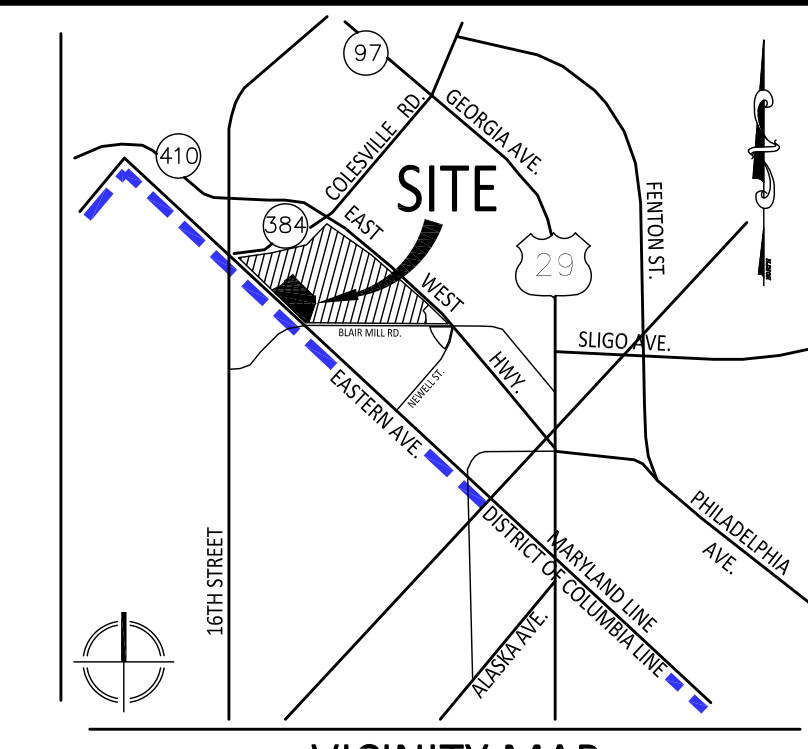
Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: me CN252153 Blairs Park Revision.DWK

cc: C. Conlon
SM File # 252153

ESD Acres:	24.44
Structural Acres:	5.5
Waived Acres:	24.44

E-FILE STAMP



PREPARED FOR:
THE TOWER COMPANIES

The Tower Companies
 2000 Tower Oaks Boulevard
 North Floor
 Rockville, MD 20852
 301-984-7000
 or via email:

DESIGN CONSULTANTS
ARCHITECTS
 Design Collective, Inc.
 601 East Pratt Street
 Suite 300
 Baltimore, MD 21202
 410-685-6655
 Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC
 64 Pleasant Street
 Watertown, MA 02472
 617-926-3300
 Alan Ward

ATTORNEY
 Lerch Early & Brewer
 3 Bethesda Metro Center
 Suite 400
 Bethesda, MD 20814
 301-986-1300
 Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells + Associates
 8750 Georgia Avenue
 Suite 200
 Silver Spring, MD 20910
 301-486-1333
 Nancy Randall

CIVIL ENGINEER
VKA MARYLAND, LLC
 20251 CENTURY BOULEVARD
 SUITE 400
 GERMANTOWN MD, 20874
 301-916-4100
 Michael Goodman

LEGEND

- PUBLIC USE SPACE
- AMENITY AREA IMPROVEMENTS USING DISTRICT OF COLUMBIA PUBLIC SPACE ELEMENTS
- AMENITY AREA IMPROVEMENTS USING MONTGOMERY COUNTY PUBLIC SPACE ELEMENTS
- PROJECT BOUNDARY

Public Use Space	
% approved for Entire Development at Project Plan	20.0%
SF Approved for Entire Development at Project Plan	232,000
% Proposed for this Site Plan (based on Net Lot Area)	29.7%
SF Proposed for this Site Plan (based on Net Lot Area)	48,000
SF Remaining for Balance of the Entire Development	184,000
% Amenity Area for this Site Plan (none required)	9.0%
SF Amenity Area for this Site Plan (none required)	14,500

⁽²⁾ Includes approximately 13,000 sf of Amenity Area within the District of Columbia.
 Note: This Site Plan is a part of the Blairs Project Plan No. 920130050. Public Use Space is calculated based on the entire Project Plan Net Lot Area (NLA). Public Use Space in this Site Plan represents only a portion of the total Public Use Space intended for the full build out of the overall Blairs Project Plan. The Public Use Space in each successive site plan will be aggregated to reach a total at full build out. Total Public Use Space at full build out will not be less than 20% for the entire Project Plan area. However, the Public Use Space provided in each individual Site Plan may be higher or lower than 20%, as to the area of that Site Plan.

DATE	REVISIONS
5/23/2014	1 INITIAL SUBMISSION

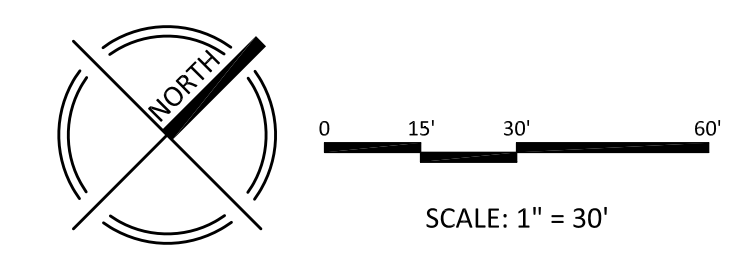
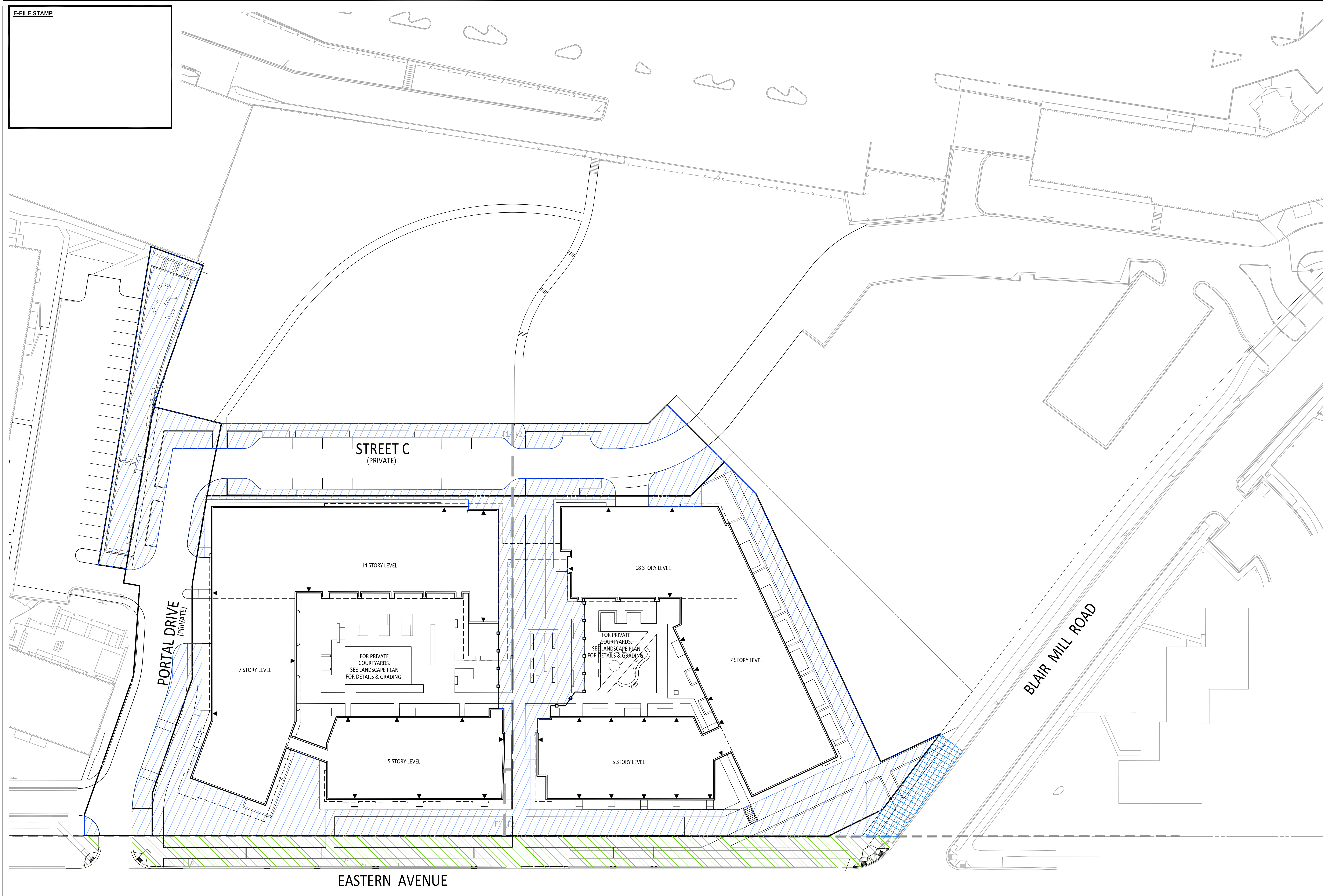
PROFESSIONAL SEAL
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
 MICHAEL S. GOODWIN, LICENSE NO. 2222
 EXPIRATION DATE: JULY 15, 2014

THE BLAIRS
 SITE PLAN
 BUILDING F1/F2
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY,
 MARYLAND
 WSSC GRID: 210NW02
 TAX MAP: JN23
MNCPPC
820140170

PUBLIC USE SPACE AND AMENITY AREA PLAN

DRAWN BY: SDG
 DESIGNED BY: IPD
 DATE ISSUED: _____

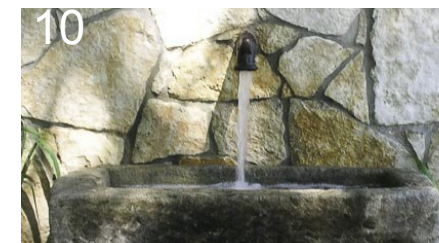
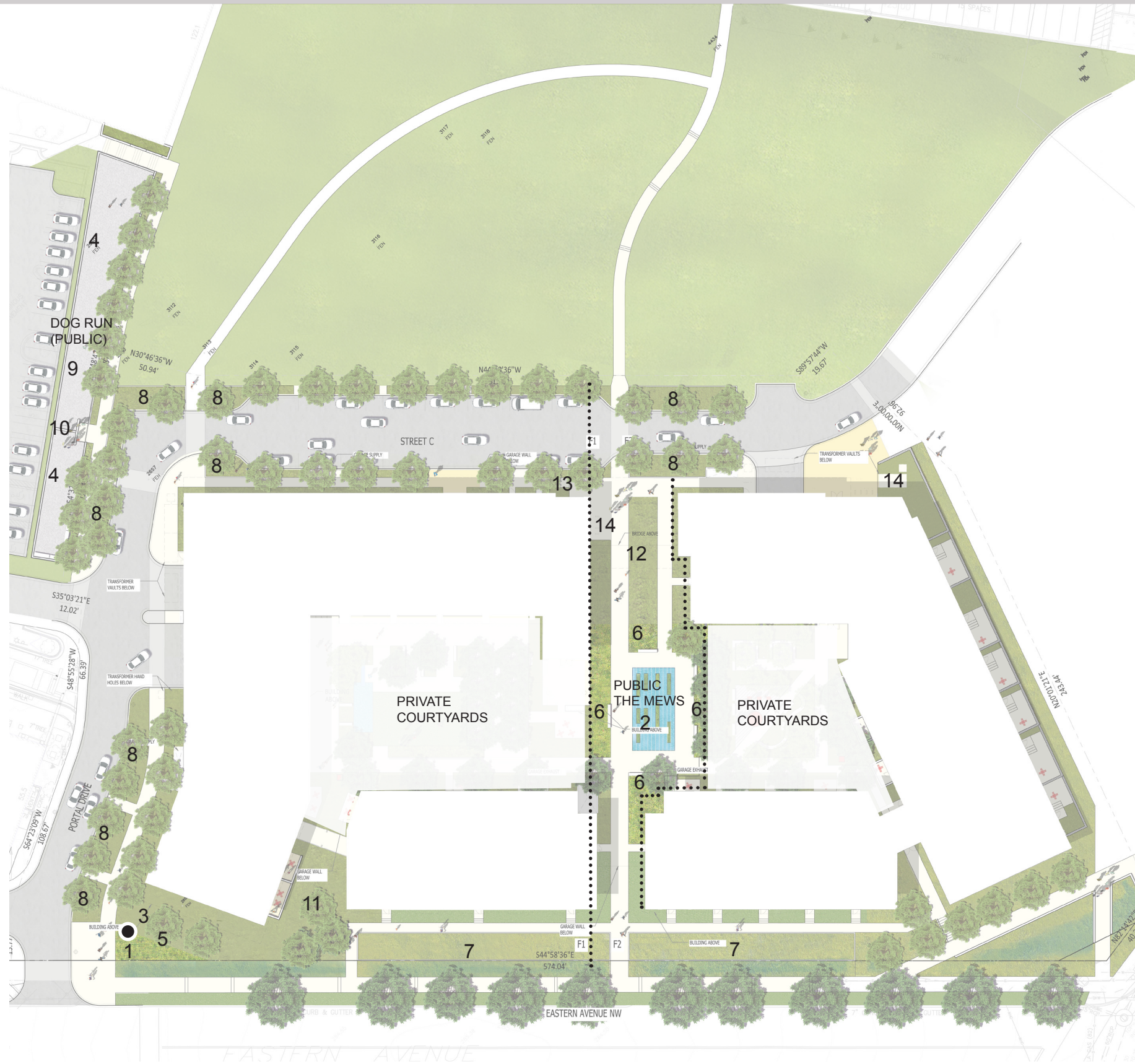
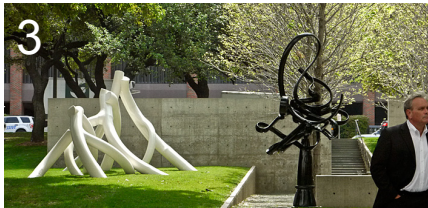
SHEET NO. **1 OF 1**



