



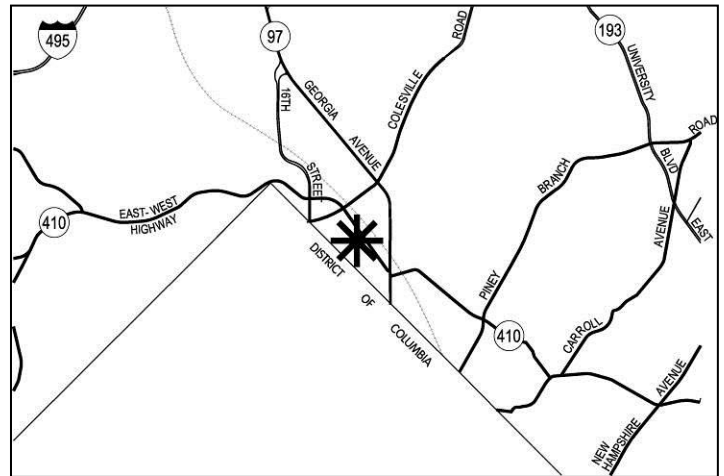
**The Blairs, Consent Site Plan Amendment No. 82014017A**

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**Description**

- Amendment for the construction of a private temporary green on future Block E, including associated landscape and hardscape modifications;
- Located off of Eastern Avenue in the northwest quadrant of the intersection with Blair Mill Road;
- 3.79 gross tract acres developed under the CBD-R2 Zone, in the Silver Spring CBD Sector Plan area;
- Applicant: The Blair Towers, LLC, c/o The Tower Companies;
- Acceptance Date: June 1, 2016;
- Review Basis: Section 59-D-3.7 of 2004 Zoning Ordinance.

Staff Report Date: 07/1/16



**Summary**

- This Application is being reviewed under the CBD-3 Zone development standards in effect on October 29, 2014, as permitted under Section 59.7.7.1.B.3 of the Zoning Ordinance.
- Staff received no correspondence regarding this Amendment.
- Staff recommends approval of the consent Site Plan Amendment.

## SECTION 1: RECOMMENDATION

Staff recommends approval of Site Plan Amendment No. 82014017A, The Blairs, for the construction of a private temporary green on future Block E, including associated landscape and hardscape modifications. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required.

## SECTION 2: SITE DESCRIPTION

### Site Vicinity

The 3.79 gross-acre Subject Property encompasses Block F1/F2 of the site and the future Block E, and is located on Eastern Avenue NW, DC, in the northwest quadrant of the intersection with Blair Mill Road (Subject Property or Property). The entire 30.36-acre Blairs Master Plan site (entire site) is located within the Silver Spring Central Business District (CBD) in the eastern quadrant of the intersection of Colesville Road (MD 384) and Eastern Avenue NW. The entire site is bounded on the northwest by Colesville Road, on the south by Blair Mill Road, on the northeast by East-West Highway, and on the southwest by Eastern Avenue NW. The entire site is governed by the 2000 *Silver Spring CBD Sector Plan*. The closest distance to the Silver Spring Metrorail station is approximately 500 feet from an existing entry point along East West Highway.

