

Montgomery Planning




MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item No. 5

Date: 10.15.20

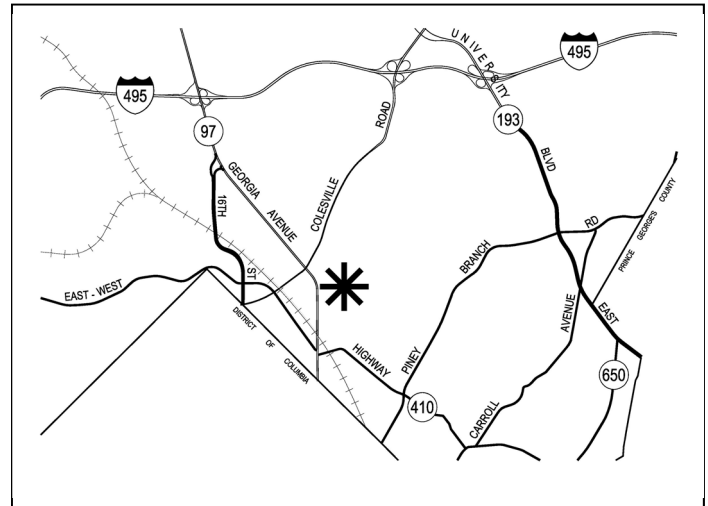
809 Easley Street, Preliminary Plan No. 120200010

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Description

Completed: 10.2.20

- Request to create one lot for up to 3,748 total square feet for commercial development
- Located on the north side of Easley Street, approximately 300 feet east of Fenton Street
- Current use: vacant unimproved lot
- 0.17 acres (7,500 square feet)
- CRN-0.5, C-0.5 R-0.25 H-35 Zone
- 2000 *Silver Spring CBD Sector Plan*
- Applicant: Red Rock Films, Inc.
- Acceptance date: October 29, 2019
- Review Basis: Chapter 50, Chapter 59, Chapter 22A



Summary

- Staff recommends approval of the Preliminary Plan No.120200010 with conditions.
- The Application requests the creation of one buildable Lot for up to 3,748 square feet for commercial development.
- The proposed building has a gross floor area of 3,748 square feet.
- The Applicant proposes to develop the land under the standard method of development.
- The Application received four (4) Planning Board extensions, extending the 120-day review period on January 8, 2020, February 27, 2020, April 30, 2020 and again on June 11, 2020 to October 31, 2020.
- The Applicant is seeking alternative compliance for the Section 59.6.5.3, Screening Requirements, for a portion of the eastern property line.
- The Applicant is seeking approval for a parking waiver for the minimum distance between the Site and the proposed off-site parking location (.25 miles) as the two locations are 0.5 miles apart.
- Staff has received community correspondence from one resident at the time of writing this report.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Preliminary Plan No. 120200010

Staff recommends approval of Preliminary Plan No. 120200010. 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 except as modified by the following conditions.

General Approval

1. This Preliminary Plan is limited to one lot for 3,748 total square feet of commercial development.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.

Outside Agencies

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated August 26, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated August 14, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated May 4, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Environment and Noise

Forest Conservation

7. Prior to certification of Preliminary Plan, the Applicant must submit a revised Tree Save Plan that provides mitigation for the removal of the three onsite specimen trees. The mitigation plantings must be provided either on-site and/or elsewhere within Downtown Silver Spring CBD. The mitigation plantings that when combined shall equal 30 caliper-inches; the final species and locations of which must be coordinated with M-NCPPC Staff.

Transportation

Existing Frontage Improvements

8. The Applicant must dedicate all land necessary to accommodate 30 feet from the existing pavement centerline along the Subject Property frontage for Easley Street and show that dedication on the record plat.
9. Prior to Use & Occupancy, the Applicant must install the 2019 Silver Spring Streetscape, as modified and approved by MCDOT in their letter dated August 26, 2020, to provide a six-foot wide tree lawn, five-foot wide sidewalk to tie in to existing sidewalks to the east and west of the property, and a one-foot maintenance strip along the property frontage, within the dedicated right-of-way on Easley Street, as shown on the Certified Preliminary Plan.

Transportation Demand Management

10. The Applicant is required to allow the Montgomery County Department of Transportation (MCDOT) to promote alternative modes of transportation to employees in order to help meet Non-Auto Driver Mode Share (NADMS) goals for the Silver Spring Transportation Management District (TMD).

Offsite Parking Agreement

11. Prior to recordation of the plat, the Applicant must record in the land records of Montgomery County an off-site joint parking agreement with the owner(s) of 625 Sligo Avenue. That agreement must run with the land and ensure adequate parking is available for use of the Applicant at 625 Sligo Avenue in Silver Spring (at least nine spaces). The Applicant must notify MNCPPC in writing prior to termination of the agreement.
12. Prior to the release of any above grade building permits for development on the site exclusive of any sheeting and shoring permits, the Applicant must execute a Transportation Enhancement Agreement (TEA) with the Planning Board and MCDOT to provide a private shuttle service to the off-site parking location at 625 Sligo Avenue in Silver Spring.

Bicycle Parking

13. Prior to the issuance of any occupancy permit the Applicant must provide one long-term and two short-term bicycle parking spaces.

Record Plats

14. There shall be no clearing or grading of the site prior to recordation of plat.

Easements

15. The record plat must show necessary easements.

Certified Preliminary Plan

16. The Applicant must include the all applicable agency letters and the Preliminary Plan Resolution on the approval or cover sheet(s).

17. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The subject site (Subject Property or Property) is located at 809 Easley Street in Silver Spring, which is generally described as midblock within the westernmost segment of Easley Street, between Fenton Street and Grove Street. The Site is comprised of Lot 6, Block U, within the “Silver Spring Park, R. Holt Easley” Subdivision, as recorded in the Montgomery County Land Records in Plat 99 (dated, 1909). The CRN-0.5, C-0.5 R-0.25 H-35 zoned Property has a tract area of approximately 7,250 square feet (0.17 acres).

The Property is within the 2000 *Silver Spring CBD Sector Plan* (Sector Plan) area, along the eastern edge of the CBD boundary, just east of the Sector Plan’s Fenton Village Overlay Zone (Figure 1). It shares the block with the Fenton Citgo gas station, Silver Spring Parking Lot #29 (Bonifant & Easley Lot), Silver Spring Towers to the west and single-unit residential units to the east. West of the Property, the block is zoned CR with a maximum FAR between 1.5-3.0 and east of the property the block is zoned R-60. The Property is located approximately 0.6 miles from the Silver Spring Metro Station and is located just outside the Silver Spring Parking Lot District (PLD).



Figure 1 – Vicinity Map

The Property is currently vacant without any structures or buildings (Figure 2). There are no curb cuts along the site frontage or driveways on-site. There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no known historic properties on-site.



Figure 2 – Easley Street Looking East

SECTION 3: PROJECT DESCRIPTION

Proposal

Preliminary Plan No. 120200010 proposes to create one lot on 0.17 acres (7,250 square feet) of land with a maximum density of up to 3,748 square feet of commercial use. The Applicant proposes to develop the Property under the standard method of development. The Project will subdivide the existing part of a lot into a single buildable Lot. The proposed project consists of a single building, up to 29 feet in height. The maximum height permitted in the zone is 35 feet. The project will serve as a transition between the Commercial Business District and the adjacent residential neighborhoods.