DEVELOPER'S CERTIFICATE
 The undersigned agrees to execute all the features of the Site Plan Approval No. 820140170, including Approval Conditions, Development Program, and Certified Site Plan.
 Developer's Name: The Tower Companies
 Contact Person: SA Velamati
 Address: 2000 Tower Oaks Boulevard - North Floor, Rockville, MD 20852
 Phone: 301-948-7000
 Signature: _____ Date: _____

*FOR LOCATION OF UTILITIES CALL 811 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY!
 The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

LANDSCAPE PLAN

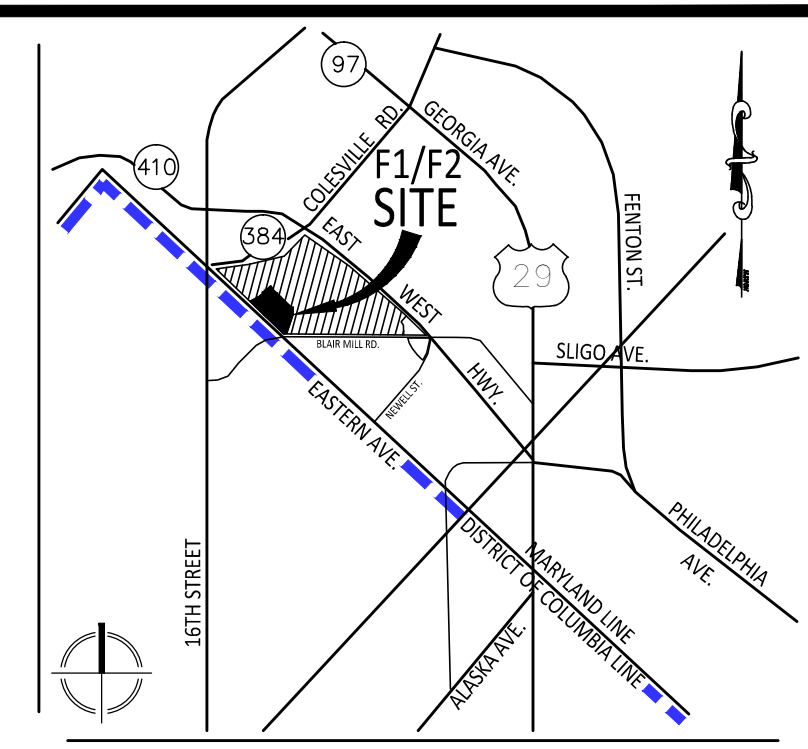


E-FILE STAMP

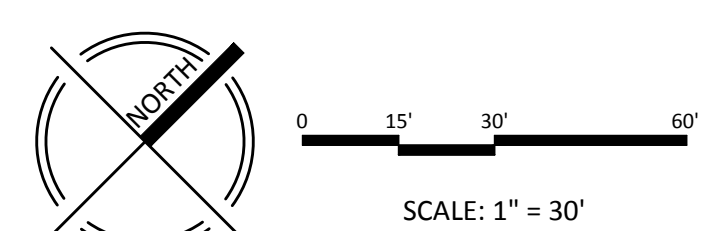
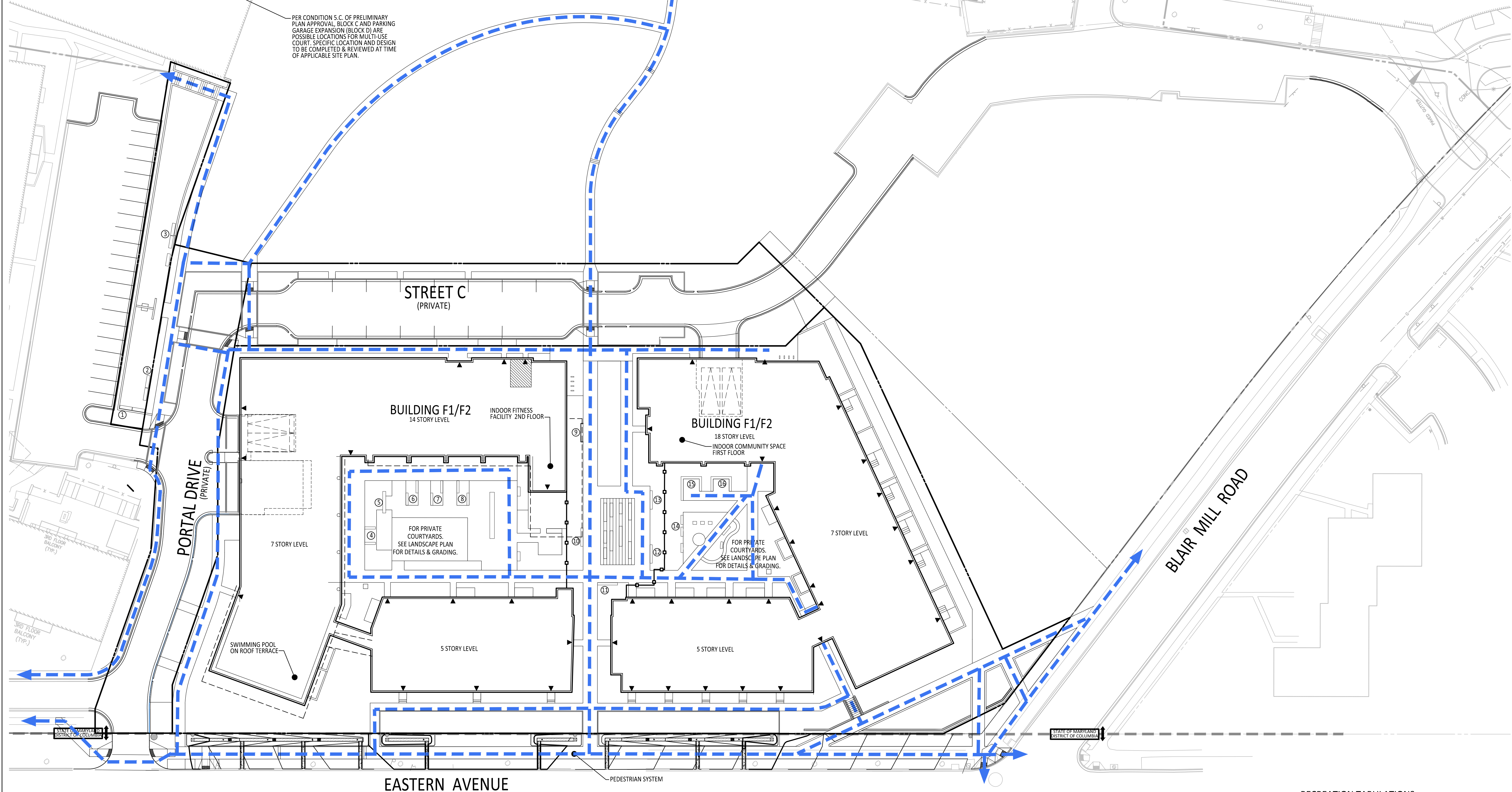
OWNERSHIP LOT 21-C
PLAT 24483

PER CONDITION 5.C. OF PRELIMINARY PLAN APPROVAL BLOCK C AND PARKING GARAGE EXPANSION (BLOCK D) ARE POSSIBLE LOCATIONS FOR MULTI-USE COURT. SPECIFIC LOCATION AND DESIGN TO BE COMPLETED & REVIEWED AT TIME OF APPLICABLE SITE PLAN.

PER CONDITION 5.C. OF PRELIMINARY PLAN APPROVAL BLOCK C AND PARKING GARAGE EXPANSION (BLOCK D) ARE POSSIBLE LOCATIONS FOR MULTI-USE COURT. SPECIFIC LOCATION AND DESIGN TO BE COMPLETED & REVIEWED AT TIME OF APPLICABLE SITE PLAN.



VICINITY MAP
SCALE: 1" = 2000'



RECREATION TABULATIONS

DEMAND CALCULATIONS

	Number of Units	D1	D2	D3	D4	D5
HI-RISE	507	20.3	20.3	20.3	390.4	233.2
Total Units	507.0					
Total Demand	20.3	20.3	20.3	390.4	233.2	233.2
On-Site Supply	21.2	29.3	40.3	548.5	300.2	
% Demand Met On-Site	104.4	144.4	198.8	140.5	128.7	
Off-Site Supply	0.0	0.0	0.0	0.0	0.0	0.0
Total On-Site & Off-Site Supply	21.2	29.3	40.3	548.5	300.2	
% Demand Met On-Off	104.4	144.4	198.8	140.5	128.7	

ONSITE SUPPLY CALCULATIONS

Ref #	Description	No. Provided	D1	D2	D3	D4	D5
4.0	Picnic/Sitting	16	16.00	16.00	24.00	80.00	32.00
21.0	Pedestrian System	1	2.03	4.06	4.06	175.68	104.95
24.0	Swimming Pool	1	1.12	4.16	4.16	97.60	34.98
26.0	Indoor Community Space	1	2.03	3.04	6.08	117.12	93.29
27.0	Indoor Fitness Facility	1	0.00	2.03	2.03	78.08	34.98
TOTAL			21.17	29.28	40.33	548.47	300.20

LEGEND

- PEDESTRIAN SYSTEM
- BENCH/SEAT WALL (SEATING AREA)

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 820140170, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: The Tower Companies
Contact Person: Sri Velamati
Address: 2000 Tower Oaks Boulevard - Ninth Floor, Rockville, MD 20852
Phone: 301.948.2000

Signature: _____ Date: _____

THE BLAIRS
SITE PLAN
BUILDING F1/F2
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210N02
TAX MAP: JN23
MNCPPC
820140170

RECREATION
FACILITIES &
PEDESTRIAN
CIRCULATION PLAN

DRAWN BY: EDG
DESIGNED BY: IPD
DATE ISSUED: _____

SHEET NO. **1 OF 1**

"FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.mnscutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 33A of the Montgomery County Code.

DATE	REVISIONS
3/29/2014	1. INITIAL SUBMISSION
5/29/2014	2. FINAL SUBMISSION RESPONSE
8/29/2014	3. AGENCY COMMENT RESPONSE
9/29/2014	4. AGENCY COMMENT RESPONSE

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. EXPIRATION DATE: DEC. 16, 2014.



SILVER SPRING CITIZENS ADVISORY BOARD

September 8, 2014

To the Members of the Montgomery County Council:

**Advice from the Silver Spring Citizens Advisory Board on
the proposed "The Blairs" Redevelopment**

At its May 19, 2014 joint meeting of the three standing committees and its June 9, 2014 full Board meeting, the Silver Spring Citizens Advisory Board and interested community members viewed a presentation from The Tower Companies regarding the proposed redevelopment of The Blairs, Phases I and II. Tower expects to submit a Site Plan application for these initial development phases shortly, and is requesting support for the project from the Board.

The presented plan incorporates revisions to the Approved Master Plan, primarily as it relates to building massing fronting Washington, D.C.'s Eastern Avenue. The presentation noted that these adjustments are in response to ongoing coordination with appropriate agencies and affected neighbors, and seek to enhance the experiences of both future residents and neighboring communities. Board members and meeting attendees appreciated the project team's efforts to adjust their plans in response to feedback received, and believe the plan remains welcoming to the Silver Spring community at large.

It is noted that the plan proposes a large 'temporary' green space, and we ask that the project team provide clarification on intended programming of the area, along with addressing any relevant issues relating to safety, aesthetics, and access. We wish to ensure a successful space that will benefit the Silver Spring community through what we would anticipate to be a multi-year existence.

Additionally, the Board notes the ongoing community concern over protecting and expanding affordable housing in Silver Spring and the County at-large. As the number of Silver Spring residents who live in rental housing grows, our diverse residents should feel secure in their ability to remain in their homes and continue to enjoy Silver Spring's opportunities.