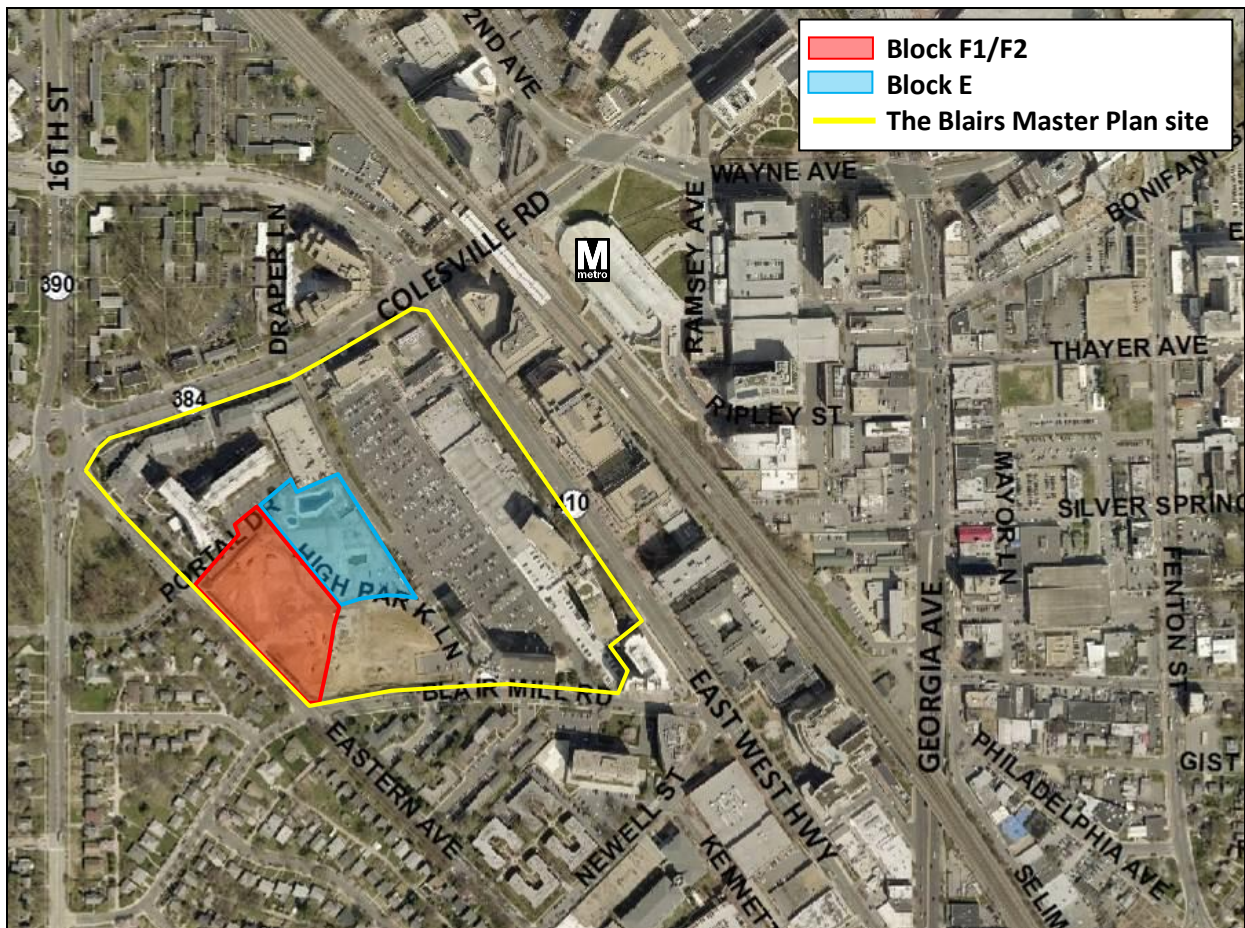


Figure 1-Site Aerial

Properties surrounding the entire site include one-family detached houses across Eastern Avenue NW, within the District of Columbia, low-rise multi-family buildings in the R-10 and R-20 zones and mid-and high-rise multi-family buildings in the CR 3.0, C 2.0, R 2.75, H 90T and CR 5.0, C 4.0, R 4.75, H 145T zones across Colesville Road and Blair Mill Road, and mid-and high-rise office and apartment uses, as well as a county parking garage, in the CR 5.0, C 4.0, R 4.75, H 145T and CR 8, C 6.0, R 7.5, H 200T zones across East-West Highway. Sharing the block with the entire site on the northern corner is a gas station and on the southern corner a mid-rise multi-family apartment building in the CR 5.0, C 0.5, R 5.0, H 200T zone.

### Site Analysis

The Blairs Master Plan project is an urban infill redevelopment project within the Silver Spring CBD in close proximity to the Silver Spring metrorail station. The Blairs Master Plan site, zoned CBD-R2<sup>1</sup>, was improved with 12 buildings, two parking structures, outdoor amenity areas, and surface parking lots. Construction on the site is proposed in five phases over a period of 20 years. The Subject Property, Block F1/F2, is currently under construction for a multi-family building including up to 605,000 square feet of residential uses consisting of a maximum of 507 units. Block E is located northeast of the F1 & F2 buildings (Figure 2), and is currently scraped.



*Figure 2 - Existing Site Conditions*

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<sup>1</sup> The CBD zone is being referenced here because Site Plan 820140170 was submitted prior to the adoption of the 2014 Zoning Ordinance that changed the CBD zones to CR zones.

