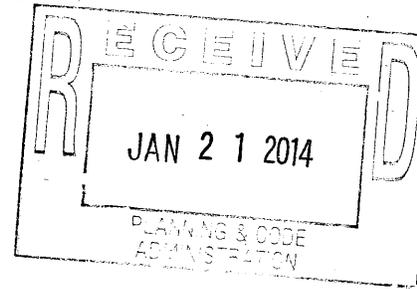


# The Gazette

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This is to certify that the annexed advertisement of NOTICE OF JOINT PUBLIC HEARING published in the GAITHERSBURG Gazette newspapers, a weekly newspaper published in MONTGOMERY County, Maryland. The Ad appeared once a week for 2 week(s), before 1/24/14.

**Copy of Ad Attached**

Ad Order Number

1890806

Publication Date(s)

1/15/14

1/22/14

## NOTICE OF JOINT PUBLIC HEARING

The Mayor and Council and the Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Schematic Development Plan SDP-3878-2013, filed by Washingtonian North Associates, LLC, on

**MONDAY**

**FEBRUARY 3, 2014**

**AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The applicant requests approval of Schematic Development Plan SDP-3878-2013. The property is located at the 10000 block of Washingtonian Boulevard, northwest of Sam Eig Highway in the City of Gaithersburg, Maryland. The plan proposes a 240,000-square foot office building, 128,200-square foot Health Club and 366 Multi-family Dwelling Units on approximately 26.94 acres of land located in the MXD (Mixed Use Development) Zone.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday, or visit the City's website at

[www.gaithersburgmd.gov/CityProjects](http://www.gaithersburgmd.gov/CityProjects).

Trudy Schwarz, Community Planning Director  
Planning and Code Administration

Gazette Legal Advertising Depa

*Down Will*  
*[Signature]*

Notary Public

My Commission Expires: Nov

SDP-3878-2014  
Exhibit #53

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**MEMORANDUM TO:** Mayor and City Council  
Planning Commission

**VIA:** Tony Tomasello, City Manager  
John Schlichting, Director of Planning & Code Administration

**FROM:** Trudy Schwarz, Community Planning Chief

**DATE:** January 10, 2014

**SUBJECT:** Preliminary Background Report:  
SDP-3878-2013  
Washingtonian North  
Schematic Development Plan  
10000 Block of Washingtonian Boulevard

**OWNER/APPLICANT**

Washingtonian North Associates, LLC  
Jake Stroman/Boston Properties  
2200 Pennsylvania Avenue, NW  
Washington, DC 20037

**TAX MAP REFERENCE:**

Tax Sheet: FS 342 and FS 343  
Tax Parcel ID Number: N100, N010,  
N015, & PT. Parcel "3"

**TAX ACCOUNT NUMBERS:**

Lot 4 -	ID #09-03340871
Outlot B -	ID #09- 03340860
Lot 5 -	ID #09-03340882
Lot 6 -	ID #09-03340893

**REQUEST**

Washingtonian North Associates, LLC (Washingtonian North) has submitted Schematic Development Plan (SDP) Application SDP-3878-2013, Per Annexation & Sketch Plan X-159. Application SDP-3878-2013 proposes a 240,000-square foot office building, 128,200-square foot Health Club and 366 Multi-family Dwelling Units on approximately 26.94 acres of land located in the MXD (Mixed Use Development) Zone. The Property is located at the 10000 block of Washingtonian Boulevard, northwest of Sam Eig Highway in the City of Gaithersburg, Maryland.

SDP-3878-2013  
Exhibit #54



Schematic Development Plan SDP-3878-2013 Location Map

## **LOCATION**

The property is located off Sam Eig/Interstate I-370, south of its intersection with Interstate I-270 and north of the intersection of Fields Road. The properties are currently addressed as 10000, 10100, 10101, 10201, 10225 Washingtonian Boulevard. The property includes three parcels and two outlots and consists of a gross tract area of approximately 26.94 acres of land.

## **REQUIRED ACTIONS**

### **Chapter 24 – Zoning**

Section 24-160D.10(b) outlines the findings for approval of the schematic development plan (SDP), as follows:

- (1) *The plan is substantially in accord with the approved sketch plan; and*
- (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
- (3) *The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*

- (4) *The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
- (5) *That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
- (6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
- (7) *That the plan, if approved, would be in the public interest.*

The applicant has the burden of proof of showing that this application complies with the schematic development plan findings of the MXD Zone.