Over the course of this long-term project, the Board expects to request periodic updates from the Tower Companies regarding construction and tenant relations, and looks forward to working with The Blairs team as the plan moves forward towards an end result that the community can enjoy. Notwithstanding the above concerns, we are excited and pleased to offer our support to the project.

Sincerely,

Bernice Mireku-North

Chair, Silver Spring Citizens Advisory Board

cc: Ike Leggett, County Executive; Casey Anderson, Planning Board Chair; Gwen Wright, Planning Director





SILVER SPRING
TRANSPORTATION MANAGEMENT DISTRICT
ADVISORY COMMITTEE

September 11, 2014

Mr. Arthur Holmes, Jr., Director
Montgomery County Department of Transportation
101 Monroe Street, 10th Floor
Rockville, Maryland 20850

SUBJECT: The Blairs Site Plan #820140170 / Silver Spring

Dear Mr. Holmes:

I am writing on behalf of the Silver Spring Transportation Management District (TMD) Advisory Committee regarding The Blairs redevelopment Site Plan, currently under review by the Planning Board, and its potential impact on pedestrian movement and safety in downtown Silver Spring.

The Advisory Committee received a briefing on The Blairs Master Plan during its May meeting, and again on the Site Plan at our June meeting. The Site Plan, in the Committee's view, supports the mission of the TMD as well as the broader goals of the County by enhancing pedestrian movement, providing improved access to transit facilities, and creating an attractive street environment that provides for the safety of residents, businesses, and visitors to Silver Spring. The Site Plan provides for the following elements relevant to TMD goals:

- Improvements to the streetscape, with plantings and improved lighting along Colesville and Blair Mill Roads, providing a more pleasant environment for pedestrians and cyclists
- Lower profile building heights for residential complexes facing Eastern Avenue, with higher buildings set back to maintain a human scale street front, adding to the sense of safety for pedestrians on the street
- Direct pedestrian and bicycle access to the Silver Spring Transit Center through the development from Eastern Avenue and Blair Mill Road at the southern end of the property
- Ample green space and civic open space to attract urban residents, while reducing parking and other vehicular space
- Street level retail, allowing residents to meet needs without relying on a vehicle

As we stated in our letter of September 4, 2013, in support of The Blairs Preliminary Plan application, the Committee recommends that the integrated public spaces envisioned within The Blairs development include the possibility for a future bikeshare station, which would also facilitate movement within the development for residents and visitors.

Division of Transit Services • Commuter Services Section

101 Monroe Street, 10th Floor • Rockville, Maryland 20850 • 240.777.8380 • 240.777.8391 FAX
www.montgomerycountymd.gov/commute

Arthur Holmes, Jr.
September 11, 2014
Page 2

Request

Since the new development will provide multiple access points for pedestrians and thus be a magnet for increased pedestrian traffic, the Committee requests that the Department of Transportation, in coordination with the State Highway Administration, provide further study of the existing crosswalks and signalized intersections surrounding the development. Specifically, we would like MCDOT and SHA to explore the possibility of a High-intensity Activated Crosswalk ("HAWK"), or other pedestrian access amenity across Colesville Road between 16th Street and East West Highway, at Draper Lane (there is currently no crosswalk at this location). Draper Lane will likely be a major access point for pedestrians once the development is completed. A pedestrian activated signal would greatly enhance pedestrian safety across this section of Colesville Road.

The redevelopment also affords an opportunity to study the existing crosswalk located on East West Highway that allows movement from the Silver Spring Metro entrance and NOAA complex to the current driveway entrance into the shopping center. The Committee supports the developer's planned relocation of this entrance to a location farther west along East West Highway (the present entrance will be for deliveries); and also recommends signal rephasing and additional signage for pedestrians and motorists since the hilly topography of East West Highway near this location tends to encourage higher vehicle speeds for westbound traffic. The current signal phasing is not optimal for pedestrians crossing East West at this location. There is a red light for the westbound direction while the eastbound direction has a continued green. If you are a pedestrian crossing in the crosswalk you can see the westbound red but not the eastbound green signal, causing frequent near-collisions. While there is a "Don't Walk" sign, many pedestrians pay attention instead to the westbound red signal and assume it is also red for the eastbound traffic for the same amount of time.

Thank you. The Committee appreciates your time and attention to these matters and believes these recommendations will help to enhance pedestrian safety in and around The Blairs redevelopment site.

Sincerely,



Samantha Mazo
Chair

cc: Bernice North, Silver Spring Citizens Advisory Board
William Kominers, Lerch, Early & Brewer
Mel Tull, Silver Spring Urban District Advisory Committee



October 6, 2014

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Site Plan Application No. 820140170, The Blairs, Building F1/F2;
Optional Method Development at Blair Mill Road and Eastern Avenue

Dear Chair Anderson and Members of the Planning Board:

On behalf of the Greater Silver Spring Chamber of Commerce, which represents almost 400 businesses in Greater Silver Spring and Eastern Montgomery County, I am writing to offer our enthusiastic support for the above-referenced Site Plan, which will implement the initial phases of The Blairs Master Plan development.

Through our Economic Development Committee, our entire Board has followed The Blairs Master Plan project with great interest, and is pleased that this Site Plan will allow the project to begin to move forward. The F1/F2 building exemplifies the care and attention to detail that came across in the overall master plan for the redevelopment of the entire complex.

We support the Site Plan for several reasons. Primarily, the Site Plan will replace obsolete and currently unoccupied portions of the existing Blair Towers apartments with an innovative, modern, multifamily residential development that will bring needed housing opportunities and a new sense of vitality to this portion of the Central Business District. The Site Plan will also begin to provide the high-caliber public open spaces and amenities that are proposed with The Blairs Master Plan. These spaces and facilities will be essential elements in the continued evolution of Silver Spring into a premier destination. These open space and amenity improvements will be tangible assets for the community and will mark the transition of The Blairs into a resource for the entire community, existing and new. At the same time, the redevelopment will enhance Silver Spring's capacity to attract new residents and employers.

The overall master plan and this Site Plan demonstrate the environmentally sensitive design that is the hallmark of this property owner, and how that is carried out in a variety of applications – the buildings, landscaping, and public use spaces. Overall, the Site Plan is modern, innovative, and sustainable, and represents the kind of cutting-edge development that will be necessary to carry Silver Spring forward into the future.

For these reasons, we urge the Board to approve the Site Plan. We thank you for the opportunity to present our views.

Sincerely,

A handwritten signature in cursive script that reads "Jane Redicker".

Jane Redicker
President



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Richard Y. Nelson, Jr.
Director

October 10, 2014

Ms. Stephanie Dickel
Area 1 Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: The Blairs
Site Plan No. 820140170

Dear Ms. Dickel:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above site plan. The applicant has proposed, and DHCA has accepted, the following conditions to the site plan, and DHCA recommends Approval with these conditions:

1. Sixty-four (64) total MPDUs are required by the new development. Of these, 80 percent (80% - 51 MPDUs) will be provided in existing buildings in the Blairs complex that are included in the preliminary plan for this project (#120130220). The remaining 20 percent (20% - 13 MPDUs) will be provided in the new development.
2. The MPDUs that will be provided in the existing buildings will be made available when the building permit is approved for each phase of the new development.
3. The applicant will provide MPDUs with more bedrooms than would otherwise be required by the bedroom mix requirements of Chapter 25A of the Montgomery County Code (Section 25A-5(b)(3)), while maintaining the required total number of MPDUs (64). Specifically, the applicant will provide three (3) more two-bedroom MPDUs than would be required otherwise, and three (3) three-bedroom MPDUs, which the applicant would not need to provide otherwise. In order to maintain the total of 64 MPDUs, the applicant will provide six (6) fewer one-bedroom MPDUs than the maximum number that would be allowed under Chapter 25A. The applicant will also provide no more than the maximum number of efficiency MPDUs than are allowed. The additional larger MPDUs will be provided in the existing buildings. Based on the currently proposed bedroom mix of the market rate units in the new development, the total bedroom distribution of the MPDUs in the new and existing buildings combined would be as follows, as compared to the bedroom distribution of the market units in the new development:

Division of Housing

Moderately Priced
Dwelling Unit
FAX 240-777-3709

Housing Development
& Loan Programs
FAX 240-777-3691

Landlord-Tenant Affairs
FAX 240-777-3691

Licensing & Registration Unit
240-777-3666
FAX 240-777-3699

100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-3600 • www.montgomerycountymd.gov/dhca

MPDU Unit Type	No. (%) of MPDUs in New and Existing Bldgs.	No. (%) of Market Units in New Development
Efficiencies	6 (9%)	49 (10%)
One Bedrooms	28 (44%)	259 (52%)
Two Bedrooms	27 (42%)	186 (38%)
Three Bedrooms	3 (5%)	0 (0%)
Total*	64 (100%)	494 (100%)

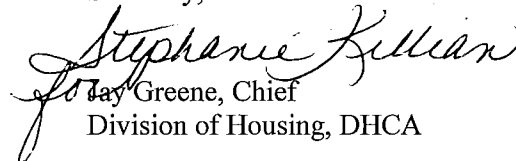
*The total number of MPDUs includes 51 MPDUs to be located in existing buildings. The total number of units in the new development is 507.

The justification for allowing 80% of the MPDUs to be located in existing buildings at The Blairs is as follows:

- The MPDU program will receive three (3) more two-bedroom units than would be required otherwise, and three (3) three-bedroom MPDUs, which the applicant would not need to provide otherwise. Three-bedroom rental units are extremely rare in the Silver Spring submarket, and affordable three-bedroom rental units are rarer still.
- Because most of the Blairs complex was constructed prior to adoption of Chapter 25A, only 10 MPDUs are currently located in The Blairs. Therefore, locating 51 MPDUs in the existing buildings will not result in an over-concentration of MPDUs.
- The MPDUs in the existing buildings will average 85 square feet larger than MPDUs in the new development, and the units in the existing buildings have been recently renovated.
- The MPDUs in the existing buildings will be made available two to three years earlier than the MPDUs in the new development.

If you need further information, please contact Lisa Schwartz at 240-777-3786.

Sincerely,


Stephanie Killian
Jay Greene, Chief
Division of Housing, DHCA

JG:lss

cc: Sri Velamati, The Tower Companies
Robby Brewer, Linowes and Blocher LLP
Stephanie Killian, Manager, Affordable Housing Programs, DHCA
Lisa S. Schwartz, Senior Planning Specialist, DHCA



MONTGOMERY COUNTY DEPARTMENT OF PARKS
MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

MEMORANDUM

October 28, 2014

TO: Stephanie Dickel, Planner Coordinator, Area 1

FROM: Brooke Farquhar, Master Planner/Supervisor, Park and Trail Planning, Park Planning and Stewardship *Brooke Farquhar*

SUBJECT: The Blairs Site Plan 820140170 – Phases 1&2 – Dog Parks

The Blairs Project Plan approval included Condition 5a that states:

The site plans that include construction and completion of the public dog parks must include details for design, operations, and management that insure performance as a public dog park.

The applicant has met with our staff several times to share ideas about best practices of design and operations of two urban dog parks. The two dog parks proposed on the applicant's plans will be open to the public but not owned, maintained, policed or programmed by the Department of Parks. Parks staff have reviewed the proposed designs and operational standards and note they are similar to those of our Department.

Our only concerns are the adequacy of parking and signage for dog park patrons. Although the intent is to provide neighborhood-serving dog parks for people within walking distance, a few patrons will choose to drive to the site. The applicant has demonstrated to staff's satisfaction that there is sufficient public parking both on the site and on nearby streets and in public parking structures. The applicant has also agreed to provide a survey of dog park patrons to analyze parking needs in conjunction with the next site plan application for future phases.

We suggest the following conditions of approval:

1. In order to clearly communicate that the dog parks are open to the public, the plans should include clear signage that the dog parks are available to the public and not just residents of The Blairs.
2. In conjunction with the next site plan submittal, applicant to provide a survey of how dog park patrons are arriving and where they are parking.

Thank you for the opportunity to comment.