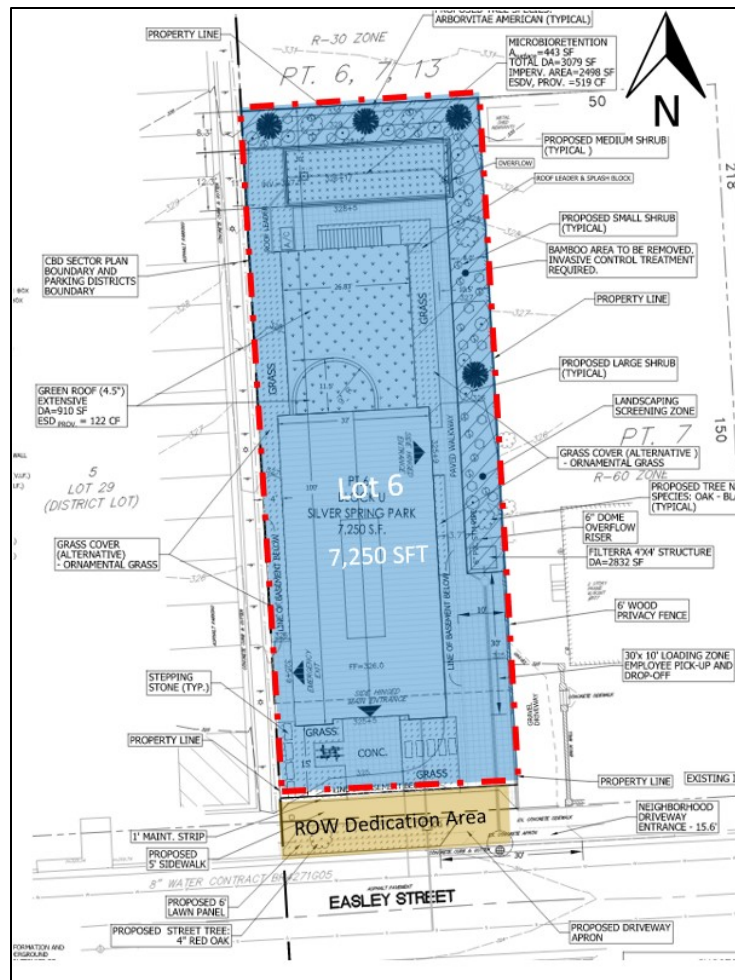


Figure 3 – Lotting Diagram

The main entrance of the building will face the Easley Street frontage. Additional access will be provided on the eastern side of the building and emergency egress on the western side. The proposed lot will not provide any on-site vehicular parking. To accommodate minimum parking requirements, the Applicant proposes to provide parking off-site at 625 Sligo Avenue (Figure 4). 625 Sligo Avenue is owned by the Applicant and is the current location of the Applicant's office/film studio. The 809 Easley Street property, once built, will become the new headquarters for the film studio. A joint parking agreement will be recorded and will run with the land if the Applicant chooses to sell 625 Sligo Avenue and move all operations to the 809 Easley Street property. The existing structure at 625 Sligo Avenue consists of 1,770 square feet of office use. The minimum parking requirement for the existing office use at 625 Sligo Avenue is two spaces. The minimum parking requirement for the proposed office at 809 Easley is seven spaces. At 625 Sligo Avenue there are 11 total parking spaces available and therefore will provide sufficient capacity for both sites.

The offsite parking location is located 2,518 feet (approximately one half-mile) from the Site, and therefore the Applicant requests a waiver from the quarter-mile minimum distance between locations as required by Section 59.6.2.3.G.1 and discussed further below (Figure 5). As conditioned, the Applicant is proposing a shuttle van to transport employees and guests between the two locations. Given this proposal for a private shuttle and the proximity of the Silver Spring Transit Station (0.6 miles), Staff supports the waiver request.



Figure 4 – Off-site Parking Exhibit

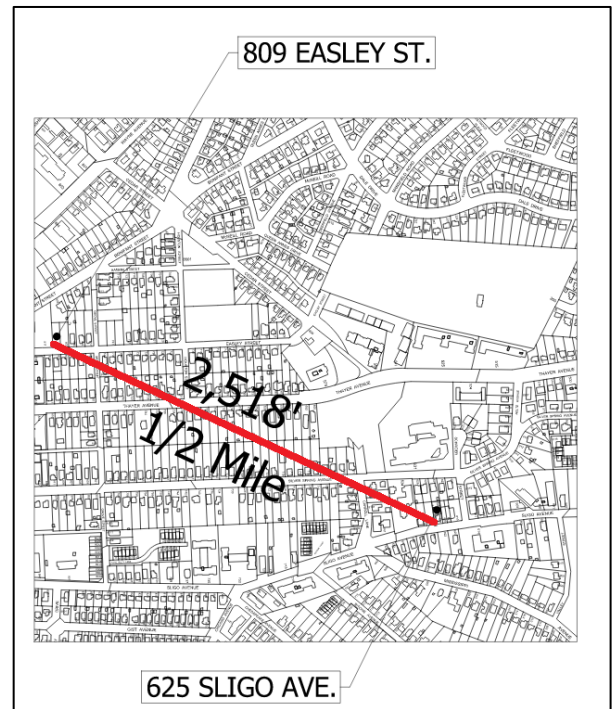


Figure 5 – Off-site Parking location

The Project will provide one long-term and two short-term bicycle parking spaces. The long-term space will be accommodated within the proposed building. The two short-term spaces are located within sight of the main entrance of the building.

The Project will provide the required eight-foot wide landscaped screening with canopy trees and understory plantings along the rear and eastern property lines that abut residential zones, except for a small area on the eastern side along the proposed loading space. Although not required, the Applicant proposes this new on-site loading facility, which will require a new curb cut on the eastern side of the Site. The reasoning for the off-street loading facility is to accommodate deliveries and the private shuttle between the Site and the off-site parking facility. Due to the constrained width of the site, the eight-foot landscape buffer cannot continue alongside the off-street loading facility located on the eastern side of the property. The Applicant is requesting approval of alternative compliance, per Section 59.6.8.1 of the Zoning Ordinance as discussed further below by extending the proposed six-foot tall privacy fence along the entire eastern property line to provide adequate screening for the adjacent residential property.

Circulation

Vehicular access to the Property is provided via Easley Street (see Figure 6). An on-site loading facility will be provided on the east side of the site. The loading facility will provide an off-street space for deliveries, loading activity, and short-term queuing for the private shuttle between the Site and the off-site parking location at 625 Sligo Avenue.

Implementation

10

SECTION 4: PRELIMINARY PLAN AMENDMENT ANALYSIS AND FINDINGS

Analysis and Findings

The Preliminary Plan will create one lot on 0.17 acres (7,250 square feet) of land with a maximum density of up to 3,748 square feet of commercial use. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable requirements. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59*

The lot size, width, shape and orientation are appropriate for the location of the subdivision considering the recommendations in the 2000 *Silver Spring Sector CBD Plan* and the type of development and use contemplated. The lot was reviewed under and found to be in compliance with the dimensional requirements for the CRN zone as specified in the Zoning Ordinance.

The lot was reviewed for compliance with the dimensional requirements for the CRN-0.5, C-0.5 R-0.25 H-35 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in Table 1.

Table 1: Development Standards in the CRN-0.5, C-0.5 R-0.25 H-35 Zone

Standard	Required/Permitted	Proposed
Tract Area	n/a	7,500 SF
Dedication Area	n/a	250 SF
Site Area	n/a	7,250 SF (0.17 acres)
Commercial Density	3,750 SF	3,750 SF (0.49 FAR)
Front setbacks	0 ft min	20 ft min
Side setbacks (CBD limit)	0 ft	4.4 ft min
Side setbacks (R-60 Zone)	1.5 x 7 ft = 10.5 ft min	10.5 ft min
Rear setbacks (R-60 Zone)	1.5 x 20 ft = 30 ft min	30 ft min
Min Lot Width at Front	0 ft	50 ft min
Max Building Height	35 ft max	30 ft
Open Space	0%	32% (0.05 acres)
Site Plan Required	No	No

Division 6.8.1 Alternative Compliance

The applicable deciding body may approve an alternative method of compliance with any requirement of Division 6.1 through Division 6.6 if it determines this is a unique site, a use characteristic or a development constraint, such as grade, visibility, an existing building or structure, an easement or a utility line. The applicable decision body must also determine that the unique site, use characteristic or development

constraint precludes safe or efficient development under the requirements of the applicable Division, and the alternative design will:

- a. satisfy the intent of the applicable Division;*
- b. modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints.*
- c. provide necessary mitigation alleviating any adverse impacts; and*
- d. be in the public interest*

The Applicant is seeking alternative compliance for Section 59.6.5.3.C.7 Screening requirements for a general building with a non-industrial use abutting a residential use in a Residential Zone. The Applicant is proposing an onsite loading space on the eastern side of the site. This side of the site abuts a single residential unit within the R-60 zone. Screening requirements per 6.5.3.C.7 requires a screening depth of eight-feet wide with two canopy trees, 2 understory or evergreen plantings, and six large, eight medium and eight small shrubs per 100 linear feet. Additionally, a four-foot tall fence is required. Due to the narrow width of the site, it would be impossible to provide the building, the loading space, pedestrian access from the loading space to the building and the required landscape planning along the 30 linear feet of the off-street loading facility. Therefore, the Applicant proposes installing a six-foot tall fence along the entire length of the east side of the property (abutting the R-60 zone) and planting the required landscaped screening the remaining length beyond the off-street loading facility. Providing a taller privacy fence than what is required for the entire length of the property satisfies the intent of the screening between the proposed office use and the adjacent residential use. Providing the landscape screening where possible minimizes the standards to the greatest extent possible. Installing both the privacy fence and the landscaping where possible alleviates any potential adverse effects. Therefore, as proposed in the Preliminary Plan, the Applicant satisfies the necessary findings for alternative compliance for Section 59.6.5.3.C.7.