#### Chapter 22- Trees and Forest Conservation – Tree Variance

Due to the size of some of the trees to be removed, the application requests the granting of a variance pursuant to the provisions of § 22-12, Variance Provisions for removal of tree. Please see Exhibit #18 to review the applicant's request and Exhibit #19 to reference the City Code provision § 22-12.

#### Environmental Standards for Development Regulation

The reconstruction of the sediment control pond to a stormwater management pond, the connection of the sewer to existing sewer lines and the connection to the tributary to Muddy Branch are within the Stream Valley Buffer. The applicant has requested the granting of a waiver of the Stream Valley Protection of the Environmental Standards for Development Regulation 01-10, Sec. 38. Please see Exhibit #20 to review the applicant's application and request and Exhibit #21 to reference the Environmental Standards for Development Regulation 01-10, Sec. 38.

### **EXISTING LAND PHYSICAL CHARACTERISTICS AND NATURAL RESOURCES INVENTORY/FOREST STAND DELINEATION:**

A natural resource inventory/forest stand delineation (NRI/FSD) was submitted and approved in 2006 (PI-V050009). The plan was updated and approved in 2012 (ENV-00576-2012). A copy is included in the SDP Exhibit Files (see Exhibit #6). This site was rough graded in 1998 and a sediment control pond was constructed. The site was stabilized soon after and there have been no changes to the site. The topography of this site ranges from a high point of approximately 456 feet above sea level at the entrance to the site at the Washingtonian Boulevard Bridge over Interstate 370, to 393 feet above sea level at the sediment control pond of the property. There are several steep slopes on the site which were a part of the rough grading plan.

The NRI/FSD indicates five soil types present on the site: Brinklow, Blocktown, two varieties of Wheaton, and Hatboro. All of these soils are well drained, except for the Hatboro, which is near the stream valley and current sediment control pond. None of these soils are highly erodible, unsuitable or unsafe soils.

There have been no rare, threatened, or endangered species observed, identified or known to occur on or near the site. This was confirmed by the Maryland Department of Natural Resources. Additionally, there is no floodplain, wetlands, cultural or historic features mapped on this site. The property is within the Muddy Branch watershed. There were no significant views on this property.

There are 67 specimen trees on or near the boundary of the property. A specimen tree is defined in the *City's Environmental Standards for Development Regulations* (City Regulation 01-10) as being 24 inches in diameter at 4.5 feet above the ground. The plan identifies those trees and states the conditions of the trees. Additionally, there are four tree stand areas identified on the north and east portions of the property. The forest stands are Tulip Poplar (2), Oak and Mixed Hardwood.

The applicant, in accordance with the Annexation Agreement, will be working with the City and the Maryland Department of the Environment (MDE) to restore the stream which outfalls from the proposed pond and flows into the Muddy Branch. See Exhibit #09.