Cc:

Mike Riley, Director
John Nissel, Deputy Director of Operations
Mitra Pedeem, Acting Deputy Director of Administration
Bill Tyler, Chief, Southern Parks
Stephen Chandlee, Southern Region Operations Manager
Michael Ma, Acting Chief, Park Development Division

John Hench, Chief, Park Planning and Stewardship
Tricia McManus, Supervisor, Park Design, Park Development
Aaron Feldman, Landscape Architect, Park Development
Antonio Devaul, Chief, Park Police
Sabrina Pirtle, Park Police



FIRE MARSHAL COMMENTS

DATE: 06-Aug-14
TO: Michael Goodman
VIKA, Inc
FROM: Marie LaBaw
RE: The Blairs
820140170

PLAN APPROVED

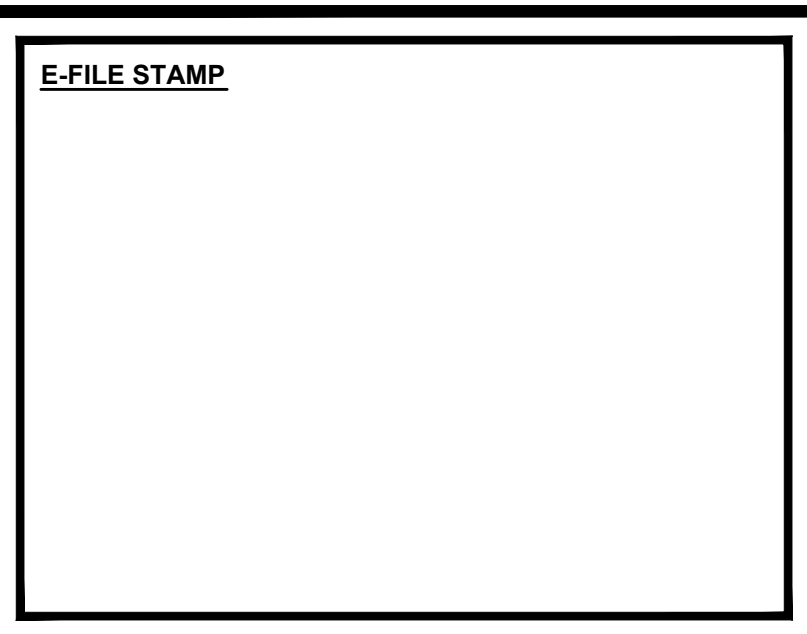
1. Review based only upon information contained on the plan submitted **06-Aug-14**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

DPS-ROW CONDITIONS OF APPROVAL

820140170 The Blairs (F1 & F2)

Contact: Sam Farhadi at 240 777-6333

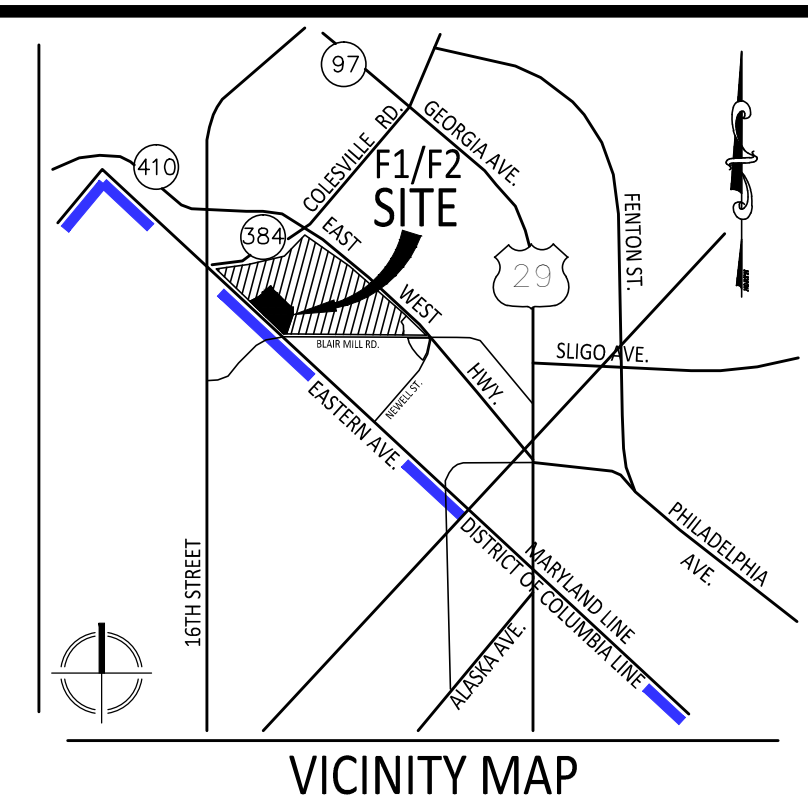
1. The followings need to be conditions of the certified site plan to be done prior to ROW permit:
 - Downstream storm drain study;
 - Private open space covenant.
2. Comply with MCDOT preliminary plan approval letter dated 8/19/13:
 - DE 2-C on Loading space per executive branch criteria and also per MCDOT letter dated 10/11/13;
 - condition 9 on parking-related recommendations;
 - condition 10 on pedestrian/cyclists-related recommendations;
 - conditions 11 and 12 on TMAg-related recommendations.
 - Condition 13 TMAg should be prepared and executed before issuance of the building permit.
 - Condition 23a and b: All improvements along Blair Mill Road per Silver Spring CBD standards, provide and label a minimum 5 feet ADA compliant sidewalk.
3. Private streets to be built to tertiary roadway structural standards.
4. All landscaping plans as part of the certified site plan must comply with the DPS code and approval standards for areas within the County ROW.



THE BLAIRS

SITE PLAN - BUILDING F1/F2

M-NCPPC FILE NUMBER 820140170



VKA
ENGINEERS PLANNERS SURVEYORS
LANDSCAPE ARCHITECTS
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN, MARYLAND 20854
PHONE: (301) 916-4100
FAX: (301) 916-2326
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:
THE TOWER COMPANIES
2000 Tower Oaks Boulevard
Ninth Floor
Rockville, MD 20852
301-984-7000
Sri Velamati

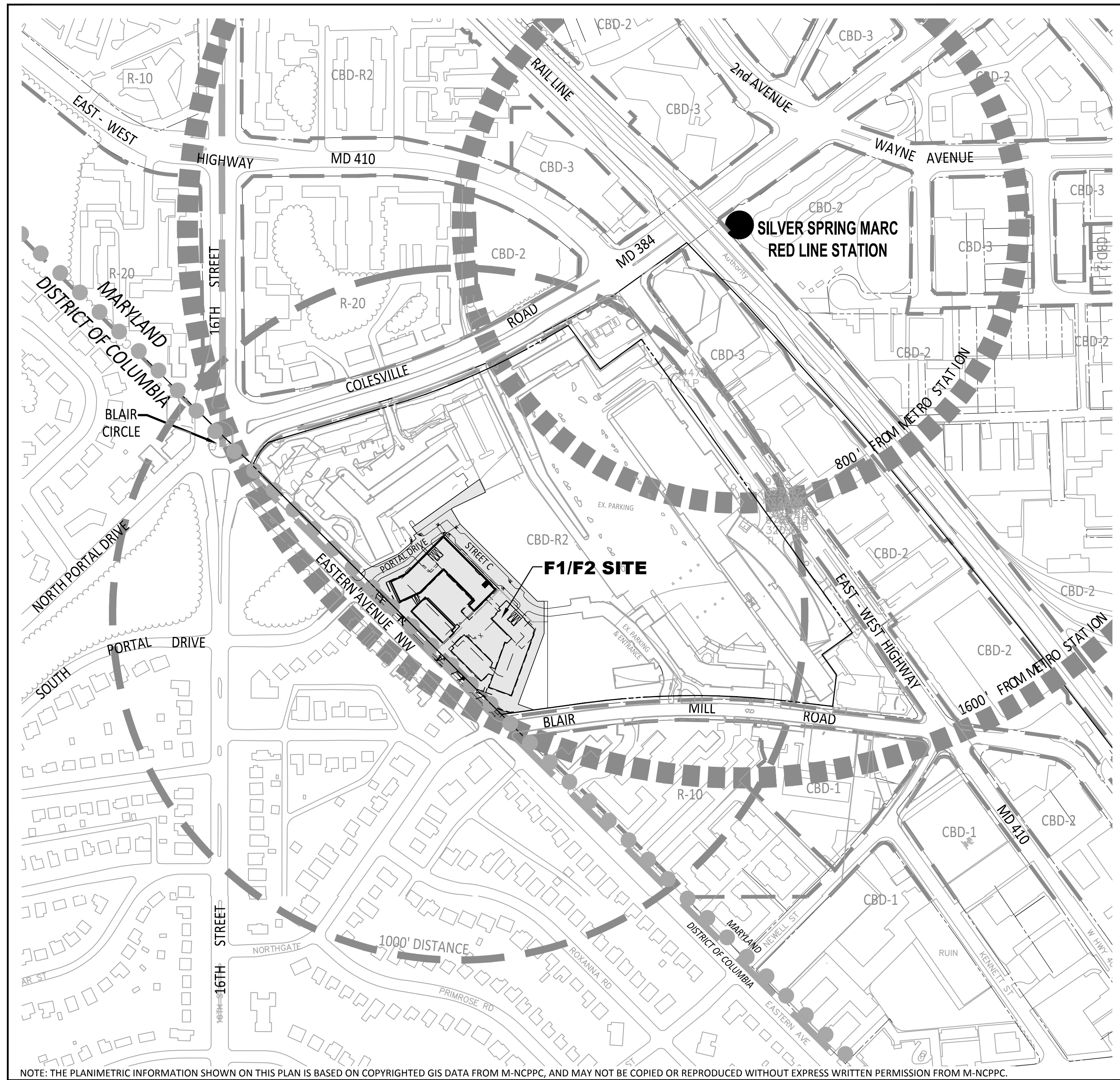
DESIGN CONSULTANTS:
ARCHITECTS
Design Collective, Inc.
603 East Pratt Street
Suite 300
Baltimore, MD 21202
410-685-6655
Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC
64 Pleasant Street
Watertown, MA 02472
617-926-3300
Alan Ward

ATTORNEY
Lorch Early & Brewer
3 Bethesda Metro Center
Suite 400
Bethesda, MD 20814
301-986-1300
Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells & Associates
8740 Georgia Avenue
Suite 200
Silver Spring, MD 20910
301-448-1313
Nancy Randall

CIVIL ENGINEER
VKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN, MD, 20874
301.916.4100
William Robinson



NOTE: THE PLANIMETRIC INFORMATION SHOWN ON THIS PLAN IS BASED ON COPYRIGHTED GIS DATA FROM M-NCPPC, AND MAY NOT BE COPIED OR REPRODUCED WITHOUT EXPRESS WRITTEN PERMISSION FROM M-NCPPC.

SHEET INDEX

SITE PLANS:

- SP-1 COVER SHEET
- SP-1A PLAN APPROVALS
- SP-1B PLAN APPROVALS
- SP-2 SITE PLAN CONTEXT
- SP-3 DETAILED SITE PLAN

ARCHITECTURAL PLANS:

- F1**
- A101 F1- GARAGE LEVELS G1 & G2
 - A102 F1- LEVEL 1 PLAN
 - A103 F1- LEVEL 2 PLAN
 - A104 F1- LEVEL 3 PLAN
 - A105 F1- LEVEL 4 PLAN
 - A106 F1- LEVEL 5 PLAN
 - A107 F1- LEVEL 6/WALKUP ROOF PLAN
 - A108 F1- LEVEL 7 PLAN
 - A109 F1- LEVEL 8 PLAN
 - A110 F1- LEVEL 9-12 & 13 PLANS
 - A111 F1- LEVEL 14 & ROOF PLANS
 - A201 F1- OVERALL SOUTH ELEVATION
 - A202 F1- OVERALL NORTH ELEVATION
 - A203 F1- WEST ELEVATION
 - A204 F1- EAST ELEVATION
 - A301 F1- OVERALL E/W BUILDING SECTION
 - A302 F1- N/S BUILDING SECTION

F2

- A101 F2- GARAGE LEVELS G1 & G2
- A102 F2- LEVEL 1 PLAN
- A103 F2- LEVEL 2 PLAN
- A104 F2- LEVEL 3 PLAN
- A105 F2- LEVEL 4 PLAN
- A106 F2- LEVEL 5 PLAN
- A107 F2- LEVEL 6/WALKUP ROOF PLAN
- A108 F2- LEVEL 7 PLAN
- A109 F2- LEVEL 8 PLAN
- A110 F2- LEVEL 9-16 & 17 PLANS
- A111 F2- LEVEL 18 & ROOF PLANS
- A201 F2- OVERALL SOUTH ELEVATION
- A202 F2- OVERALL NORTH ELEVATION
- A203 F2- EAST ELEVATION
- A204 F2- WEST ELEVATION
- A301 F2- OVERALL E/W BUILDING SECTION
- A302 F2- N/S BUILDING SECTION

LANDSCAPE PLANS:

- L-101 MATERIALS PLAN
- L-101A MATERIALS PLAN, ROOFTOP
- L-102 GRADING PLAN
- L-102A GRADING PLAN, ROOFTOP
- L-103 PLANTING PLAN
- L-103A PLANTING PLAN, ROOFTOP
- L-104 MITIGATION PLAN
- L-105 LIGHTING PHOTOMETRIC PLAN
- L-201 SITE SECTIONS
- L-202 SITE SECTIONS
- L-301 PLANTING DETAILS
- L-302 LIGHTING DETAILS
- L-303 PAVING DETAILS
- L-304 SITE DETAILS