Section 59.6.2.10 Parking Waiver

The deciding body may waive any requirement of Division 6.2, except the required parking in parking Lot District under Section 59.6.2.3.H.1, if the alternative design satisfies Section 59.6.2.1. Any request for a waiver of the vehicle parking space requirement under Section 59.6.2.4.B. requires application notice under Section 59.7.5.2.D.

The Applicant proposes an off-site parking location to accommodate the required number of off-street parking space requirements per Section 59.6.2.4.B. The Applicant owns 625 Sligo Avenue and has enough off-street parking capacity for both the proposed office use at 809 Easley Street and the existing office use at 625 Sligo Avenue. Section 59.6.2.3. requires that off-site parking properties be located within one-quarter mile of the Site and 625 Sligo Avenue is located one half-mile from the Site. The proposed off-site parking location will satisfy the intent of the requirements included in the Zoning Code because the Applicant will provide a private shuttle to transport people between the two locations. Additionally, the site is located immediately adjacent to Public Parking lot 29. Furthermore, the Silver Spring Transit Center, which is served by Metrorail, Metrobus, the MARC commuter train, RideOn bus and the future Purple Line, it is likely that a significant number of visitors and employees will access the Site by transit rather than private vehicle.

The Applicant has complied with all noticing requirements for the parking waiver.

Therefore, as proposed the Applicant satisfies the necessary findings for a parking waiver.

2. The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan

The Subject Property is located within the Fenton Village Revitalization area of the 2000 *Silver Spring CBD Sector Plan*, but outside the Fenton Village Overlay Zone as shown in Figure 7 (Sector Plan, page 67). The goals for this area are to “to heighten investor interest and improve the investment climate in Fenton Village; to strengthen the economic vitality of Fenton Village and the Silver Spring Central Business District; to position Fenton Village to take advantage of the area’s proximity to the development in the Urban Renewal Area; and to position Fenton Village to take advantage of the land use options supported by the current real estate market, while remaining sensitive to the transition between the commercial district and the adjacent single-family neighborhood” (Sector Plan, page 63). The Project provides a commercial use that is consistent with the Sector Plan recommendations in both density and form.

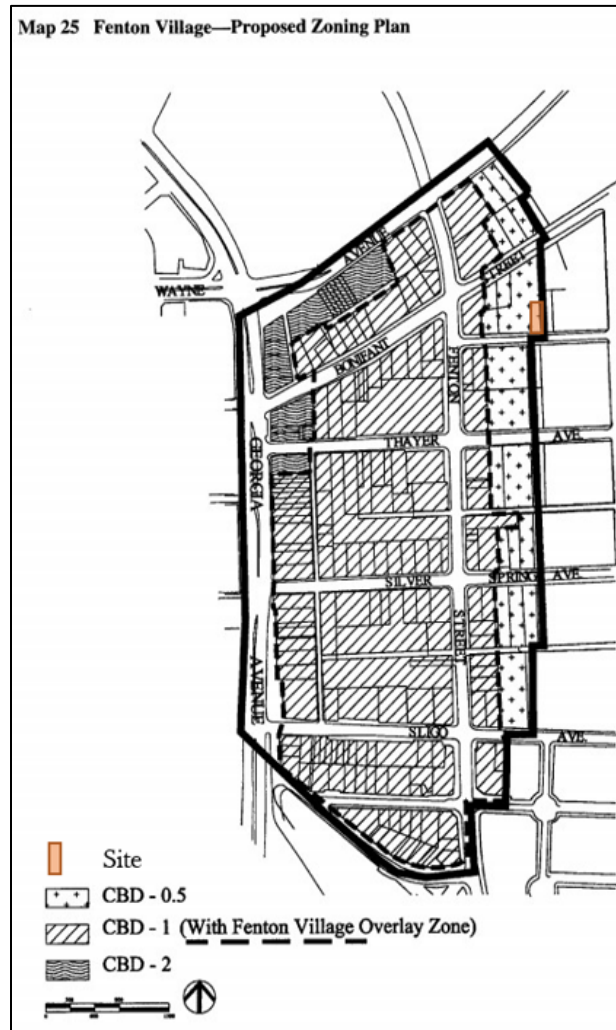


Figure 7 – Fenton Village Revitalization Area

Although the Sector Plan recommended retaining the CBD-0.5 Zone, the Property was rezoned through the 2014 Zoning Ordinance rewrite to CRN-0.5, C-0.5 R-0.25 H-35 Zone. The intent of the CRN Zone was for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges. The Project will be a commercial use limited to 29 feet in height, which satisfies the intent of the CBD-0.5 Zone and the current CRN Zone.

General Recommendations

For the general goals of the Sector Plan, the vision for Silver Spring's future is "to create a development environment that invites revitalization" (page 28). The Sector Plan outlines six themes: transit-oriented downtown, commercial downtown, residential downtown, green downtown, civic downtown and pedestrian friendly downtown that guide the vision for the Silver Spring CBD, four of which apply to the Project, as outlined further below.

Transit-Oriented Downtown

The Site is situated midblock between Fenton Street and Grove Street, the eastern boundary of the Silver Spring CBD. The Sector Plan's transit-oriented downtown theme strives to balance the needs of commuter and local traffic, of walkers and drivers and to maximize the investment in Silver Spring's transit infrastructure. "Creating a transit-oriented community is not only a transportation effort, but also a land use effort" (Sector Plan, page 16). The Sector Plan further states that transportation choices go beyond the car to link local and regional buses, trains, bikes and foot travel. The Property is just over one-half mile of the Silver Spring Metro Station and is served well by transit that includes Metro, Metrobus, RideOn, the VanGo Circulator and future Purple Line. No vehicular parking will be provided on-site. The required minimum parking spaces will be accommodated at 625 Sligo Avenue in Silver Spring, and the Project will provide a private van shuttle for both employees and visitors between the two locations.

Furthermore, as conditioned, the development will create an attractive pedestrian environment by widening the sidewalk and introducing a new landscaped buffer along Easley Street. A small on-site private landscaped plaza will effectively transition the mixed-use activity along the Fenton Street Corridor to the Silver Spring Park residential neighborhoods.

Commercial Downtown

The Sector Plan states, "Commercial activity-a mutually supportive mix of office, stores, and other business enterprises-is the defining feature of a successful downtown" (Sector Plan, page 18). The Project proposes 3,748 square feet of office to a block with both commercial, retail, and residential uses, thereby contributing to the mix of uses on the block and within the Fenton Village Revitalization Area.

Green Downtown

The green downtown theme of the Sector Plan envisions shaded, tree-lined streets and well-placed green parks and plazas, creating a comprehensive system of open spaces that provide economic, environmental and aesthetic benefits throughout downtown. The Sector Plan states, "Landscaped plazas are incorporated into building and site design to create visual and physical respite, to create formal and informal gathering places, and to complement street and building design" (Sector Plan, page 23).

The Project proposes on-site Environmental Site Design (ESD) Facilities to effectively treat and reduce the stormwater runoff from the proposed development. In accordance with 2010 MDE Stormwater Management Regulations, the Project will implement green roof, rain garden, and micro-bioretention practices to the maximum extent practicable. Additionally, the streetscape along Easley Street will be upgraded as necessary with vegetation, paving, and lighting to improve the pedestrian experience and to interact with their neighbors. The Project transitions the higher-density CBD to the lower-density residential neighborhoods by providing a building no taller than 29 feet and providing plantings and a privacy fence for screening.

Pedestrian-Friendly Downtown

The pedestrian-friendly downtown theme of the Sector Plan encourages the development of active streets and sidewalks, busy with people walking to shop, commute, or for pleasure. The Sector Plan states, “An urban area’s greatest economic asset and strongest physical definition comes from its pedestrian environment” (Sector Plan, page 24).