### **ZONING AND SITE PLAN HISTORY:**

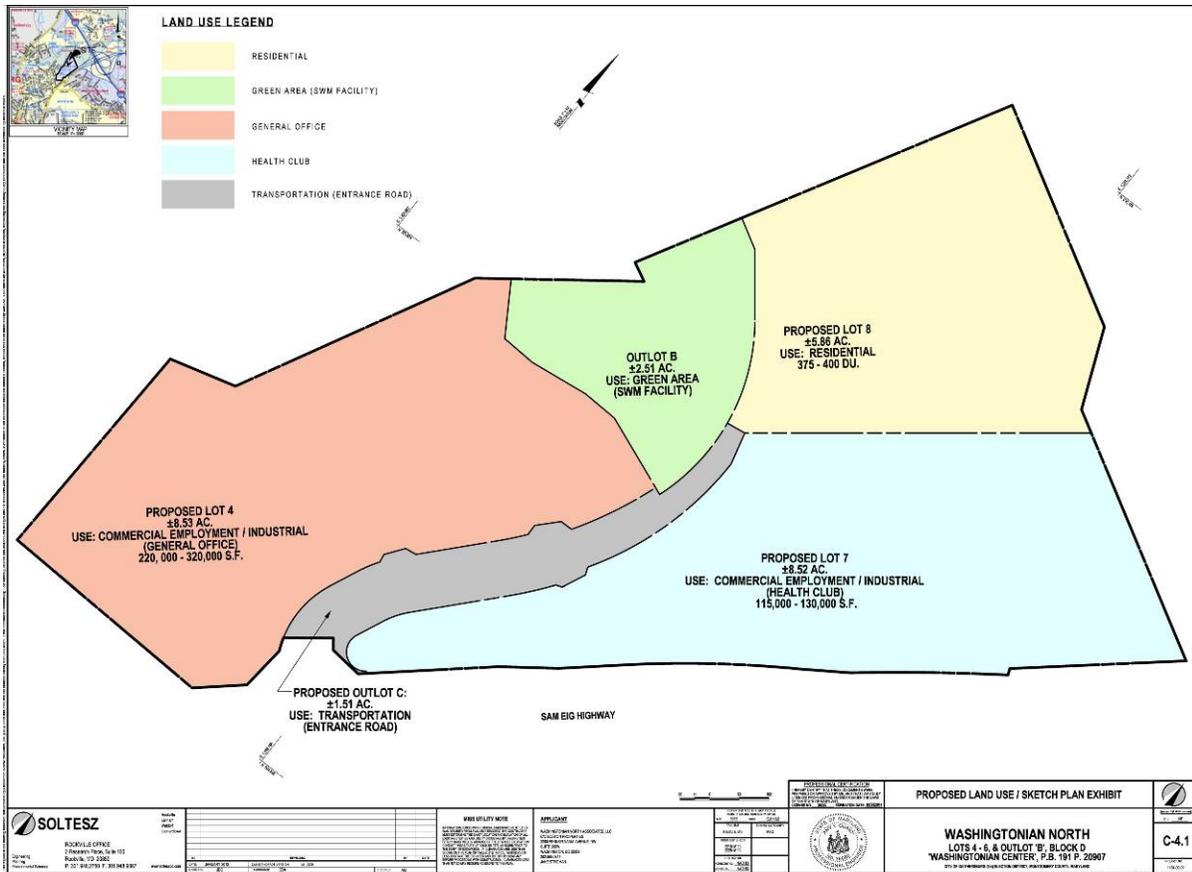
#### **Annexation:**

The City of Gaithersburg annexed approximately 237 acres of land, known as Washingtonian Center and Bechtel Properties and identified as X-159, into the City pursuant to an annexation proposed by a number of property owners, including but not limited to the Washingtonian Investors Limited Partnership, Bechtel Investments, Inc., Marriott and others. The annexation was the subject of Annexation Agreement dated July 9, 1991. The Annexation Agreement was subsequently amended three times as follows:

- January 10, 1992, the First Amendment
- February 26, 1998, the Second Amendment, although titled Addendum No. 1
- November 15, 2013, Third Amendment to Annexation Agreement

Boston Properties through Washingtonian North Associates, LLC (WNA) owns approximately 27 acres of the 120 acres known as Washingtonian Center.

As part of the 2013 Amendment to the Annexation Agreement, the sketch plan for the property known as Washingtonian North was modified as shown below:



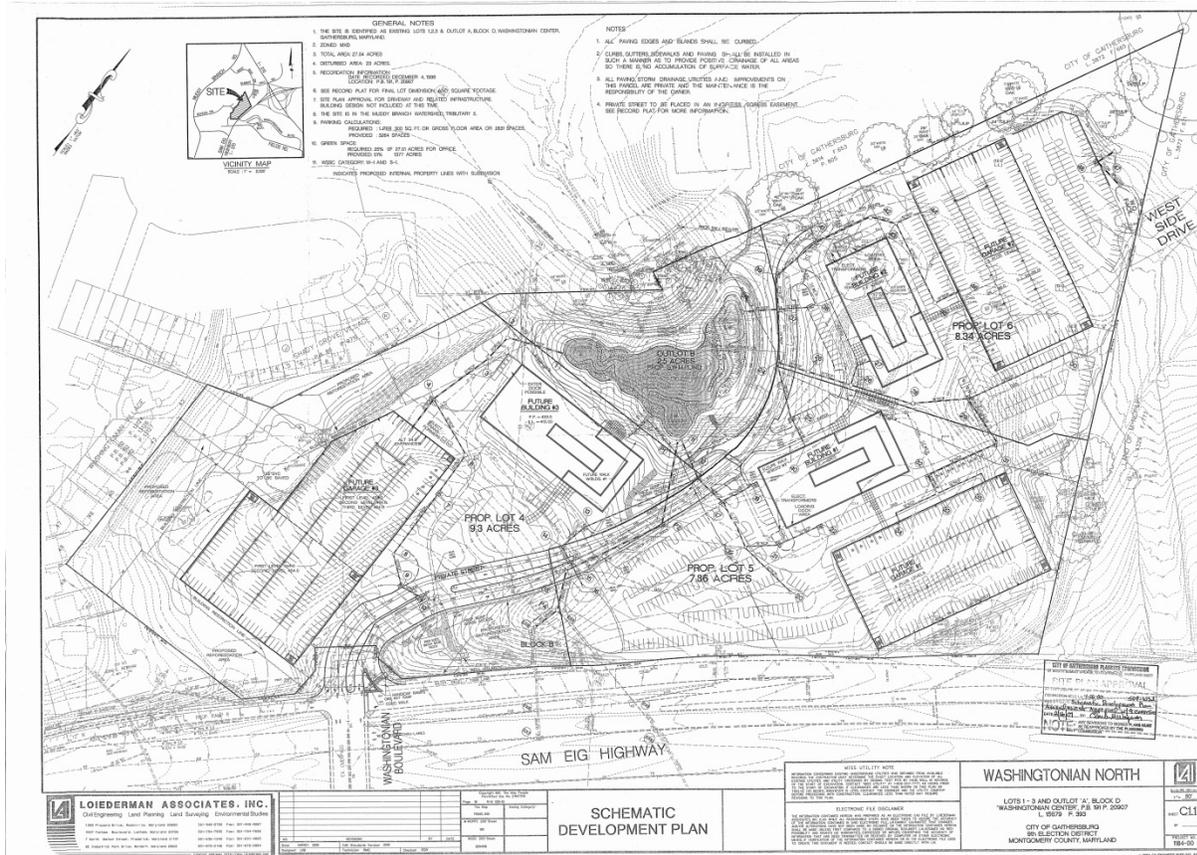
Annexation X-159 - Land Use Exhibit/Sketch Plan

The land use category for the 27 acres changed from the previously-approved 850,000 square feet of General Office Use to Office Use, Residential Use and Health Club Use. The Density allows a maximum of 375 - 400 residential dwelling units, 220,000 - 320,000 square feet (SF) of office uses, including but not limited to general offices and medical offices, and 115,000 - 130,000 square feet of health club uses, including associated ancillary uses. The office development would not exceed 98 feet in building height.

As part of the agreement, Washingtonian North will be preparing and implementing a Stream Restoration Improvement Plan for the tributary that flows from the stormwater management pond (which is currently being used as a sediment control pond) to the Muddy Branch. This area is defined by the Stream Restoration Exhibit (Exhibit #9). Additionally, Washingtonian North will be constructing a bicycle/pedestrian path connection through Malcolm King Park and creating a connection through the property for bicyclists and pedestrians to access the eastern side of the Washingtonian Center and other parts of Gaithersburg (Exhibit #52).

## Approved Schematic Development Plan – SDP-W5(A)

The current SDP [SDP-W5(A)] was approved for three office buildings and associated surface and structured parking. The SDP was approved May 24, 2000.