SUPPORTING PLANS:

- PUBLIC USE PLAN
- RECREATION & PEDESTRIAN CIRCULATION PLAN
- APPROVED NRI/FSD
- FINAL FOREST CONSERVATION PLAN
- EXISTING CONDITIONS PLAN
- FIRE ACCESS PLAN
- CONCEPT STORM WATER MANAGEMENT PLAN
- COLOR UTILITY PLAN
- EXISTING/PHASED LOT OWNERSHIP

GENERAL NOTES

- THE GROSS TRACT AREA: +165,255 SF or 3.79 ACRES.
- THE SITE IS LOCATED ON TAX MAP No. JN23 AND VSSC MAP No. 210NW02.
- THE SUBJECT PROPERTY INCLUDES THE FOLLOWING PARCELS:
PARCEL LEGAL DESCRIPTION TAX ACCT NO. LIBERR FOLIO
N814 PARCEL A-9 OF BLAIR PARK 00979310 119355 F 00076
N816 PARCEL A-10 OF BLAIR PARK 00979321 119355 F 00153
N784 PARCEL A-13 OF BLAIR PARK 00979351 119355 F 00161
N838 PARCEL A-14 OF BLAIR PARK 00979362 119355 F 00165
N739 PARCEL A-17 OF BLAIR PARK 03877767 101935 F 00161
PARCEL A-12 HAS RECENTLY BEEN PLATTED AS PARCELS A-11, HOWEVER RECORDS HAVE BEEN UPDATED THROUGH THE MD STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.
N681 PARCEL A-18 OF BLAIR PARK 03369652 119355 F 00161
N731 PARCEL A-19 OF BLAIR PARK 03369653 119355 F 00165
- PROPERTY BOUNDING: CBD-R2 (CENTRAL BUSINESS DISTRICT, RESIDENTIAL, 2.0). PARCEL A-19 (BLAIR PARK) IS BASED ON THE FOLLOWING NGS CONTROL POINTS:
W.S.S.C. CONTROL POINT #20815 - STANDARD VSSC BRASS DISK STAMPED TS 20815MC, LOCATED AT THE CORNER OF 10TH STREET AND SPRING STREET IN MEDIAN, NORTH #848385, EAST 132004, 87 ELEVATION 341.9
W.S.S.C. CONTROL POINT #18084 - U.S.C.&G.S. BENCHMARK DISK STAMPED "R15 1951" SET IN TOP OF REINFORCING WALL AT THE N.W. CORNER OF GEORGETOWN AND METRO TRACKS, NORTH 481893.708, EAST 1304695.707 ELEVATION 342.043 THIS CONTROL WAS ESTABLISHED USING GPS EQUIPMENT ON MARCH 02, 2005.
W.S.S.C. CONTROL POINT #20815 - STANDARD VSSC BRASS DISK STAMPED TS 20815MC, LOCATED AT THE CORNER OF 10TH STREET AND SPRING STREET IN MEDIAN, NORTH #848385, EAST 132004, 87 ELEVATION 341.9
W.S.S.C. CONTROL POINT #18084 - U.S.C.&G.S. BENCHMARK DISK STAMPED "R15 1951" SET IN TOP OF REINFORCING WALL AT THE N.W. CORNER OF GEORGETOWN AND METRO TRACKS, NORTH 481893.708, EAST 1304695.707 ELEVATION 342.043 THIS CONTROL WAS ESTABLISHED USING GPS EQUIPMENT ON MARCH 02, 2005.
- THE HORIZONTAL CONTROL (MARYLAND STATE PLANE NAD83) AND VERTICAL CONTROL (NAVD 88) IS BASED ON THE FOLLOWING NGS CONTROL POINTS:
W.S.S.C. CONTROL POINT #20815 - STANDARD VSSC BRASS DISK STAMPED TS 20815MC, LOCATED AT THE CORNER OF 10TH STREET AND SPRING STREET IN MEDIAN, NORTH #848385, EAST 132004, 87 ELEVATION 341.9
W.S.S.C. CONTROL POINT #18084 - U.S.C.&G.S. BENCHMARK DISK STAMPED "R15 1951" SET IN TOP OF REINFORCING WALL AT THE N.W. CORNER OF GEORGETOWN AND METRO TRACKS, NORTH 481893.708, EAST 1304695.707 ELEVATION 342.043 THIS CONTROL WAS ESTABLISHED USING GPS EQUIPMENT ON MARCH 02, 2005.
- THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AN ALTA SURVEY PREPARED BY VKA, INC. JUNE 2007.
- THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS A COMPILATION OF AERIAL MAPPING PROVIDED BY NEW BASS MAPPING, DATED JANUARY 2009, A PORTION OF WHICH HAS BEEN FIELD VERIFIED BY VKA, INC. JANUARY 2009 (PARCELS A-13, A-14, A-18, PART OF A-18-7), AND PART OF A-18), CONTOUR INTERVAL: 1-FOOT.
- THE SUBJECT PROPERTY IS LOCATED IN HOME "K" (AREA OF 0.28) ANNUAL CHANCE OF FLOOD (AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 24031C04600, FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006).
- THE SUBJECT PROPERTY IS LOCATED IN THE ROCK CREEK WATERSHED, A USE CLASS 1 STREAM.
- THE PROJECT IS PROPOSED TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS AND IS CURRENTLY IN WATER AND SEWER SERVICE CATEGORIES W-1 AND S-1, RESPECTIVELY.
- THIS PLAN IS SUBJECT TO PREVIOUSLY APPROVED PRELIMINARY PLAN #120130220 AND PROJECT PLAN #920130050.
- THIS PLAN IS SUBJECT TO FOREST CONSERVATION REQUIREMENTS, SEE FINAL FOREST CONSERVATION PLAN.
- NEWLY ADDED UNITS ARE SUBJECT TO THE COUNTY'S MPDU REGULATION, BUT EXISTING UNITS ARE NOT. MPDU LOCATIONS IN PROJECT ARE SUBJECT TO FURTHER DISCUSSION WITH DHCA. THEREFORE, 22 SFF MPDUS WILL BE BASED ON THE NUMBER OF NET NEW UNITS ACTUALLY PERMITTED AND BUILT. FINAL MPDU LOCATIONS, BEDROOM COMPOSITIONS AND LAYOUTS WILL BE DETERMINED AT CERTIFIED SITE PLAN WITH REVIEW AND APPROVAL BY DHCA.
- THIS SITE PLAN IS A PART OF THE BLAIRS PROJECT PLAN NO. 920130050. PUBLIC USE SPACE IS CALCULATED BASED ON THE ENTIRE PROJECT PLAN NET LOT AREA (NLA). PUBLIC USE SPACE IN THIS SITE PLAN REPRESENTS ONLY A PORTION OF THE TOTAL PUBLIC USE SPACE INTENDED FOR THE FULL BUILD OUT OF THE OVERALL BLAIRS PROJECT PLAN. THE PUBLIC USE SPACE IN EACH SUCCESSIVE SITE PLAN WILL BE SHARED AMONG ALL SITE PLANS IMPLEMENTING THE PROJECT PLAN AND WILL BE AGGREGATED TO REACH A TOTAL AT FULL BUILD OUT. TOTAL PUBLIC USE SPACE AT FULL BUILD OUT WILL NOT BE LESS THAN 20% FOR THE ENTIRE PROJECT PLAN AREA. HOWEVER, THE PUBLIC USE SPACE PROVIDED IN EACH INDIVIDUAL SITE PLAN MAY BE HIGHER OR LOWER THAN 20%, AS TO THE AREA OF THAT SITE PLAN.
- THIS PLAN PROPOSES PARKING SPACES BUILT IN TWO PHASES TO SERVE THIS SITE PLAN. THERE ARE NO PARKING REQUIREMENTS FOR PROPERTIES WITHIN THE PARKING LOT DISTRICT PRIOR TO CERTIFIED SITE PLAN. THE APPLICANT WILL PROVIDE A CALCULATION ON THE ACTUAL UNIT NUMBER AND MIX OF UNITS INTENDED TO BE BUILT. THE NUMBER OF PARKING SPACES ACTUALLY BUILT WILL BE PROVIDED AT TIME OF BUILDING PERMIT AT WHICH TIME THE APPLICANT WILL ENGAGE WITH THE COUNTY ON THE DIFFERENCE BETWEEN THOSE SPACES ACTUALLY BUILT, AND SPACES REQUIRED PER THE MONTGOMERY COUNTY CODE.

OVERALL PROJECT DEVELOPMENT PROGRAM

THE PROJECT PROPOSES THE APPROVAL OF A VARIETY OF NEW USES WHICH, IN COMBINATION WITH USES RETAINED, RESIDENTIAL UNITS AND COMMERCIAL USES, INCLUDING RETAIL, OFFICE AND HOTEL USES, OF THE CURRENT USES, THE APPLICATION PROPOSES TO RETAIN FOUR RESIDENTIAL BUILDINGS (BLAIR EAST, BLAIR PLAZA, BLAIR HOUSE, AND BLAIR TOWNS), AND TO DEMOLISH ON A PHASED BASIS FOUR RESIDENTIAL BUILDINGS KNOWN AS BLAIR TOWERS, THE OFFICE BUILDING, AND THE RETAIL USES IN THEIR PLACE. ON A PHASED BASIS, THE APPLICANT PROPOSES TO DEVELOP EIGHT NEW RESIDENTIAL BUILDINGS, AN OFFICE BUILDING, A HOTEL, AND VARIOUS RETAIL USES (INCLUDING A GROCERY STORE). THE APPLICATION ALSO PROPOSES THE DEVELOPMENT OF NUMEROUS PUBLIC USE SPACES, EXPANSIVE PRIVATE OPEN SPACES, BELOW GRADE AND ABOVE GRADE PARKING STRUCTURES, AND FOUR PRIVATE ROADS (PORTAL DRIVE, STREET "C"(STREET "B"(AND STREET "A")), PHASES MAY BE BUILT IN ANY ORDER OR MAY BE COMBINED.

STAGING

PHASE 1
DEMOLITION OF BLAIR TOWERS/DEVELOPMENT AND CONSTRUCTION OF RESIDENTIAL BUILDING IN BLOCK F1, ALONG WITH ASSOCIATED PARKING AND LANDSCAPING/CONSTRUCTION OF PORTIONS PORTAL DRIVE AND STREET "C"(DEVELOPMENT AND CONSTRUCTION OF RELATED PUBLIC USE SPACES AND AMENITIES.

PHASE 2
DEVELOPMENT AND CONSTRUCTION OF RESIDENTIAL BUILDING IN BLOCK F2, ALONG WITH ASSOCIATED PARKING AND LANDSCAPING/CONSTRUCTION OF PORTIONS OF STREET "C"(DEVELOPMENT AND CONSTRUCTION OF RELATED PUBLIC USE SPACES AND AMENITIES.

DATE	2/27/2014	3/27/2014	4/24/2014	6/26/2014
REVISIONS	1. INITIAL SUBMISSION	2. FINAL SUBMISSION RESPONSE	3. PRELIMINARY RESPONSE	4. REQUEST COMMENT RESPONSE

DATE	2/27/2014	3/27/2014	4/24/2014	6/26/2014
REVISIONS	1. INITIAL SUBMISSION	2. FINAL SUBMISSION RESPONSE	3. PRELIMINARY RESPONSE	4. REQUEST COMMENT RESPONSE

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 63016, EXPIRATION DATE: DEC. 16, 2014.

THE BLAIRS
SITE PLAN
BUILDING F1/F2
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
VSSC GRID- 210NW02
TAX MAP: JN23
MNCPPC
820140170

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 820140170, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: The Tower Companies
Contact Person: Sri Velamati
Address: 2000 Tower Oaks Boulevard - Ninth Floor, Rockville, MD 20852
Phone: 301.948.2000

Signature: _____ Date: _____

COVER SHEET

DRAWN BY: CCC
DESIGNED BY: IPD
DATE ISSUED: _____

SHEET NO. SP-1

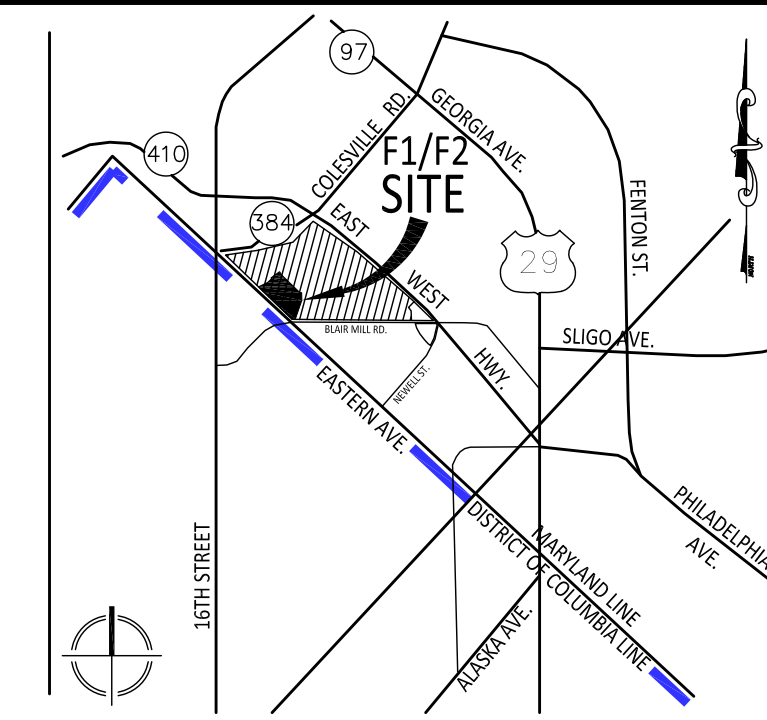
"FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.misutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 33A of the Montgomery County Code.

