



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Staff Report: Site Plan Amendment 82006014A, 1200 East-West Hwy**

**CONSENT ITEM #:** \_\_\_\_\_

**MCPB HEARING**

**DATE:** June 4, 2009

**REPORT DATE:** May 22, 2009

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Robert Kronenberg, Supervisor *RAK*  
Development Review Division

**FROM:** Elza Hisel-McCoy, Assoc. AIA, LEED-AP *CM*  
Coordinator  
Development Review Division  
301.495.2115  
elza.hisel-mccoy@mncppc-mc.org

**APPLICATION**

**DESCRIPTION:** Reduction in public use space, minor changes to hardscape and landscape.

**APPLICANT:** Home Properties 1200 East West, LLC

**FILING DATE:** April 7, 2009

**RECOMMENDATION:** Approval of the site plan amendment and adoption of the draft resolution.

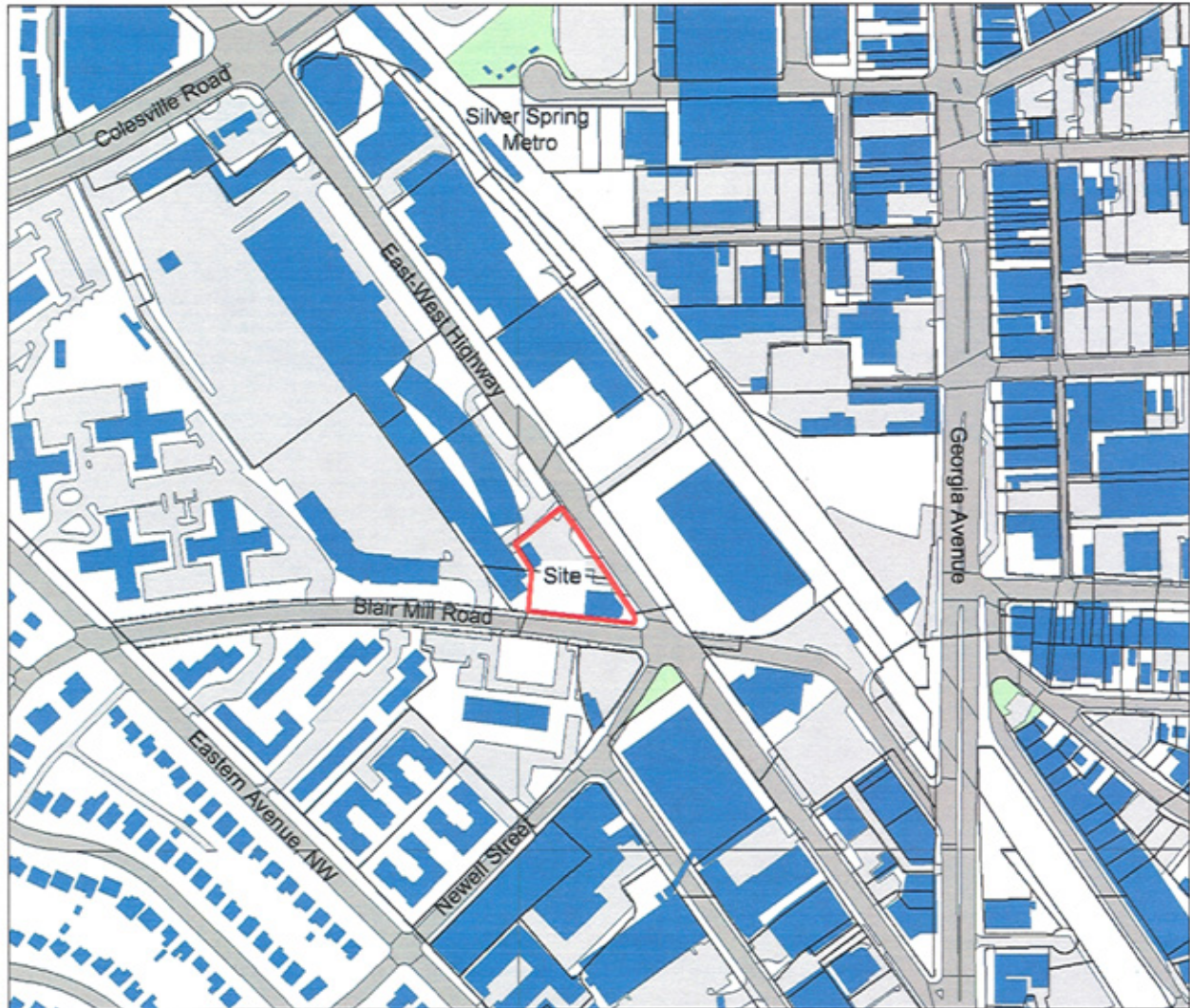
**EXECUTIVE**

**SUMMARY:** Due to a minor redesign of the building lobby entrance, the plan proposes to reduce the approved amount of public use space by 589 square feet, and will provide a payment-in-lieu. The proposal also includes the attendant landscape and hardscape changes associated with the lobby redesign as well as other minor changes to landscaping, hardscaping, site furniture, and other site features.