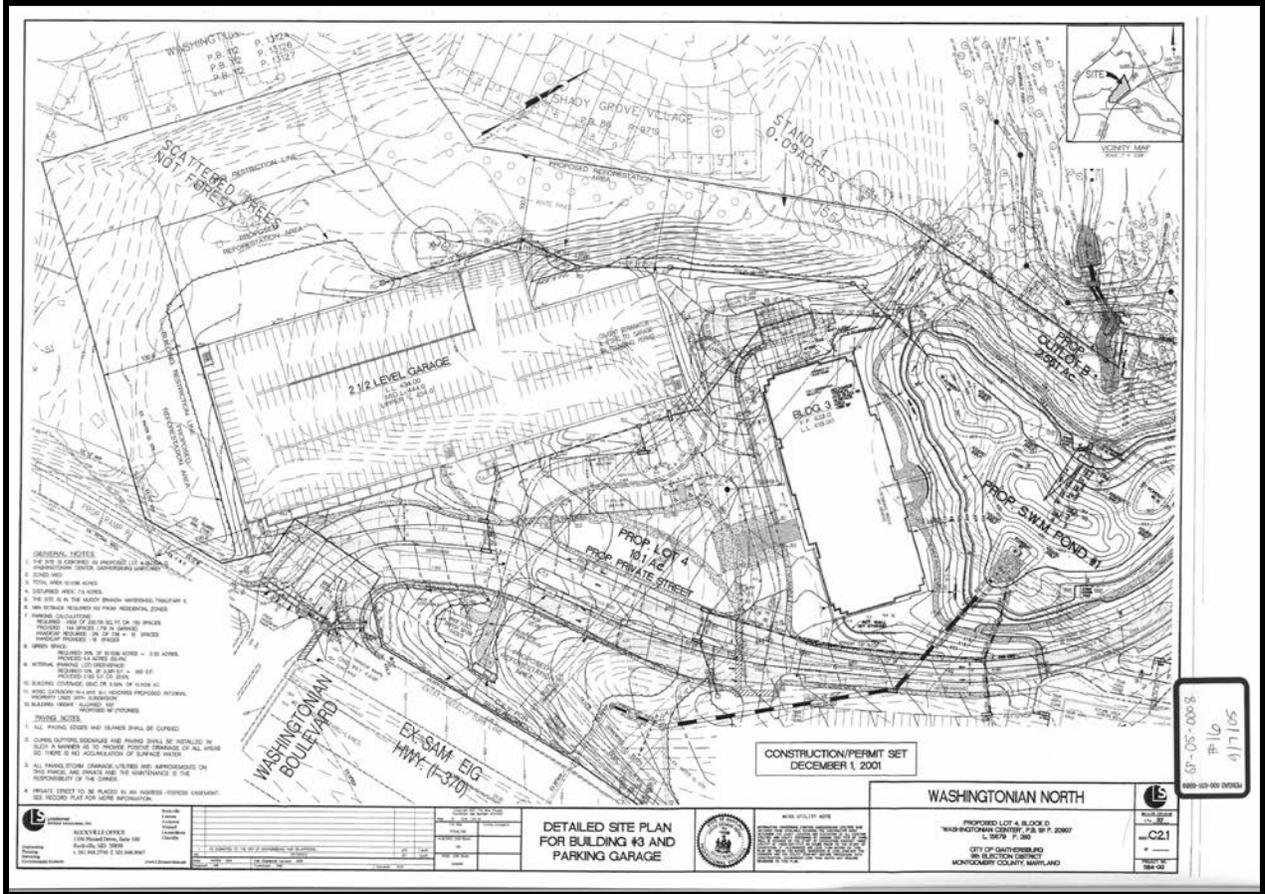
Schematic Development Plan SDP-W5(A)

### Site Plan Approvals:

Currently, all site plan approvals have expired as of October 2008.

Previously- approved site plans (most recent):

- SP-05-0007 – Infrastructure Plan (Entry road and stormwater management facility/sediment control plan (previous plan number SP-00-0018)
- SP-05-0008 – Building #3 – Seven-story office building (220,200 square feet), two and a half parking garage and limited surface parking (previous plan number SP-01-0006). Plan approved with 8 conditions.



Final Site Plan SP-05-0008 (Expired)

**Construction Status**

The entire Washingtonian North site was graded in late summer of 1998, in accordance with the Plan approved for the Manugistics Center, W-1116. The Sediment and Erosion Control was approved by the Soil Conservation District. The site has been stabilized since that time for sediment control only. The site is still under bond.

**NEIGHBORHOOD LAND USE AND ZONING:**

Northeast and northwest of the subject property is the Malcolm King City Park, which is zoned R-A (Low Density Residential) Zone. Southwest of the property is Shady Grove Village located in the R-18 (Medium Density) Zone and Washingtonian Village located in the RP-T (Medium Density Residential) Zone. East of the property is the right of way for Sam Eig Highway/Interstate I-370. Across the road is the other portion of Washingtonian Center, which is also in the MXD (Mixed Use Density) Zone.



Surrounding Zoning

**PUBLIC FACILITIES:**

**Water and Sewer Services and Public Utilities**

The site maintains W-1 and S-1 categories (areas served by community systems which are either existing or under construction). Service does exist and, therefore, the application complies with the requirements of the City’s Adequate Public Facility Ordinance (APFO) for water and sewer, § 24-247. Further, the 2003 *Municipal Growth Element* and the 2009 *Water Resources Element* both affirmed that there is sufficient water and sewer supply capacity for growth area developments.

**Fire and Emergency Services**

The City’s APFO requires that any development project be served by at least two (2) fire stations with a ten (10) minute response time. The Washingtonian North property is within the ten (10) minute response areas of Montgomery County Department of Fire and Rescue Services Stations 8 (Gaithersburg – Montgomery Village) and 31 (Rockville – Quince Orchard Station).