Furthermore, in the pedestrian-friendly downtown theme, the Sector Plan states “The design of the pedestrian-scaled environment combines buildings and streets, active sidewalks, and open spaces detailed with street furniture and landscaping to provide a safe, pleasant and interesting environment” (Sector Plan, page 14). The theme encourages sidewalks and streets scaled to walkers and safe street crossings and access for pedestrians. The Project proposes improvements to the streetscape and the absence of on-site parking will encourage employees and visitors to walk to the site, to and from transit facilities, and to other destinations within and near the Central Business District.

The Project will improve the Site’s street frontage on Easley Street by providing an enhanced pedestrian environment. Loading will be located on-site to not interfere with access and travel on Easley Street.

Circulation Systems Recommendations

The Sector Plan recommends creating a system of trails and bike routes, implementing streetscape improvements to create a safe and pleasant pedestrian environment, and where appropriate, reuse public parking facilities, and to make circulation improvements to local roads. (Page 93)

The Project will provide streetscape improvements along Easley Street which will create an inviting pedestrian environment that will activate the street and support the commercial use as proposed. As conditioned, the Application conforms to the Sector Plan recommendations for Circulation Systems.

The Application is consistent with the goals and objectives of the 2000 *Silver Spring CBD Sector Plan*.

3. Public Facilities will be adequate to support and service the area of the subdivision.

Access to the site for all travel modes is provided on Easley Street. Easley Street is classified as a Secondary Residential Street and has a paved width of 22 feet. Parking is restricted on both sides of Easley Street. Municipal surface parking lot 29 (Bonifant and Easley) is immediately adjacent to the Site on the west side.

A continuous sidewalk is present on the north (Site) side of Easley Street between Fenton Street and Grove Street. Along the site frontage the sidewalk is four and one-half-feet wide with a two-and one-half-foot wide tree lawn. The Site proposes one curb cut on the eastern side of the property to provide one off-street loading facility for loading, deliveries and private shuttle/van access.

No on-road bicycle facilities are planned on Easley Street.

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Silver Spring Metrorail Station (located approximately 1,850 feet to the southwest of the Site), Metrobus, RideOn, the VanGo Circulator and future Purple Line. Specific transit routes near the Site include:

1. RideOn Bus Routes 8, 9, 12, 13, 14, 21, 22,

2. WMATA Metrobus Routes J5, Q1, Q2, Q4, Y2, Y7, Y8, Z2, Z6, Z7, Z8, Z11

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2000 *Silver Spring CBD Sector Plan*, the 2013 *Countywide Transit Corridors Functional Master Plan*, and the 2018 *Bicycle Master Plan* recommend the following master plan facilities along the Property's frontage:

1. Easley Street, south frontage, as Secondary Residential Street with a minimum right-of-way width of 60 feet (30 feet from centerline).
2. No bikeways are identified in the 2018 *Bicycle Master Plan* along Easley Street between Fenton Street and Grove Street.

Proposed public transportation infrastructure

The Applicant will dedicate an additional 5-feet of right-of-way from the property to satisfy the roadway design standards for a secondary residential roadway as specified in 49.32.c.3.d.3. of the County Code.

The Project will provide a modified Silver Spring Streetscape Standard along the Property's Easley Street frontage, within the dedicated right-of-way. The modifications are necessary to provide an accessible transition from the existing sidewalk immediately to the west of the Site, in front of the MCDOT public parking lot and have been endorsed by both Planning Staff and MCDOT. The sidewalk in front of the MCDOT parking lot is 10 feet wide and immediately abuts the street without a buffer or a tree panel. A fence along the eastern side of the parking lot district vertically separates the Site from the adjacent public parking lot, and MCDOT has no plans to remove or modify the fence. On the east side of the Site, is a four-foot sidewalk with a two-and-one-half-foot grass buffer. Redevelopment of the MCDOT parking lot to the west of the site and the adjacent residential property to the east of the site is unlikely in the near term. Furthermore, the boundary of the Silver Spring Streetscape Standards is congruent with the eastern Site property line and therefore all lots to the east of the Site will not be held to the same design standard. Therefore, to maintain a comfortable and accessible pedestrian pathway along the entire northern side of 809 Easley Street, the modified streetscape, depicted in Figure 8, moves the existing sidewalk back three and one-half feet, and is widened to five feet. The existing two-and-one-half-foot buffer will be widened to six feet. Staff supports deviation from the standard streetscape to achieve the intent of the Streetscape design standards which is to provide an accessible travel zone for pedestrians of all abilities.

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

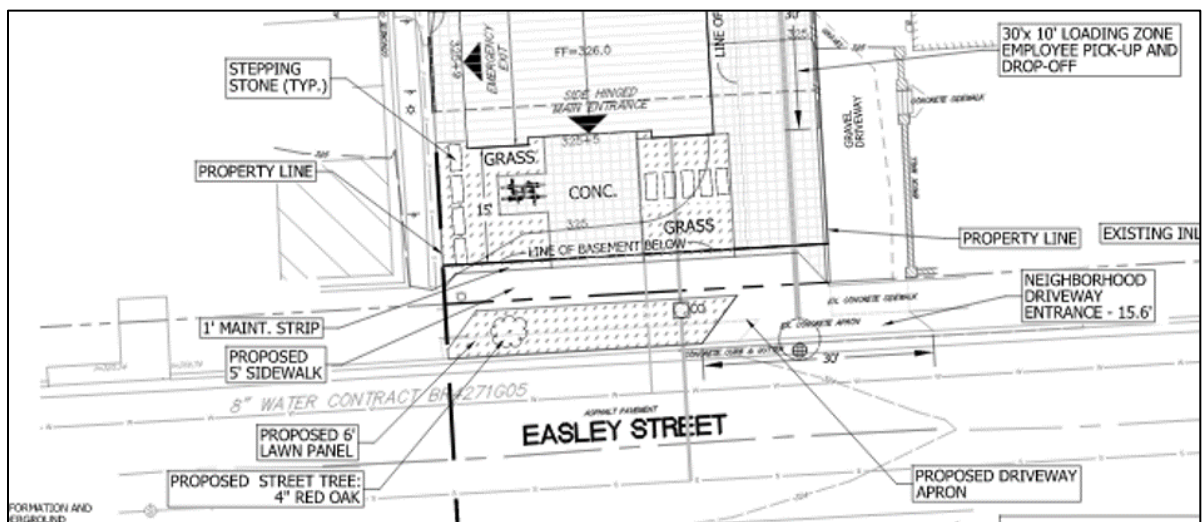


Figure 8 – Modified Silver Spring Streetscape along Easley Street

On-site Loading Requirement

The Applicant is proposing fewer than 25,000 square feet of office use and therefore is not required to provide on-site loading. Based on the operations of the use and the proposed use of a shuttle service to transport employees and visitors from the proposed off-site parking site, the Project proposes an off-street loading facility that will be 10 feet wide and 30 feet long. Screening is proposed to meet the requirements for a general non-residential building with a non-industrial use abutting a property that is improved with a residential use (Section 59.5.3.C.7). Due to the constrained width of the site it was not feasible to provide the eight-foot landscape screening alongside the off-street loading facility, and therefore a six-foot privacy fence will extend along the entire eastern property line to provide screening for the adjacent residential property.

Proposed off-site parking

No parking is provided on-site. Instead, the Applicant is choosing to use excess parking capacity at an off-site property, 625 Sligo Avenue, which is also owned by the Applicant. The Applicant proposes a private shuttle service to transport employees and visitors parked at 625 Sligo Avenue to the Site. Table 2 demonstrates there is adequate capacity for the existing use at 625 Sligo Avenue and the additional use proposed at 809 Easley Street, the subject of this staff report.

Table 2: Parking Capacity

Location	Use	Required Parking	Available/Proposed Parking
625 Sligo Avenue	1,770 SF Commercial	2	11
809 Easley	3,748 SF Commercial	7	0
Total Parking Capacity		9	11

Local Area Transportation Review (LATR)

The transportation impact of Preliminary Plan No. 120200010 was evaluated in accordance with the 2016-2020 Subdivision Staging Policy and the 2017 LATR Guidelines. The new estimated trips generated by the Site in the morning peak hour is five and evening peak hour is five. Since the Subject Application generates fewer than 50 new peak hour trips, the Project is not required to conduct a transportation impact study. As a result, adequate public facilities exist to serve the Subject Property.