There is a significant grade change of about 40 feet across the entire site, with the highest elevation point, located along East-West Highway, at 325 feet and the lowest, along Eastern Avenue, NW, at 285 feet. A steep drop of approximately 18 feet is located in the center of the site, reinforced by a stone retaining wall. This drop currently separates the site into an upper half (upper escarpment) and lower half (lower escarpment), the latter including the Subject Property.

## **Previous Approvals**

### Project Plan and Preliminary Plan

On December 23, 2013, the Planning Board approved Resolution MCPB No. 13-109 for Project Plan No. 920130050 (Attachment A) and Resolution MCPB No. 13-110 for Preliminary Plan No. 120130220 (Attachment B) and the accompanying Preliminary Forest Conservation Plan for a mixed use, infill redevelopment of much of the Blairs Master Plan site under the optional method of development for the CBD-R2 Zone and the resubdivision of the entire property into new lots, ownership parcels and private streets to implement the new redevelopment while retaining portions of the existing buildings.

### Phase F1/F2 Site Plan

On November 20, 2014, the Planning Board approved Resolution MCPB No. 14-108 for Site Plan No. 820140170 for a multi-family building including up to 605,000 square feet of residential uses consisting of a maximum of 507 units (Attachment C). The Site Plan included future Block E within its limits, and also indicated two paths from the Block F1/F2 through Block E, connecting to the existing retail shopping center. The two paths included some pedestrian lighting. This area and these facilities were not included as providing any amount of public use space during this Site Plan approval because they were only temporary, pending eventual development of Block E.

## **SECTION 3: PROJECT DESCRIPTION**

### **Proposal**

The Amendment proposes to construct a private temporary green on future Block E. All elements included in this Amendment are temporary in nature, as they are located in the area that is planned for a future residential building and green space that will occupy future Block E. Removal of the temporary elements within the temporary green area may occur at any time, as determined solely by The Tower Companies. This amendment does not propose any changes to Block F1/F2.

The Applicant requests the following revisions to the approved Site Plan:

1. Revisions to the temporary pedestrian path layout/grading, pedestrian lighting, and lawn area grading.
2. Addition of temporary features including:
  - a. Drinking fountain
  - b. Trash and recycling receptacles
  - c. Wood deck/stage
  - d. Playground equipment with temporary shade structures and benches
  - e. Outdoor fitness equipment
  - f. Pergola(s)
  - g. Mulch trail
  - h. Landscaping and tree groves
  - i. Tables and chairs

- j. Signage
- k. Micro bio-filter facility
- 3. Potential addition of a temporary modular building, including associated landscaping, with possible use for initial leasing and/or use by the residents of The Blairs property.
- 4. Potential addition of a temporary urban residents' garden.