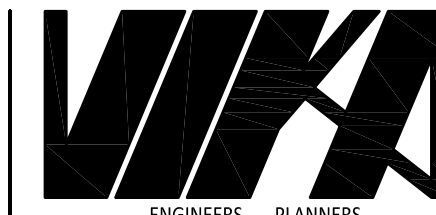


Development Program Table	
Timing Mechanism	Task
At any time	Applicant may file for, and obtain building demolition permit, and associated clearing and rough grading permits (Condition 17, Preliminary Plan)
Prior to approval of Certified Site Plan	Include the Final Forest Conservation Plan approval, stormwater management concept approval, development program, and Planning Board Resolution of approval on the approval or cover sheet Recreation table on each site plan shall identify for that site plan and the cumulative amount of all approved site plans to be consistent with the recreation amenities calculation Ensure consistency of all details and layout between architecture, site, and landscape plans. Provide a detailed staging and phasing plan for the proposed development in this site plan, including all frontage and internal roadway/sidewalk improvements, which includes building of roads, townhouse units, the installation of on-site landscaping, lighting, and amenities and phasing of applicable stormwater management, sediment and erosion control, and afforestation. (Condition 12, Preliminary Plan) Applicant must identify final locations of short term bicycle parking near public use spaces Applicant may submit Record Plat for acceptance and first review Applicant must include details for signage, design, operations and management of the publicly accessible dog green Applicant must provide public use and access easement to Montgomery County for private streets with the limit of the F1 & F2 Site Plan within their own parcel(s) (Condition 10, Preliminary Plan)
Prior to Record Plat	Applicant must satisfy the provisions for access and improvements, as required by MCDOT (Condition 4, Preliminary Plan) Applicant must provide a note on the Record Plat(s) that all public use spaces as illustrated on the Certified Site Plan must be maintained by the property owners and access must be provided to the general public (Condition 4(d), Project Plan)
Prior to issuance of sediment control permit	Financial surety to M-NCPPC for the required acreage of forest planting Site Plan Surety and Maintenance Agreement (Condition XX, Site Plan)
Prior to first [above grade] building permit	Execute the TMAg Agreement (Condition 13, Preliminary Plan) Location of bike share finalized with MCDOT Chief of Commuter Services in writing (Condition 14, Preliminary Plan) If applicable, certification of noise attenuation (Condition 15, Preliminary Plan) documentation provided to DPS Z&SPE Staff School Facilities Payment (Condition 8, Preliminary Plan)
Prior to issuance of first building permit	Execute an MPDU Agreement-to-Build between the Applicant and DHCA (Condition XX, Site Plan) Certification from a qualified professional that the lighting plans conform to the IESNA standards (Condition XX, Site Plan)
Prior to reaching the 250th unit's use and Occupancy Certificate release for the first phase of the Site Plan	On-site amenities including, but not limited to, streetlights, sidewalks/pedestrian pathways, hardscape, benches, trash receptacles, bicycle facilities, recreation amenities, and private amenities adjacent to each phase must be installed. (Condition XX, Site Plan) If appropriate, due to weather conditions, landscaping may be deferred to the next growing season
Prior to reaching the 200th unit's use and Occupancy Certificate release for the second phase of the Site Plan	On-site amenities including, but not limited to, streetlights, sidewalks/pedestrian pathways, hardscape, benches, trash receptacles, bicycle facilities, recreation amenities, and private amenities adjacent to each phase must be installed. (Condition XX, Site Plan) If appropriate, due to weather conditions, landscaping may be deferred to the next growing season
Prior to final Use and Occupancy Certificate for each phase of the Site Plan	Applicant must complete the on-site public use space improvements associated with the Certified Site Plan (Condition 6(b), Project Plan) Applicant must inform M-NCPPC Staff of the LEED Certification Level that they are qualified for. (Condition 7, Project Plan)
Prior to release of bond or surety	Applicant must provide DPS Z&SPE Staff with certification from a licensed civil engineer that all streets and sidewalks have been built to the appropriate standards. (Condition XX, Site Plan)

E-FILE STAMP



VICINITY MAP
SCALE: 1" = 2000'



ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2162
GERMANTOWN, MD. TRYONS, VA.

PREPARED FOR:



The Tower Companies
2000 Tower Oaks Boulevard
Ninth Floor
Rockville, MD 20852
301-994-7000
Sri Velamati

DESIGN CONSULTANTS

ARCHITECTS
Design Collective, Inc.
601 East Pratt Street
Suite 300
Baltimore, MD 21202
410-681-6655
Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC
64 Pleasant Street
Watertown, MA 02472
617-926-3300
Alan Ward

ATTORNEY
Leitch Early & Brewer
3 Bethesda Metro Center
Suite 460
Bethesda, MD 20814
301-986-1300
Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells + Associates
8730 Georgia Avenue
Suite 300
Silver Spring, MD 20910
301-488-1333
Nancy Randall

CIVIL ENGINEER
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
William Robinson

REVISIONS		DATE	
1.	INITIAL SUBMISSION	5/27/2014	
2.	FINAL SUBMISSION	6/24/2014	

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY, OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. **WILLIAM D. ROBINSON** LICENSE NO. 43113 EXPIRATION DATE DEC. 19, 2014.

THE BLAIRS
SITE PLAN
BUILDING F1/F2
13TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 210NW02
TAX MAP: JN23
MNCPPC
820140170

PLAN APPROVALS

DRAWN BY: **ESS**
DESIGNED BY: **IPD**
DATE ISSUED: _____

SHEET NO. **SP-1B**

"FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

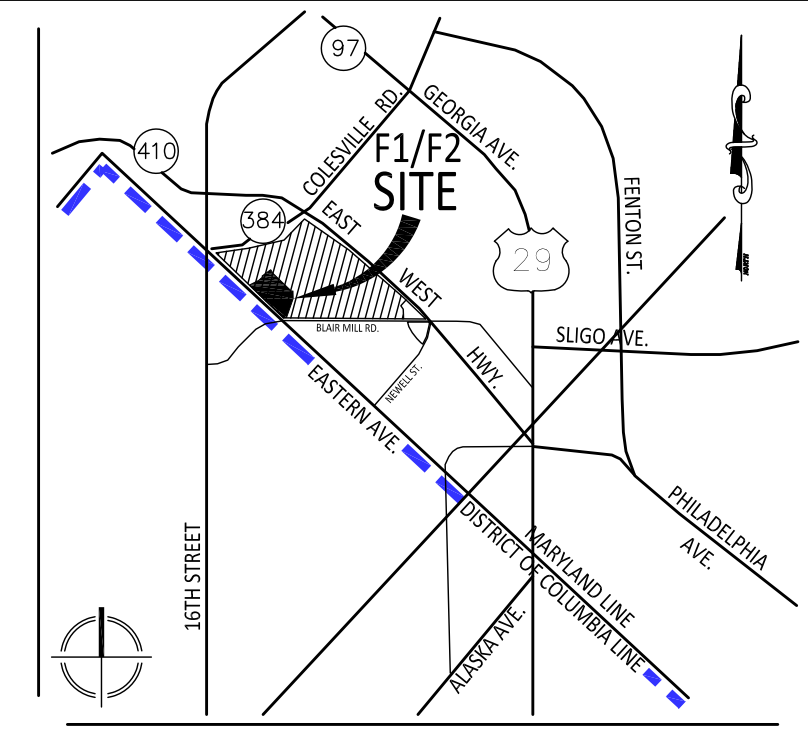
The excavator must notify all public utility companies with underground utilities in the area of proposed excavation and have these utilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 26A of the Montgomery County Code.

LAYOUT: SP-1B, Plotted By: orisp

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. **820140170**, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: **The Tower Companies**
Contact Person: **Sri Velamati**
Address: **2000 Tower Oaks Boulevard - Ninth Floor, Rockville, MD 20852**
Phone: **301.948.7000**
Signature: _____ Date: _____

K:\T000-15001\SP1\13thElectionDist\820140170\SP-1B_F1-F2_COVER.dwg - Jun 24, 2014, 4: 26:22 PM

E-FILE STAMP



VKA
 ENGINEERS PLANNERS SURVEYORS
 VIKI MARYLAND, LLC
 20251 CENTURY BOULEVARD, SUITE 400
 GERMANTOWN, MARYLAND 20874
 PHONE: (301) 916-4100
 FAX: (301) 916-2382
 GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:
THE TOWER COMPANIES
 The Tower Companies
 2000 Tower Oaks Boulevard
 Ninth Floor
 Rockville, MD 20852
 301-984-7000
 Sri Velamati

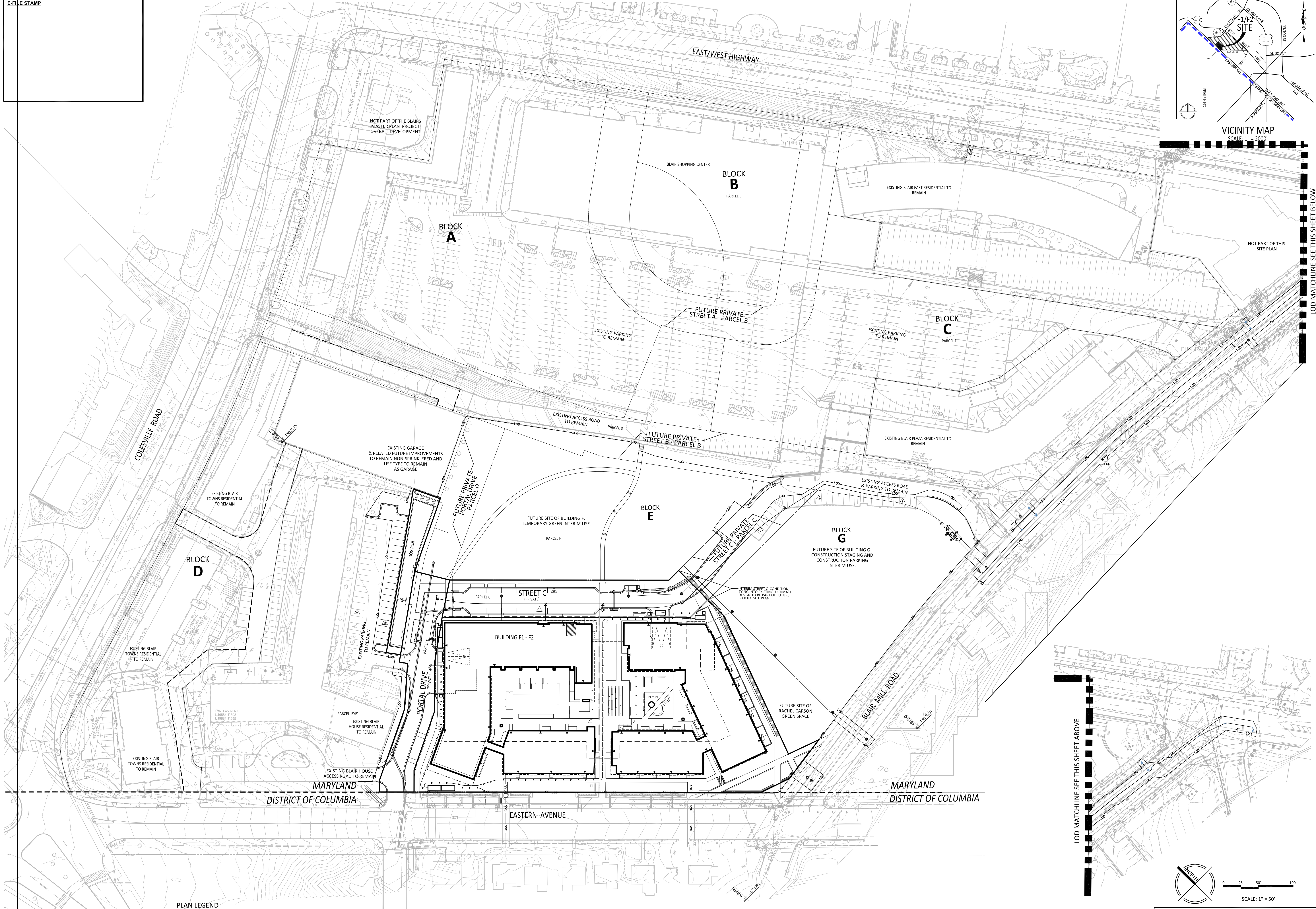
DESIGN CONSULTANTS
 ARCHITECTS
Design Collective, Inc.
 603 East Pratt Street
 Suite 300
 Baltimore, MD 21202
 410-685-6655
 Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC.
 64 Pleasant Street
 Watertown, MA 02472
 617-926-3300
 Alan Ward

ATTORNEY
Lorch Early & Brewer
 3 Bethesda Metro Center
 Suite 400
 Bethesda, MD 20814
 301-986-1300
 Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells + Associates
 8730 Georgia Avenue
 Suite 200
 Silver Spring, MD 20910
 301-448-2323
 Nancy Randall

CIVIL ENGINEER
VKA MARYLAND, LLC
 20251 CENTURY BOULEVARD
 SUITE 400
 GERMANTOWN MD, 20874
 301.916.4100
 William Robinson



LOD MATCHLINE SEE THIS SHEET BELOW

LOD MATCHLINE SEE THIS SHEET ABOVE

DATE	REVISIONS
2/27/2014	1. INITIAL SUBMISSION
2/27/2014	2. FINAL SUBMISSION
2/27/2014	3. IFC COMMENT RESPONSE

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. EXPIRATION DATE: DEC. 18, 2014.