Transportation Demand Management

As a Project consisting of fewer than 40,000 square feet of development within the Silver Spring CBD, a Red Policy Area under the 2016-2020 Subdivision Staging Policy, there are no Transportation Demand Management (TDM) requirements per County Code 42A-26. However, the Project is required to allow the Montgomery County Department of Transportation (MCDOT) to promote alternative modes of transportation to employees in order to help meet Non-Auto Driver Mode Share (NADMS) goals for the Silver Spring Transportation Management District (TMD).

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. Water, sewer, and other utilities are located within the adjacent public roadways. Connections (one or multiple connections) off one or more of these roads adjoining the Property will service the Property, the final design of which will be finalized at building

permit. The Application was reviewed by Montgomery County Department of Permitting Services, Fire Department Access and Water Supply Section and emergency vehicle access has been deemed adequate. Local health clinics, police stations and fire stations are all operating within acceptable levels as established by the Subdivision Staging Policy.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied.*

Forest Conservation

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(S)(2) of the Forest Conservation Law because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. (Attachment A)

There are three specimen trees located on the Subject Property that the Application proposes to remove. The subject trees are one 55" diameter at breast height (DBH) Red Maple, one 34" DBH Yellow Poplar, and one 30" DBH Black Locust. The removal of the specimen trees triggers the tree save plan provision of the Forest Conservation Law under 22A-6(b), which states an activity or development that would be exempt under 22A-5, except that the proposed activity involves clearing of a specimen or champion tree, requires the approval of a tree save plan, which may require tree preservation or mitigation for loss of individual trees. The planting requirements must be based on the size and character of the trees to be cleared. Therefore, Staff is recommending that replacement occur at a ratio of approximately 1-inch caliper for every 4 inches DBH removed, using trees that are a minimum of 3 caliper inches in size. This Application proposes to remove 120 inches in DBH, resulting in a mitigation requirement of 30 caliper inches of planted, native, canopy trees with a minimum size of 3-inch caliper. The mitigation tree plantings must occur on-site or within the Silver Spring CBD. A condition of approval is recommended by Staff to address the mitigation requirements prior to certification of Preliminary Plan.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on August 14, 2020. The Application will meet stormwater management goals through a variety of techniques including ESD to the MEP via the use of a green roof and a micro-bio retention planter box.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.*

No known burial sites exist on the Subject Property.

7. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

No other provisions apply to the Subdivision.

SECTION 5: CITIZEN CORRESPONDENCE

The Applicant has met all signage, noticing, and submission meeting requirements. A pre-submission meeting for the Preliminary Plan was held on June 6, 2019 at the Long Branch Community Library (8800 Garland Avenue, Silver Spring, MD 20901). Three people attended the meeting. Attendees had questions about the anticipated activities at the facility. It was explained that the function of the building would be business administration and post-production film editing. Furthermore, some loading and unloading of equipment would be a regular part of operation. The neighbor immediately adjacent to the site raised a concern about the percentage of impervious area due to the construction of a new building. The Applicant explained that both the use and the building form would comply with applicable County Codes and Master Plans.

As of the date of this Staff Report, Staff received one email from the eastern adjacent neighbor articulating concerns about the proposed project. Specifically, the resident listed the following desires and concerns:

- Desire for the front entrance to be designed in such a way that it is will clearly be the main entrance and that the secondary (east) entrance should be designed with limited signage
- Desire for the Applicant to maximize permeable surfaces and minimize impermeable materials for both water runoff and heat reasons
- Concerns about the visual impact of the proposed off-street loading facility and privacy fence.

Staff has responded to the resident's concerns indicating that the Applicant has complied with all requirements of the Zoning Ordinance and the Subdivision Regulations, and where compliance could not be met, findings for alternative compliance have been addressed. Staff's response to the resident is summarized below.

Building Entrance Design

As this is currently under review for preliminary plan, the Applicant is not required to provide building elevations.

Impervious Surfaces

Staff has noted concerns about the paved area in front of and around the east side of the building. The Applicant has met the requirements for stormwater management via the use of green roof and a micro-bioretenention planter box. Due to site constraints and existing shallow storm drain the request for a waiver of stormwater treatment for some of the estimated volume was granted by the Department of Permitting Services.

Screening

Section 59.6.5.3.C of the Zoning Ordinance requires an 8ft wide landscape/screening buffer between the proposed general building use and the adjacent residential properties to the north and east and the Applicant is providing this with the exception of the area along the proposed loading zone. The Applicant is requesting alternative compliance for that area by proposing a 6ft privacy fence that will run along the entire eastern property line to effectively extend the landscape/screening buffer.

SECTION 6: CONCLUSION

The Project complies with the general requirements and development standards of Section 4.4 and the general development requirements of Article 59-6 of the Zoning Ordinance. The Project satisfies the findings of the Subdivision Regulations and is consistent with the goals and recommendations of the 2000 *Silver Spring CBD Sector Plan*. Therefore, Staff recommends approval of Preliminary Plan No. 120200010 with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Forest Conservation Exemption 42020004E
- B. Agency Letters
- C. Correspondence



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

July 30, 2019

Red Rock Films c/o Sari Weiner
625 Sligo Avenue
Silver Spring, MD. 20910

Re: Forest Conservation Exemption 42020004E; 120200010; 809 Easley Street

Dear Ms. Weiner:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42020004E, is confirmed. This plan submitted on July 30, 2019 is in compliance with Chapter 22A-5(S)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.

A pre-construction meeting is required after the limits of disturbance have been staked, prior to any clearing or grading to verify the limits of disturbance and to determine if any tree protection is required. The property owner, construction superintendent, a Maryland licensed tree expert, this forest conservation inspector, and the Montgomery County Department of Permitting Services (DPS) sediment control inspector should attend.

Please contact this inspector at david.wigglesworth@montgomeryplanning.org or 301-495-4581 to schedule the pre-construction meeting.

Sincerely,

David Wigglesworth
Sr. Planner
Development Applications & Regulatory Coordination

CC: Michael Norton (NLD)
42020004E



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

August 14, 2020

Ms. Caryn Williams, P.E.
Maddox Engineers
3204 Tower Oaks Boulevard, Suite 200A
Rockville, MD 20852

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
809 Easley Street
Preliminary Plan #: 120200010
SM File #: 285137
Tract Size/Zone: 0.18 Ac./CR
Total Concept Area: 0.18 Ac.
Lots/Block: P6/U
Watershed: Sligo Creek

Dear Ms. Williams:

Based on a review by the Department of Permitting Services Review Staff, the 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 via the use of green roof and a micro-bioretenention planter box. Due to site constraints and existing shallow storm drain the request for a waiver of stormwater treatment for the remaining volume is hereby granted.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. The green roof is to be designed by a professional with green roof experience.
5. There is to be a minimum of 910 sqft of 8" inch equivalent green roof. At time of plan submittal try to provide more area of green roof.
6. Any under ground or covered parking is to drain to WSSC. Provide a copy of the schematic profiles showing where the garage/parking drains go.
7. Provide a copy of the profiles for the roof drains that go to the micro-bioretenention.



255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Ms. Caryn Williams
August 14, 2020
Page 2 of 2

8. Use the latest MCDPS design standards at the time of plan submittal.
9. The Filterra 4x4 structure shown on the plan is not a stormwater facility and will be give no compliance credit.
10. Provide stormwater management easements and covenants for the green roof and micro-bioretenention only.

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**.

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 Etheridge

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

MCE: CN285137 809 Easley Street.DWK

cc: N. Braunstein
SM File # 285137

ESD: Required/Provided 787 cf / 641 cf
PE: Target/Achieved: 2.0"/1.6"
STRUCTURAL: 0.00 cf
WAIVED: 0.03 ac.



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

August 26, 2020

Ms. Katie Mencarini, Planner Coordinator
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: Preliminary Plan No. 120200010
809 Easley Street

Dear Ms. Mencarini:

This letter supersedes MCDOT's Preliminary Plan Letter dated May 5, 2020.

We have completed our review of the revised preliminary plan uploaded to eplans on August 13, 2020. A previous plan was reviewed by the Development Review Committee at its November 26, 2019 meeting. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Significant Plan Review Comments

1. The certified preliminary plan shall reflect the following proposed frontage improvements along Easley Street from the face of existing curb to the subject property line. All items as described below must be located within the right-of-way (ROW):
 - 6-foot wide tree lawn;

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

- 5-foot sidewalk shall be ADA compliant and tie in to existing sidewalks to the east and west of the property; and
 - 1-foot maintenance strip.
2. The applicant shall include the approved roadway cross section for Easley Street on the Certified Preliminary Plan.
 3. Final design of driveway apron and sidewalk to be approved by DPS in coordination with MCDOT.
 4. **Sight Distance:** A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
 5. **Storm Drain Analysis:** The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.