## SITE DESCRIPTION

### Vicinity

The subject site is located in the northwest corner of the intersection of East-West Highway and Blair Mill Road in Silver Spring and is adjacent to several existing and new multi-family residential developments.



*Vicinity Map*

### Site Analysis

The subject site is zoned CBD-2 and is currently being improved consistent with Site Plan 820060140. There are no known rare, threatened, or endangered species on site. There are no known historic properties or features on site.

## **AMENDMENT DESCRIPTION**

### **Previous Approvals**

The Planning Board concurrently approved Project Plan 920050040 and Preliminary Plan 120050840 on October 4, 2005, for 275,000 gross square feet of mixed use development, including 264,400 square feet of residential uses and 10,600 square feet of retail. The Board approved the Site Plan 820060140, for the same density, on January 26, 2006.

### **Conformance to Conditions of Approval**

The proposed development must comply with the conditions of approval for Site Plan 820060140 as enumerated in the Planning Board Resolution dated March 28, 2006, except as modified herein.

### **Description of Amendments**

The Applicant requests the following modifications to the Site Plan:

#### Landscape Architecture Sheets

- Sheet L1.00
  - Revise paving pattern in the plaza area in response to revised building plan.
  - Minor changes to the planter walls associated with relocation of art piece.
  - Delete one of the trash receptacle types and relocated one trash receptacle. Total number of trash receptacles remains same.
  - Delete a set of table and 4 chairs.
  - Minor edits to paver types (vehicular/pedestrian) to ensure that all vehicular areas receive thicker pavers.
  - Revise rear courtyard design along with planter walls, paving and wall lights.
  - Delete tree protection and add alternate planting in that area.
- Sheet L1.10: Simplify seatwall section.
- Sheet L1.03
  - Minor changes to the planter walls associated with relocation of art piece.
  - Update paving schedule in response to current edits.
- Sheet L 2.00: Revise finished grading and added a surface drain.
- Sheet L3.00: Revise paving details to latest industry standards.
- Sheet L3.01: Revise seat wall to match revised design of the sculpture area.
- Sheet L3.02: Revise coping profiles.
- Sheet L3.03:
  - Consolidate all picket fencing, guard rails and gate into one style.
  - Revise staircase sections and hand rails to provide standard lengths.
- Sheet L3.05:
  - Change bench and trash receptacle type.
  - Delete umbrella detail.
- Sheet L4.00:
  - Revise planting plan for front plaza and rear courtyard in response to revised design. Total number of Street trees or locations will not change.
  - Delete tree protection and add alternate planting.

- Sheet L4.01:
  - Update planting schedule to reflect the planting changes.
  - Add note requiring approval from M-NCPPC for planting material substitution.
- Sheet L5.0: Update irrigation plan in response to planting design changes and LEED requirements.
- Sheet L6.01: Revise lighting design in response to revised courtyard design in the back.
- Sheet L6.01: Slightly modify street light locations to be generally equidistant from the adjacent street trees. Number of lights will remain unchanged.

#### Civil Sheets

- Redesign plaza hardscape at front and rear.
- Reduce Public Use Space to accommodate redesign of the building lobby.
- Revise the garage driveway/entrance per field conditions.
- Redesign dry utilities per field conditions.
- Add a sheet dealing with the proposed private recreation provided on site, on the first floor of the building. Revise the design and supply numbers on the cover sheet to reflect the revision.
- Introduce Sheet E4 to reflect the combination of the tot lot and teen room into a multi-age room due to a reconfiguration of the restrooms.

#### Architectural Sheets

- Sheet A-101: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-102: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-103: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-111:
  - Relocate exterior stair and air intake to avoid conflict with SWM vault.
  - Revise entrance Lobby.
  - Revise storefront and window design.
- Sheet A-112: Revise entrance Lobby.
- Sheet A-115: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-116: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-201:
  - Revise entrance Lobby.
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-202:
  - Revise storefront and window design.
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-203: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-204:
  - Relocate exterior stair and air intake to avoid conflict with SWM vault.
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-205: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-206: Add balconies at 12 -14<sup>th</sup> floors.

## **PUBLIC NOTICE**

A notice regarding the subject amendment was sent to all parties of record by the Applicant on April 8, 2009. The notice gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59-D-3.7. Staff received no inquiries regarding the proposed amendment.

## **STAFF RECOMMENDATION**

Many of the numerous proposed minor changes to the building, landscaping, and hardscape are the result of further design development and refinement. They propose to reduce unnecessary complexity without reducing the overall impact of the design. The biggest change involves the enclosure of the area immediately outside the entrance lobby, reclaiming as private a modicum of the approved public use space. The proposed Site Plan Amendment and draft Resolution includes the reduction in on-site public use space from 7,658 square feet to 7,069 square feet, a net loss of 589 square feet. The Applicant will make a payment-in-lieu for parkland acquisition and/or improvements within the CBD at the cost of \$33 per square foot, for a total of \$19,437.

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 82006014A.