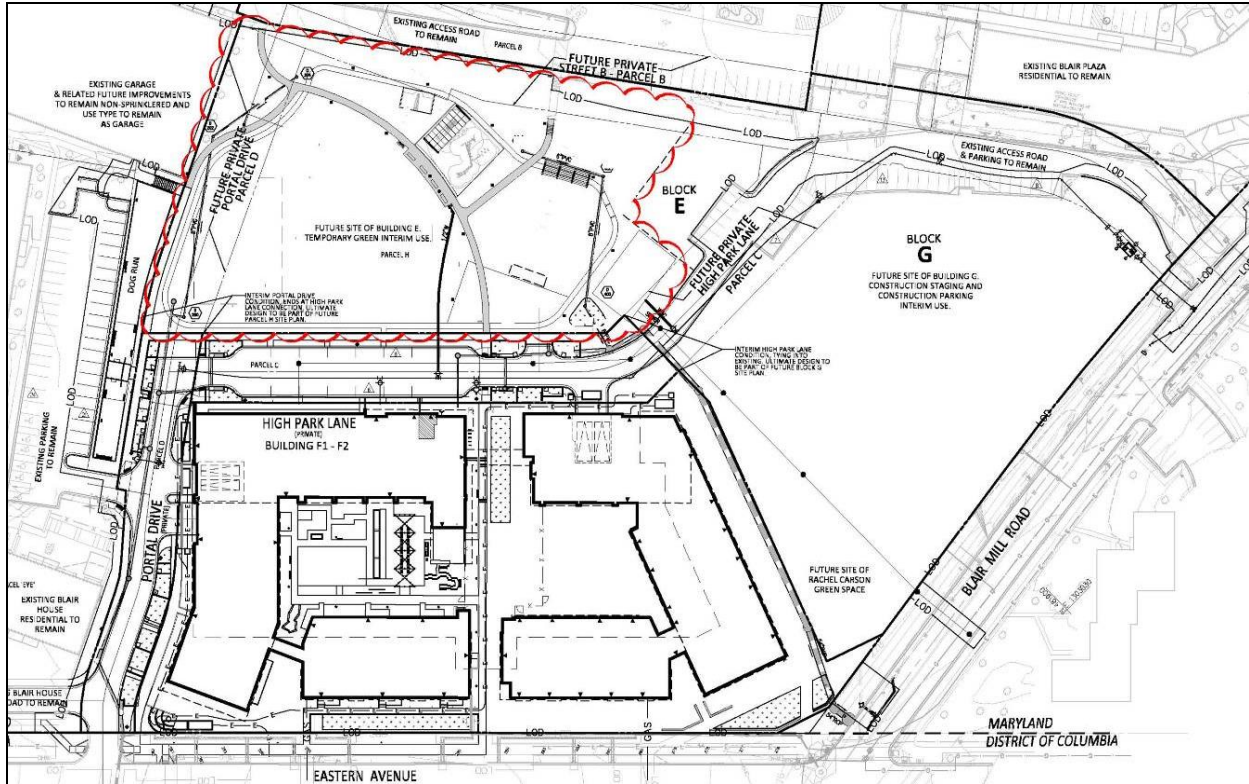


Figure 3-Proposed Site Plan Amendment



Figure 4 - Proposed Site Plan Amendment-conceptual rendering

### **Community Outreach**

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant posted two signs on the Property regarding the subject Site Plan Amendment. A notice about the Amendment was sent on June 3, 2016. Staff has not received any correspondence on the proposed Amendment.

### **SECTION 4: ANALYSIS AND FINDINGS**

Section 7.7.1.B.3.a. of the Zoning Ordinance allows for an Applicant to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment: (i) does not increase the approved density or building height unless allowed under Section 7.7.1.C; and (ii) either: (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or (b) satisfies the setback required by its zoning on the date the Amendment or the permit is submitted; and (iii) does not increase the tract area. The Application complies with this section and accordingly, the Applicant seeks to amend the Site Plan approval under the standards of Section 59-C-2.42 of the Zoning Ordinance in effect on October 29, 2014.

The temporary green area will include several additional temporary features to provide further opportunities for the residents' use of the area, including the mulch trail, outdoor fitness equipment, and children's playground, that will provide exercise options to the residents. In addition, the temporary wood deck/stage includes a lawn area immediately adjacent that can be used for small gatherings. The seating area will be a stone dust surface to support chairs and tables, with tree plantings to provide shade. There will be an approximately a half-acre open lawn area and landscaping and tree groves are proposed as well. These site amenities are constructed for the use and enjoyment of the Blairs Property residents, but there are no any physical barriers, such as fences, preventing other nearby residents from also enjoying these amenities. The Tower Companies will continue to maintain and manage the private temporary green in a like manner to the remainder of the property. Signage will be placed at visible locations informing both residents and visitors that the temporary green is the future location of a residential building, and that it is not permanent.

The temporary pedestrian paths on the F1/F2 Site Plan were intended to provide a direct connection between the proposed F1 & F2 buildings and the existing shopping center, as well as the Silver Spring Metro Station. The paths were originally included as a part of a Pedestrian System that provided the project with a portion of the Recreation requirements. The path layout has been refined and enhanced to add a mulch trail for exercise purposes, as well as maintaining the original accessible route to the existing shopping center. The pedestrian lighting locations have been adjusted appropriately, as has the site grading.

The Amendment does not conflict with any conditions of approval and does not alter the intent, objectives, or requirements in the originally approved Site Plan.

### **STAFF RECOMMENDATION**

The proposed modifications to the Site Plan will not alter the overall character or impact of the development with respect to the original findings of approval. Further, these modifications will not

affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 82014017A.

Attachments:

- A. Site Plan Resolution