Standard Comments

1. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
2. Construct modified Silver Spring Streetscaping along the Easley Street site frontage, as discussed in condition 1 under the Significant Plan Review Comments.
3. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
4. Posting of the right-of-way bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - a. Curbs and gutters, ADA compliant sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Easley Street.
 - b. Silver Spring Streetscaping along Easley Street's street frontage.
 - c. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - d. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - e. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the

Ms. Katie Mencarini
Preliminary Plan No. 120200010
August 26, 2020
Page 3

Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

- f. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact myself for this project at brenda.pardo@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Brenda M. Pardo

Brenda M. Pardo, Engineer III
Development Review Team
Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP120200010 809 Easley St\Letters\1201200010-809 Easley St-DOT Preliminary Plan Letter 8.26.20](#)

cc: Correspondence folder FY 2020

cc-e: Russell Reese	Maddox Engineers Surveyors
Mark Terry	MCDOT DTEO
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Rebecca Torma	MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: SILVER SPRING PARK Preliminary Plan Number: 1- 20200010

Street Name: EASLEY STREET

Master Plan Road

Classification: NOT SPECIFIED

Posted Speed Limit: 25 mph

Street/Driveway #1 (809 EASLEY)

Street/Driveway #2 (_____)

Sight Distance (feet)

OK?

Right 344

✓

Left 664

✓

Sight Distance (feet)

OK?

Right _____

Left _____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed
 (use higher value)

Tertiary - 25 mph

Secondary - 30

Business - 30

Primary - 35

Arterial - 40

(45)

Major - 50

(55)

Required
 Sight Distance
 in Each Direction*

150'

200'

200'

250'

325'

400'

475'

550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

Date

11014
 PLS/P.E. MD Reg. No.

Montgomery County Review:

☒ Approved

☐ Disapproved:

By: Brenda M. Pardo

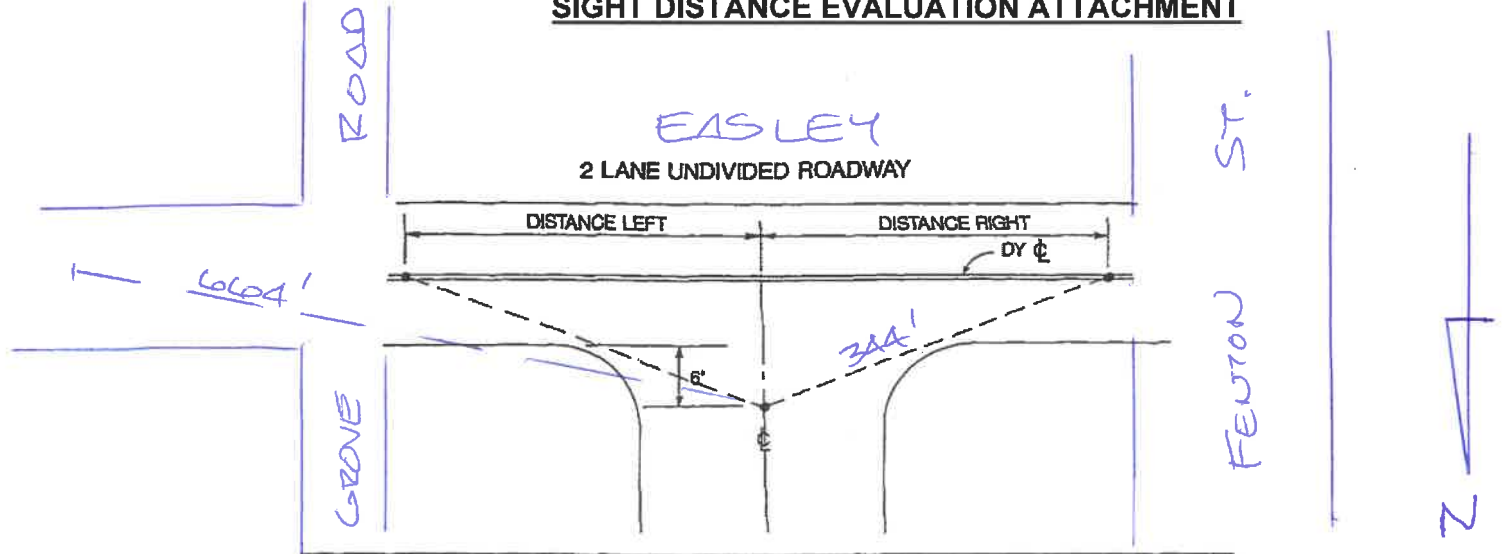
Date: 8/26/20

Form Reformatted:
 March, 2000

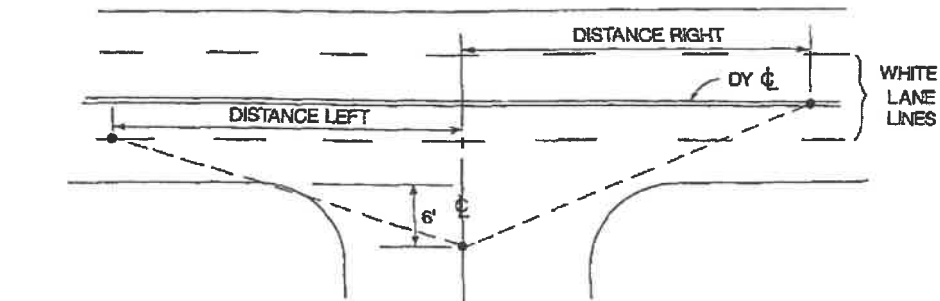


MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

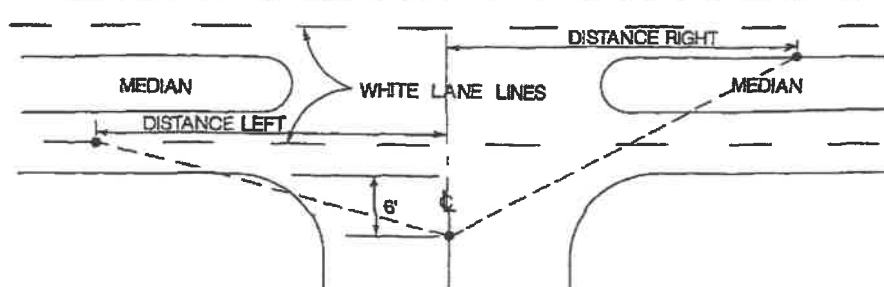
SIGHT DISTANCE EVALUATION ATTACHMENT



MULTI-LANE UNDIVIDED ROADWAY



MULTI-LANE DIVIDED ROADWAY





Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 04-May-20
TO: Caryn Williams - cgwilliams@maddoxinc.com
Maddox Engineers & Surveyors, Inc
FROM: Marie LaBaw
RE: 809 Easley Street
120200010

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **09-May-20**. 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.

LEGEND - EXISTING

□	STONE MONUMENT	○	TACK FOUND
×	CROSS CUT SET	○	NAIL FOUND
○	IRON PIPE FOUND	○	DRAIN
□	AIR CONDITIONER	○	GAS VALVE
○	STORM MANHOLE	○	TREE SYMBOL, NAME & SIZE
○	LIGHT POLE	○	12" GAS
○	POWER POLE	○	12" FIRE
○	GUY WIRE ANCHOR	○	WATER MANHOLE
○	GUY POLE	○	DC SL/TS MANHOLE
○	GAS METER	○	GROUND SHOT
○	SANITARY MANHOLE	○	ELECTRIC METER
○	WATER VALVE	○	TELEPHONE JUNCTION BOX
○	WATER METER	○	ELECTRIC JUNCTION BOX
○	FIRE HYDRANT	○	LIGHT FIXTURE
○	WATER SPIGOT	○	RAIN LEADER
○	SPRINKLER HEAD	○	DOWNSPOUT
○	WALL MOUNTED VENT	○	TELEPHONE MANHOLE & U.G. VAULT (V.I.F.)
○	SEWER CLEANOUT	○	U.G. VAULT (V.I.F.)
○	ELECTRIC MANHOLE & U.G. VAULT (V.I.F.)		