THE BLAIRS
 SITE PLAN
 BUILDING F1/F2
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY,
 MARYLAND
 WSSC GRID: 210N02
 TAX MAP: JN23
MNCPPC
820140170

SITE PLAN CONTEXT

DRAWN BY: **ESB**
 DESIGNED BY: **IPD**
 DATE ISSUED: _____

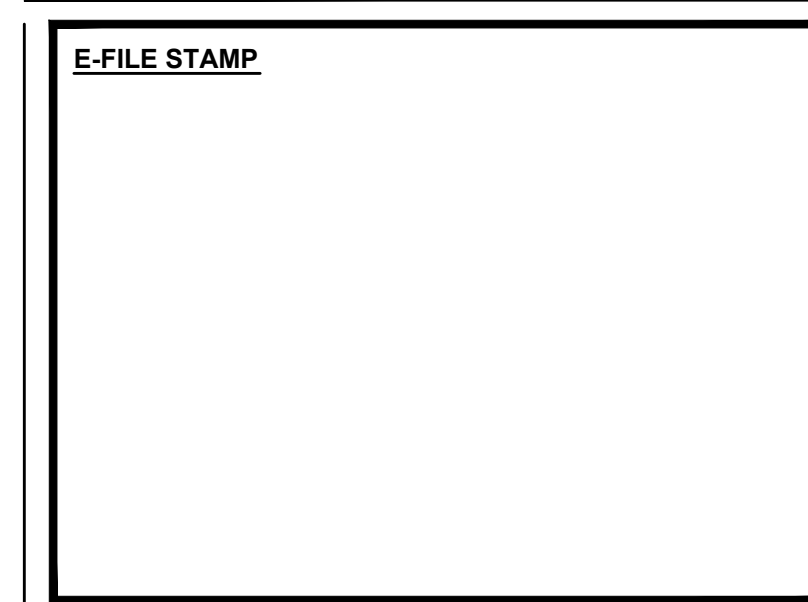
SHEET NO. **SP-2**

PLAN LEGEND

—	PROPERTY LINES	—	EXISTING PARKING LABEL	—	EXISTING UTILITY POLE	—	BUILDING HEIGHT MEASURING POINTS (SEE SITE PLAN SHEETS)	—	FIRE DEPARTMENT CONNECTION
—	ADJACENT PROPERTY LINES	—	EXISTING SANITARY CLEANOUT	—	EXISTING SANITARY MANHOLE	—	PROPOSED LIGHTS	—	BUILDING AT GRADE
—	EXISTING CABLE TELEVISION CONDUIT	—	EXISTING STORM DRAIN MANHOLE	—	EXISTING TRAFFIC CONTROL BOX	—	PROPOSED PARKING LABELS	—	BUILDING BELOW
—	EXISTING ELECTRICAL CONDUIT	—	EXISTING ELECTRICAL JUNCTION BOX	—	EXISTING TREE	—	SMALL LOADING AREA (12'X30')	—	BUILDING ABOVE
—	EXISTING EDGE OF PAVEMENT	—	EXISTING ELECTRICAL MANHOLE	—	EXISTING CABLE TELEVISION PEDESTAL WITH STRUCTURE	—	DOOR LOCATION	—	LIMITS OF LOADING AREA
—	EXISTING FENCE LINE	—	EXISTING FIRE DEPARTMENT CONNECTION	—	EXISTING UNKNOWN UTILITY MANHOLE	—			
—	EXISTING NATURAL GAS CONDUIT	—	EXISTING FIRE HYDRANT	—	EXISTING WATER METER	—			
—	EXISTING OVERHEAD WIRES	—	EXISTING GAS MANHOLE	—	EXISTING WATER MANHOLE	—			
—	EXISTING COMMUNICATIONS CONDUIT	—	EXISTING GUY POLE	—	EXISTING WATER VALVE	—			
—	EXISTING PUBLIC UTILITIES EASEMENTS	—	EXISTING LIGHT POLE	—	EXISTING BOLLARD	—			
—	EXISTING SANITARY SEWER CONDUIT	—	EXISTING PHONE PEDESTAL	—	EXISTING SIGN POST	—			
—	EXISTING STORM DRAIN CONDUIT	—	EXISTING PHONE MANHOLE	—	EXISTING WOOD POST	—			
—	EXISTING WATER CONDUIT	—							
—	PROPOSED 10' CONTOUR	—							
—	PROPOSED 2' CONTOUR	—							
—	PROPOSED WATER LINE	—							
—	PROPOSED SANITARY SEWER WITH STRUCTURE	—							
—	PROPOSED STORM DRAIN	—							
—	PROPOSED OVERALL LIMITS OF DISTURBANCE	—							
—	PROPOSED STORM WATER EASEMENT	—							

"FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.misutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located. The utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.



ENGINEERS PLANNERS SURVEYORS

VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE 400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2362
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:
THE TOWER COMPANIES
The Tower Companies
2000 Tower Oaks Boulevard
Ninth Floor
Rockville, MD 20852
301-984-7000
Sri Velamati

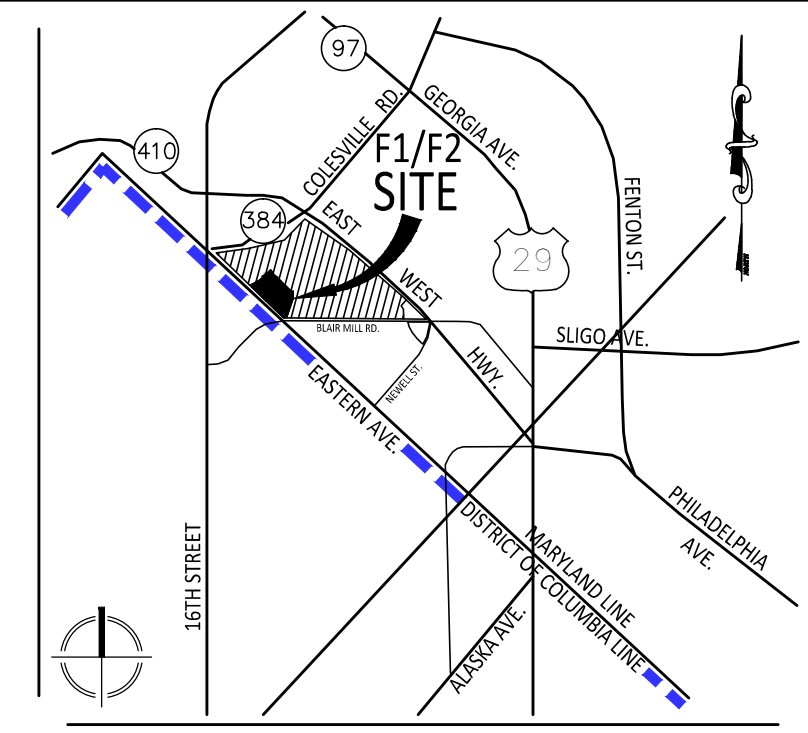
DESIGN CONSULTANTS
ARCHITECTS
Design Collective, Inc.
601 East Pratt Street
Suite 300
Baltimore, MD 21202
410-685-6655
Michael S. Goodwin

LANDSCAPE ARCHITECTS
SASAKI ASSOCIATES INC
64 Pleasant Street
Watertown, MA 02472
617-926-3300
Alan Ward

ATTORNEY
Lerch Early & Brewer
3 Bethesda Metro Center
Suite 460
Bethesda, MD 20814
301-986-1300
Robert G. Brewer Jr.

TRAFFIC ENGINEER
Wells + Associates
8730 Georgia Avenue
Suite 200
Silver Spring, MD 20910
301-448-1313
Nancy Randall

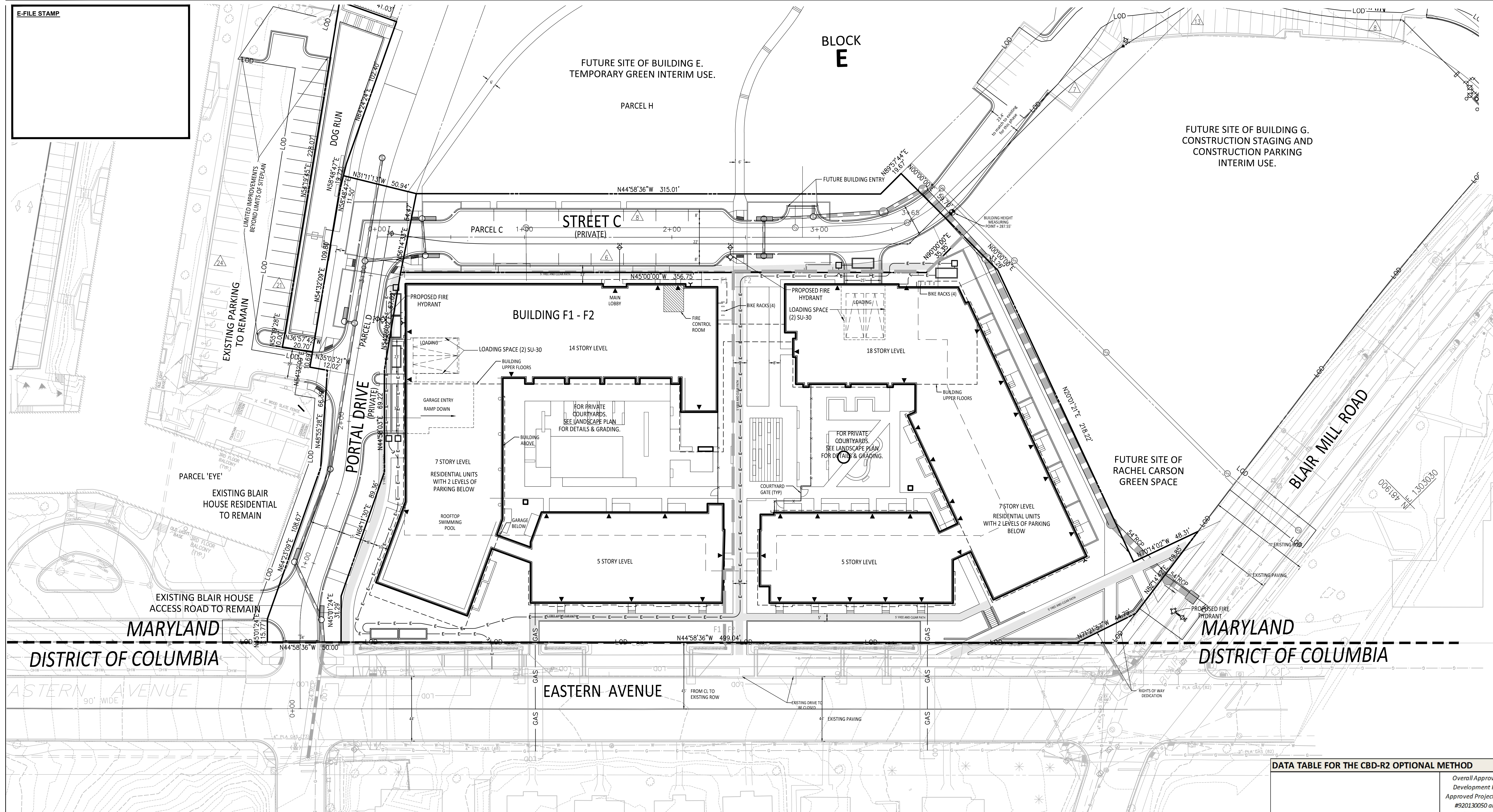
CIVIL ENGINEER
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
William Robinson