## **APPENDIX**

- A. Draft Planning Board Resolution





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

MCPB No. 09-54  
 Site Plan No. 82006014A  
 Project Name: 1200 East-West Highway  
 Hearing Date: June 4, 2009

**RESOLUTION<sup>1</sup>**

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board (“Planning Board”) is required to review amendments to approved site plans; and

WHEREAS, on April 7, 2009, Home Properties 1200 East West, LLC, (“Applicant”) filed a site plan amendment application designated Site Plan No. 82006014A (“Amendment”) for approval of the following modifications:

**Landscape Architecture Sheets**

- Sheet L1.00
  - Revise paving pattern in the plaza area in response to revised building plan.
  - Minor changes to the planter walls associated with relocation of art piece.
  - Delete one of the trash receptacle types and relocated one trash receptacle. Total number of trash receptacles remains same.
  - Delete a set of table and 4 chairs.
  - Minor edits to paver types (vehicular/pedestrian) to ensure that all vehicular areas receive thicker pavers.
  - Revise rear courtyard design along with planter walls, paving and wall lights.
  - Delete tree protection was and add alternate planting in that area.
- Sheet L1.10: Simplify seatwall section.
- Sheet L1.03
  - Minor changes to the planter walls associated with relocation of art piece.
  - Update paving schedule in response to current edits.
- Sheet L 2.00: Revise finished grading and added a surface drain.
- Sheet L3.00: Revise paving details to latest industry standards.
- Sheet L3.01: Revise seat wall to match revised design of the sculpture area.
- Sheet L3.02: Revise coping profiles.
- Sheet L3.03:
  - Consolidate all picket fencing, guard rails and gate into one style.

<sup>1</sup> This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to  
 Legal Sufficiency:

*Christina Sorrento* 5/22/09

8787 Georgia Avenue, Suite 200, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

[www.MCParkandPlanning.org](http://www.MCParkandPlanning.org) E-Mail: [mcp-chairman@mncppc.org](mailto:mcp-chairman@mncppc.org)

- Revise staircase sections and hand rails to provide standard lengths.
- Sheet L3.05:
  - Change bench and trash receptacle type.
  - Delete umbrella detail.
- Sheet L4.00:
  - Revise planting plan for front plaza and rear courtyard in response to revised design. Total number of Street trees or locations will not change.
  - Delete tree protection and add alternate planting.
- Sheet L4.01:
  - Update planting schedule to reflect the planting changes.
  - Add note requiring approval from M-NCPPC for planting material substitution.
- Sheet L5.0: Update irrigation plan in response to planting design changes and LEED requirements.
- Sheet L6.01: Revise lighting design in response to revised courtyard design in the back.
- Sheet L6.01: Modify street light locations to be generally equidistant from the adjacent street trees. Number of lights remain unchanged.

#### Civil Sheets

- Slight redesign Plaza hardscape at front and rear.
- Reduce Public Use Space to accommodate redesign of the building lobby.
- Revise the garage driveway/entrance per field conditions.
- Redesign dry utilities per field conditions.
- Add a sheet dealing with the proposed private recreation provided on site, on the first floor of the building. Revise the design and supply numbers on the cover sheet to reflect the revision.
- Introduce Sheet E4 to reflect the combination of the tot lot and teen room into a multi-age room due to a reconfiguration of the restrooms.

#### Architectural Sheets

- Sheet A-101: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-102: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-103: Relocate exterior stair and air intake to avoid conflict with SWM vault.
- Sheet A-111:
  - Relocate exterior stair and air intake to avoid conflict with SWM vault.
  - Revise entrance Lobby.
  - Revise storefront and window design.
- Sheet A-112: Revise entrance Lobby.
- Sheet A-115: Add balconies at 12 -14<sup>th</sup> floors.

- Sheet A-116: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-201:
  - Revise entrance Lobby.
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-202:
  - Revised storefront and window design
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-203: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-204:
  - Relocate exterior stair and air intake to avoid conflict with SWM vault.
  - Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-205: Add balconies at 12 -14<sup>th</sup> floors.
- Sheet A-206: Add balconies at 12 -14<sup>th</sup> floors; and

WHEREAS, the proposed Site Plan Amendment includes the reduction in on-site public use space from 7,658 square feet to 7,069 square feet, a net loss of 589 square feet, requiring the Applicant to make a payment-in-lieu for parkland acquisition and/or improvements within the CBD at the cost of \$33 per square foot, for a total of \$19,437; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated May 22, 2009, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on June 4, 2009, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing").

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves the Site Plan No. 82006014A; and

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 Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written Resolution is \_\_\_\_\_ (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 written Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

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 Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, with Commissioners \_\_\_\_\_ (list) voting in favor of the motion, with Commissioner(s) \_\_\_\_\_ (list) dissenting, Commissioner(s) \_\_\_\_\_ (list) abstaining, Commissioner(s) \_\_\_\_\_ (list) being absent or being temporarily absent, at its regular meeting held on Thursday, \_\_\_\_\_, 200.., in Silver Spring, Maryland.