LEGEND - PROPOSED

□	GROUND-LEVEL BUILDING FOOTPRINT	□	15' CLEAR AND WALKABLE GRADE.
▲	GROUND-LEVEL ENTRANCES	○	FIRE DEPARTMENT CONNECTION
○	SPOT ELEVATIONS	+	FIRE HYDRANT
□	GREEN ROOF		
□	PERMEABLE PAVEMENT (PAVERS WITH EDGE RESTRAINT)		
○	48" DOGHOUSE SEWER MANHOLE OVER EXISTING SEWER WITH PRECAST CONCRETE BASE		
○	CLEAN-OUT		
○	OBSERVATION WELL		
○	NYLOPLAST DRAIN BASIN WITH GRATE / DOME TOP		
○	NYLOPLAST DRAIN BASIN WITH SOLID COVER		
○	CURB STOP		
○	WATER VALVE		
○	WATER METER		

FIRE DEPARTMENT ACCESS PLAN

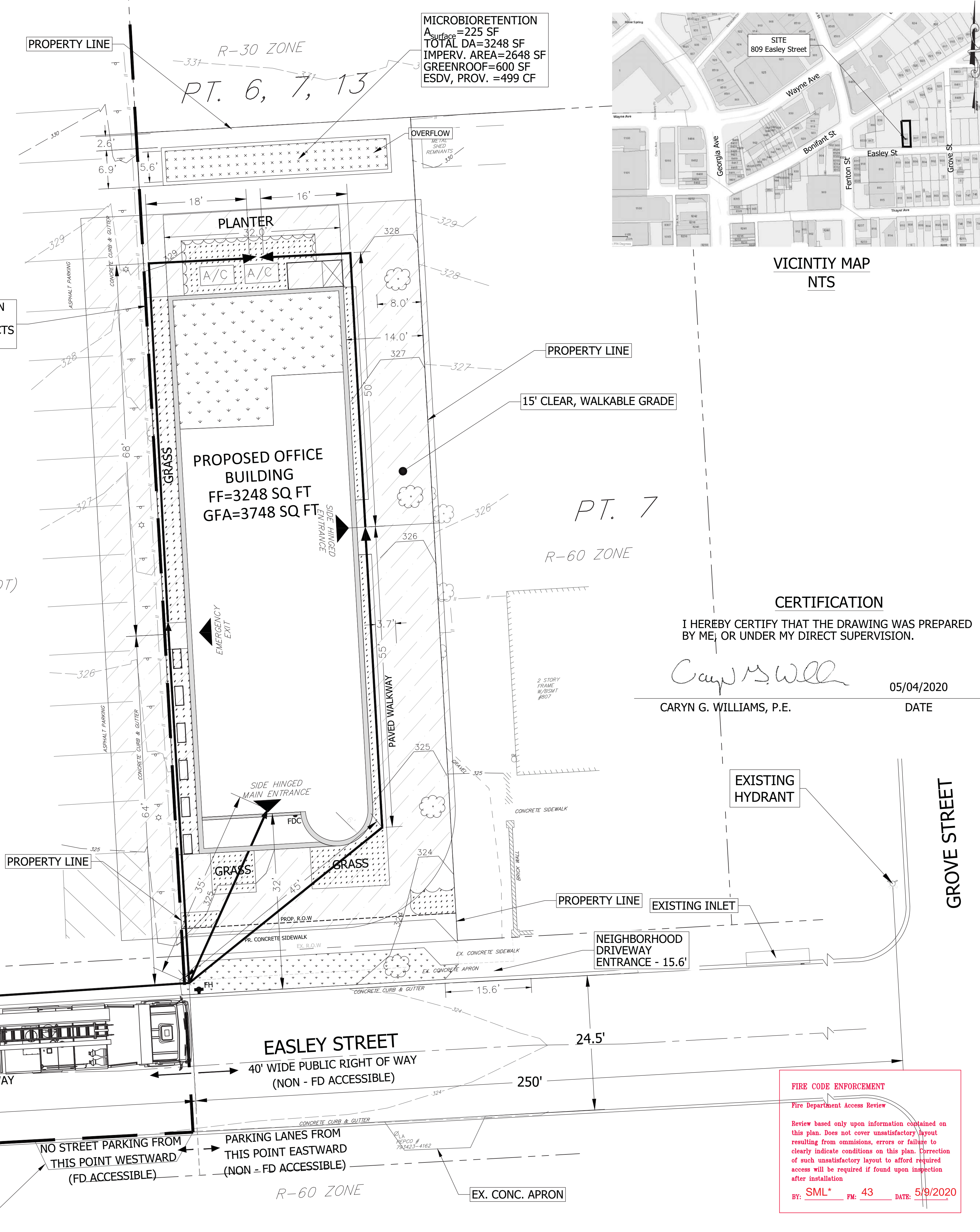
THE SUBJECT PROPERTY IS LOCATED 809 EASLEY STREET AS PART OF LOT P6 BLOCK U, SILVER SPRING PARK WITH PLAT BOOK No. 1 PLAT 68 LIBER 52966 FOLIO 38. THE TOTAL PROPERTY IS 7,500 SQUARE FEET OF LAND AND IS ZONED CRN-0.5 C-0.5 R-0.25 H-35. THE DEVELOPER INTENDS TO CONSTRUCT A SINGLE TWO-STORY OFFICE BUILDING.

FIRE DEPARTMENT ACCESS: THE PROPOSED BUILDING WILL BE PROTECTED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM. THE NEARBY EXISTING HYDRANT IS LOCATED APPROXIMATELY 150 FEET WEST OF THE PROPERTY.

Standard	Provided	N/A
All premises which are not readily accessible from public roads shall be provided with suitable gates, access roads and fire lanes so the all buildings on the premises are accessible to fire apparatus.		X
Private roads or fire lanes shall be provided for all buildings which are set back more than 150 feet from a public road or exceed 30 feet in height and are set back over 50 feet from a public road.		X
Private roads or fire lanes shall be at least 20 feet in width with the road edge closest to the building at least 10 feet from the building and the road edge away from the building no more than 40 feet from the building. Any dead-end road more than 300 feet long shall be provided with a turn-around at the closed end at least 90 feet in diameter or as otherwise approved by the Fire Department.		X
When buildings or any portion thereof are located 150 feet or more from a public street or access way and there is not suitable access for fire equipment as determined by the director, there shall be provided approved fire protection system or systems as required and approved by the director.		X
All buildings, parts of buildings, or other obstructions extending over access driveways shall have not less than 12 feet vertical clearance from the finished driveway surface.		X
Where approved fire protection systems are provided, the above required clearances may be modified or waived.		X
When any portion of the first story of any building is more than 300 feet from a public street, or access way, one of the following shall be provided: -The entire building shall be protected with an automatic fire extinguishing system, or -The building shall be made accessible for fire motor vehicle apparatus by an all-weather access way approved by the director.		X

DIRECTOR PLAN
ARY AND
5 DISTRICTS
ARY

5
LOT 29
(DISTRICT LOT)



VICINTY MAP
NTS

CERTIFICATION

I HEREBY CERTIFY THAT THE DRAWING WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION.

CARYN G. WILLIAMS, P.E.

05/04/2020
DATE

EXISTING HYDRANT

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

BY: SML* FM: 43 DATE: 5/9/2020

MADDOX
Engineers & Surveyors, Inc.
3204 Tower Oaks Boulevard, Suite 200-A,
Rockville, Maryland 20852
(301) 762-9001 www.maddoxinc.com

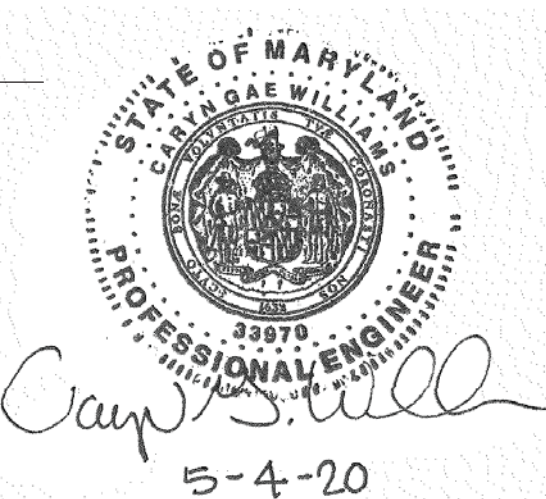
OWNER/APPLICANT

RED ROCK FILMS
C/O SARI WEINER
625 SLIGO AVENUE
SILVER SPRING, MD 20910
(P) 240-396-6567
(EMAIL) SARI@REDROCKFILMS.NET

PART OF LOT 6
BLOCK U
SILVER SPRING PARK
PLAT BOOK No. 1 PLAT 68
LIBER 52966 FOLIO 385
TAXMAP: MONJN343

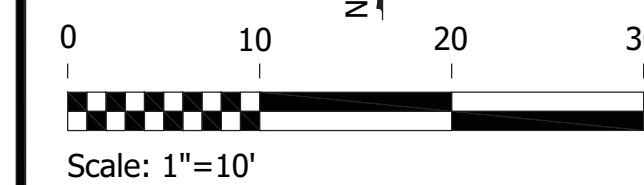
809 EASLEY STREET

SILVER SPRING, MARYLAND



Date	Revision
5/04/20	Revised per FDA Comments
4/20/20	MC Planning Comments
12/11/19	DPS Second Revision
12/05/19	DRC Revision
09/20/19	DPS Revision
09/19/19	Preliminary Intake Revision
08/13/19	Preliminary Submission
05/23/19	Pre-submission Meeting
04/01/19	Draft Set for Team Review