VICINITY MAP
SCALE: 1" = 200'



SCALE: 1" = 30'



DEVELOPMENT TABULATIONS

Area Tabulation	SF	ACRES
Existing Net Lot Area	161,918	3.7113
+ Original Blair Mill Road R/W Dedication	3,337	0.07661
Existing Gross Tract Area	165,255	3.79374
- Previous Dedication Areas (Summed from above)	3,337	0.07661
- Proposed R/W Dedication Area	249	0.00572
Proposed Net Lot Area Total	161,669	3.71141

Maximum Density of Development	Gross Tract Area	Maximum GFA/Units Allowed (per Sector Plan)	Total GFA Allowed by Zone (5.0 FAR)	Total GFA/Units Provided with this Site Plan	Provided FAR
CBD-R2 Zone	165,255	2,800	826,275	605,000	3.66
Residential (Units)				507	
MPDU's at 12.5% of units permitted and constructed				64	
Existing to Remain				0	
New				507	
Residential (SF)				605,000	3.66
Existing to Remain				0	
New				605,000	
Building Height for Proposed Structures		Maximum Allowed per Zoning Ordinance	Proposed	Proposed FFE	
CBD-R2 Zone		143' / 200' (1)	147'	286.50'	
F1			180'	286.50'	
F2			180'	286.50'	

(1) Planning Board may approve a building height up to 200' at Site Plan per Section 59-C-6.235(b)

Public Use Space	% approved for Entire Development at Project Plan	325,000 SF
% Approved for Entire Development at Project Plan	20.0%	
% Approved for Entire Development at Project Plan	232,000	
% Proposed for this Site Plan (based on Net Lot Area)	29.7%	
SF Proposed for this Site Plan (based on Net Lot Area)	48,000	
SF Remaining for Balance of the Entire Development	184,000	
% Amenity Area for this Site Plan (none required)	9.0%	
SF Amenity Area for this Site Plan (none required)	14,500	

(2) includes approximately 13,000 sf of Amenity Area within the District of Columbia.

Loading, F1	325,000 SF
Multi-family, 5 stories or more	7
Retail, (SF)	0
Restaurant (SF)	0
WB-50 Loading Spaces Required	0
WB-50 Loading Spaces Provided	0
SU-30 Loading Spaces Required	2
SU-30 Loading Spaces Provided	2

Loading, F2	280,000 SF
Multi-family, 5 stories or more	7
Retail, (SF)	0
Restaurant (SF)	0
WB-50 Loading Spaces Required	0
WB-50 Loading Spaces Provided	0
SU-30 Loading Spaces Required	2
SU-30 Loading Spaces Provided	2

Combined F1/F2 Residential MF Unit Mix	studio MPDU	1br MPDU	1br + den MPDU	2br MPDU	3br MPDU	3br MPDU	Total Residential Spaces Required
Units/SF	50	223	43	155	36	0	507 Units
Parking Rate	0.500	1.250	0.625	1.500	0.750	2.000	687 Spaces
Base parking required per Zoning Ordinance	50,000	278,750	53,750	232.5	72,000		

Note: Final number of parking required spaces will be determined at Certified Site Plan after DHCA agreement is finalized.

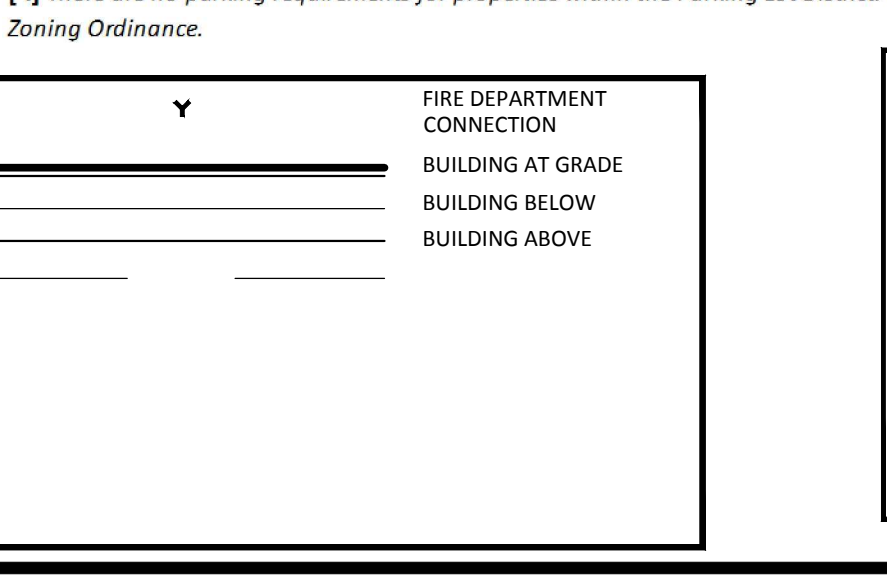
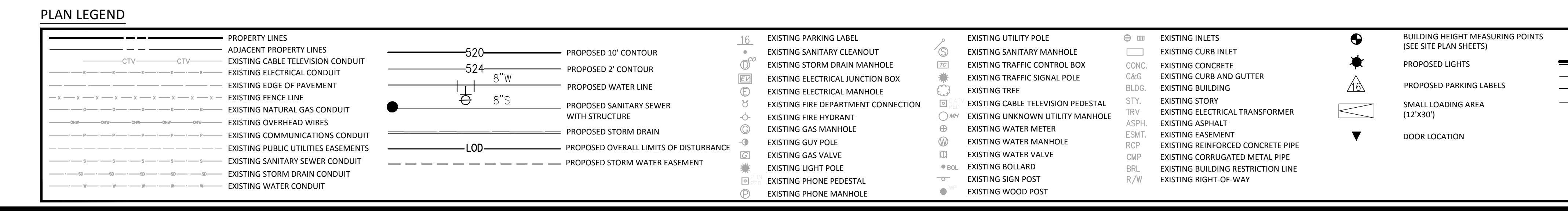
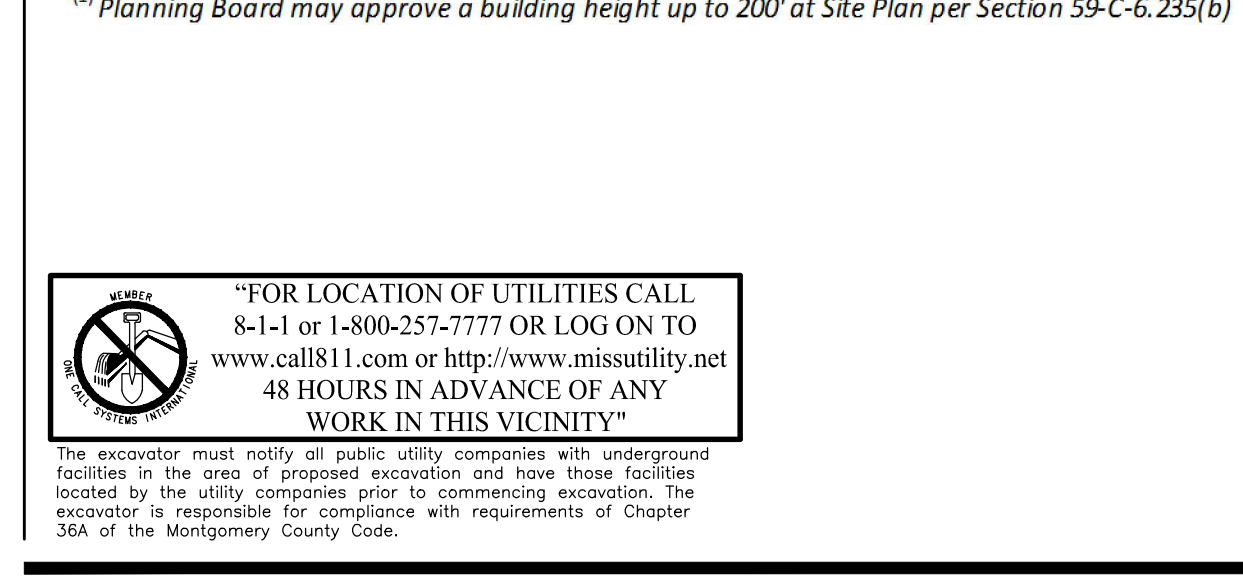
Residential Parking, F1/F2 (3,4)	Use	GFA/Units Proposed	Base parking required per MC Zoning Ordinance	Provided
Residential Units		507	687	348
Retail & Restaurant (0 SF)		N/A	N/A	0
Total Provided Spaces				348

(1) The site is located within the Silver Spring Parking Lot District; therefore, the Applicant has the option to provide no on-site parking or fewer parking spaces per unit. The Applicant must however pay a tax for any parking not provided on-site. Total number of spaces will be determined at certified Site Plan.

(2) Upon completion of Building F1, 6 handicap spaces will be provided. At the completion of site development for Building F1-F2, the remainder of the balance of handicap parking will be provided, to support units actually permitted and constructed per this site plan.

DATA TABLE FOR THE CBD-R2 OPTIONAL METHOD				
Development Standard	Overall Approved Development Per Approved Project Plan #920130050 and Preliminary Plan #120130220	Permitted/Required for F1/F2 Development	Proposed F1/F2 Development	Remaining for Development in Future Phases
Site Area [1]				
Existing Net Lot Area	1,188,115 sf	---	161,918 sf	1,026,197 sf
Existing Gross Tract Area	1,322,792 sf	---	165,255 sf	---
Proposed Net Lot Area Total	1,157,500 sf	18,000 sf	161,669 sf	995,831 sf
Floor Area Ratio (FAR) Maximum Base	2.89 FAR	5.00 FAR	3.66 FAR	---
Floor Area (GFA) Maximum Base (sf)	3,825,400 sf	826,275 sf	605,000 sf	3,220,400 sf
GFA, Maximum Non-Residential (sf) (per sector plan)	450,000 sf	---	---	450,000 sf
GFA, Minimum Retail/Service (%)	3.27%	---	---	3.27%
GFA, Residential	125,091 sf	none	none	125,091 sf
GFA, Residential	3,375,400 sf	N/A	605,000 sf	2,770,400 sf
Dwelling Units, Maximum Total [2]	1,690 New Units	N/A	507 Units	1,183 Units
MPDU's, Minimum	214 Units	64 Units	64 Units	150 Units
MPDU's, Minimum %	12.66%	12.5%	12.5%	N/A
Maximum Building Height	140' - 200'	143' / 200'	180'	N/A
Public Use Amenity Space [1]				
Onsite Public Use Space, %	20%	20%	29.7%	N/A
Onsite Public Use Space, sf	232,000 sf	32,334 sf	48,000 sf	184,000 sf
Offsite Amenity Space, %	4.0%	N/A	9.0%	N/A
Offsite Amenity Space, sf	46,000 sf	N/A	14,500 sf	31,500 sf
Building Setbacks from Public Right of Ways	0'	0'	0'	0'
Parking [3,4]	3,268	N/A	687	2,581

Notes:
 [1] This Site Plan is a part of the Blairs Project Plan No. 920130050. Public Use Space is calculated based on the entire Project Plan Net Lot Area (NLA). Public Use Space in this Site Plan represents only a portion of the total Public Use Space intended for the full build out of the overall Blairs Project Plan. The Public Use Space in each successive site plan will be shared among all site plans implementing the project plan and will be aggregated to reach a total of full build out. Total Public Use Space at full build out will not be less than 20% for the entire Project Plan area. However, the Public Use Space provided in each individual Site Plan may be higher or lower than 20%.
 [2] MPDU's based on newly constructed units. With approval of Preliminary Plan 120130220, there were 1,690 new units, and 1,110 existing units to remain on site.
 [3] See Detailed Parking Tabulations on sheet SP-3 of the CSP (This sheet).
 [4] There are no parking requirements for properties within the Parking Lot District. This table indicates the number of parking spaces, per the Montgomery County Zoning Ordinance.



DEVELOPER'S CERTIFICATE
 The undersigned agrees to execute all the features of the Site Plan Approval No. 820140170, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: The Tower Companies
 Contact Person: Sri Velamati
 Address: 2000 Tower Oaks Boulevard - Ninth Floor, Rockville, MD 20852
 Phone: 301.948.2000

Signature: _____ Date: _____

DATE	REVISIONS
3/29/2014	1. INITIAL SUBMISSION
5/24/2014	2. FINAL SUBMISSION RESPONSE
9/24/2014	3. AGENCY COMMENT RESPONSE

PROFESSIONAL SEAL

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. EXPIRATION DATE: DEC. 16, 2014

THE BLAIRS
 SITE PLAN
 BUILDING F1/F2
 13TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 WSSC GRID: 210N02
 TAX MAP: JN23
MNCPPC
820140170

DETAILED SITE PLAN
 DRAWN BY: ESE
 DESIGNED BY: IPD
 DATE ISSUED: _____
 SHEET NO. SP-3