DATUM
Hz: DCSO
Vt: DC WATER

FIRE DEPARTMENT
ACCESS PLAN

13-FDA-120200010

From: [Mencarini, Katherine](#)
To: [Becky Sherblom](#)
Cc: [Dickel, Stephanie](#)
Subject: RE: 809 Easley St Development Plan Application
Date: Wednesday, September 9, 2020 6:10:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Ms. Sherblom,

Thank you for your inquiry as to the status of the Preliminary Plan 120200010 for 809 Easley Street. This project is currently on the Planning Board's agenda for **Thursday October 15, 2020**. You can submit comments on this project to the Planning Board at any time, by sending emails to mcp-chair@mncppc-mc.org. If you wish to provide testimony during the Board's meeting, you will be able to sign-up to speak 10 days prior to the meeting (October 5, 2020) on the Planning Board's [website](#). Please be advised that until further notice, all Planning Board Public Hearings/Meetings will be conducted virtually.

The latest, revised version of the Applicant's plans are available online to view. You can find them [here](#).

-

To answer your technical questions, I've included responses below.

-

Driveway/Loading

With the initial submission of the application, the Applicant expressed the need to have a loading facility for the proposed use. The Applicant originally proposed an on-street loading area that was not approved by Planning or MCDOT staff. During review of the project, the Applicant continued to express interest of incorporating a loading space to accommodate deliveries and the shuttle between the Site and the off-site parking location at 625 Sligo Avenue. At that time the Applicant decided to revise the previously submitted plans to include an onsite loading area. The onsite loading area proposed by the Applicant satisfies the location and dimensions required by Section 59.6.2.8.C. Location and Design which prohibits and off-street loading spaces from being located between the front building line and the lot line. Additionally the Zoning Code stipulates the minimum size of the loading area based on the size of the vehicle servicing the space, and the Applicant is providing the smallest space permitted by zoning ordinance (10ft wide and 30ft long).

Staff received an approval letter from Montgomery County Department of Transportation staff, who also assessed the loading space.

Screening

Section 6.5.3.C of the Zoning Ordinance requires an 8ft wide landscape/screening buffer between the proposed general building use and the adjacent residential properties to the north and east and the Applicant is providing this with the exception of the area along the proposed loading zone. The Applicant is requesting alternative compliance for that area by proposing a 6ft privacy fence that will run along the entire eastern property line to effectively extend the landscape/screening buffer.

Staff also notes your concerns about the scale of the side entrance of the building. As this is currently

under review for preliminary plan, the Applicant is not required to provide building elevations. Your concerns will be considered and recorded in the staff report when it posts.

In regards to your concerns about the Filterra structure, it is a ground-level stormwater management facility that is installed underground typically with a perimeter that is roughly 4-6 inches visible above ground. The purpose of the facility is to both collect and filter stormwater on site. As shown in the revised drawings the proposed Filterra structure will be screened from your property by the 6ft privacy fence proposed to run the length of the eastern side of the Site. The Applicant was required to submit a stormwater management concept plan which was determined to be acceptable by the Department of Permitting Services, per their approval letter. As mentioned above, the Applicant has met the requirements for stormwater management requirements of the Zoning Code.

Impervious Surfaces

Staff has noted your concerns about the paved area in front of and around the east side of the building. The Applicant has met the requirements for stormwater management via the use of green roof and a micro-bioretention planter box. Due to site constraints and existing shallow storm drain the request for a waiver of stormwater treatment for some of the estimated volume was granted by the Department of Permitting Services. Your concerns will be both considered and recorded in the staff report when it posts.

-

Next Steps for the Preliminary Plan

Staff is completing review of the Preliminary Plan and the Board will conduct the public hearing for the project during their regularly scheduled meeting on October 15, 2020. The findings and recommendations to the Planning Board will be posted online by October 5, 2020. Any comments or testimony submitted prior to noon on October 14 will be packaged and sent to the Board. During the meeting on October 15, 2020 the Board will hear testimony from the community if they have signed up to speak prior to the deadline (noon the day before the Planning Board Hearing date). The Board will either approve or deny the application, and depending on the outcome, the Applicant will be allowed to pursue building permits for construction.

You can submit comments on this project to the Planning Board at any time, by sending emails to mcp-chair@mncppc-mc.org. If you wish to provide testimony during the Board's meeting, you will be able to sign-up to speak as far as 10 days prior to the meeting (October 5, 2020) on the Planning Board's [website](#). This sign-up window will close at noon the day prior to the Planning Board meeting.

If you have additional questions, or if any of this is unclear you can respond to this email or I would be happy to schedule a phone call with you at your convenience.

Sincerely,
Katie

Katherine (Katie) Mencarini

Planner Coordinator

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WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Becky Sherblom <beckysherblom@verizon.net>
Sent: Tuesday, September 8, 2020 2:37 PM
To: Mencarini, Katherine <katherine.mencarini@montgomeryplanning.org>
Subject: 809 Easley St Development Plan Application

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Ms. Mencarini,

According to the notice of application for a new development plan for 809 Easley St, Silver Spring, MD, there is scheduled to be a tentative planning board hearing on September 10. The website indicated that you are the lead reviewer on this project.

I live next door, am very interested in this development proposal, and am seeking to determine the status, what the next steps will be, and how I can submit comments.

From reviewing the materials at the website it appears the developer might have altered their development plan, so conversations I had with them at the community meeting last year may now be irrelevant. While overall I am support of the project I would like to raise a couple things that I had discussed with them last year in the meeting, and changes I notice on the new drawing.

- I am confused about the new 30' loading zone on the side of the building abutting my property. This is significantly deeper than my driveway, and larger than what I was told at the meeting last year. I was told that there would be just the front pull-off area for pick up and drop off of employees ad loading of equipment, and that the entire lot line would be planted with the 8ft vegetation screening. Now it appears from the drawing sent with the application notice that there will be more than 30' without vegetation but instead with a 6ft high wooden fence along my property line.
- I raised concerns about the walkway that runs the length of the building and around the back that was proposed to be paved – and suggested that they use a permeable surface so that drainage would be improved. They verbally agreed at the community meeting that they thought a permeable surface would work well but it is unclear on the drawing whether that is permeable or is proposed to be concrete. I see what is being called a **13 ft concrete plaza**, the 30' x 8.5' loading zone, and the walkway. That is a sizable amount of new concrete which is of concern both for water runoff and heat reasons.
- I raised concerns at the community meeting about the scale and design of the side entrance which I was told would be a secondary entrance, and staff assured me that the front entrance would be the primary entrance for staff and any visitors. I would like to express a desire that the

side entrance remain secondary with limited signage. An early drawing presented at the community meeting showed a large glass entry with enormous signage on the side of the building facing my property. The drawing that I received in the envelope with the notice of application appears to show the side entrance still being as sizable as the front main entrance and this concerns me.

- It is unclear to me what a Filterra 4'x4' structure might be, but I am concerned that it is being placed right up against my property line at the front corner of their property with no apparent screening. If this is an above ground structure, can it be surrounded by bushes to reduce the visual impact? Currently the combination of this and the 30ft loading zone make me very concerned about the visual impact on my property, as well as the amount of impervious surface next to my property.

Can you tell me what the next step in the process is, and when it will occur? I hope that the project can move forward, responsibly, with input from the neighborhood.

Thank you for your time,

B. Sherblom

Becky Sherblom
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