## Schools

The proposed development is located within the Quince Orchard cluster of the Montgomery County Public School (MCPS) system. Within this cluster, the schools that currently serve the proposed development are Quince Orchard High School, Ridgeview Middle School and Fields Road Elementary School.

The Adequate Public Facilities Ordinance, § 24-246, states, "With the exception of age restricted development, schematic development plan or preliminary site plan for residential development shall not be approved if the subject property is within the attendance area of a Montgomery County Public School (MCPS) that is forecasted to have a student population that exceeds 110% of Montgomery County Public Schools Program Capacity two (2) years in the future.." According to the City of Gaithersburg July 1, 2013, Memo and analysis of the *2014-2019 MCPS Capital Budget and Capital Improvement Program*, none of the schools within this cluster that serve the proposed development currently exceed 110% of capacity two years in the future. As such, the proposed development complies with the school test of the Adequate Public Facilities Ordinance.

Staff has discussed the project with the Long Range Division of MCPS (Exhibit #44). Utilizing the division's factoring for multi-family in this type of building, they project the following student population:

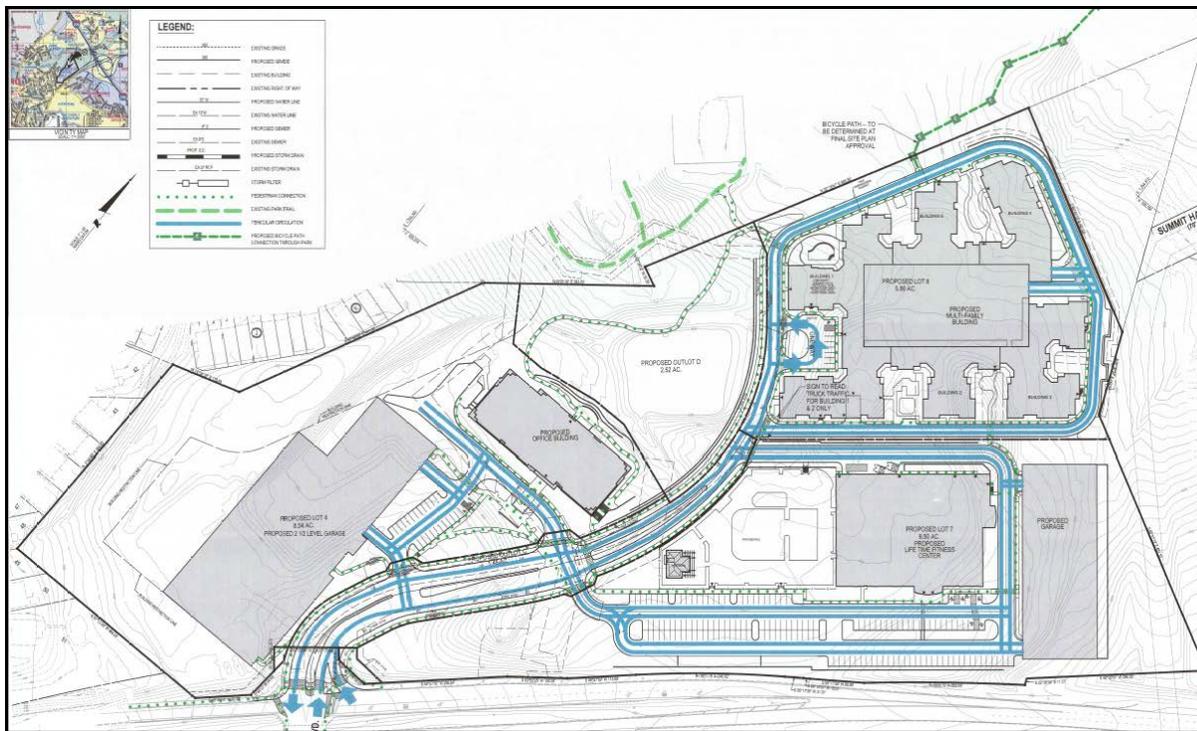
Number of Students Estimated for Washingtonian North – 366 MF units	
Elementary School (Grades K - 5)	48 students
Middle School (Grades 6 - 8)	18 students
High School (Grades 9 – 12)	24 students

## Traffic Impacts

Since the proposed development program of 240,000-square foot office building, 128,200 square foot Health Club and 366 Multi-family Dwelling Units generates significantly less peak hour trips than the currently-approved Schematic Development plan of 850,000 square feet, the applicant, in agreement with City Staff, submitted a study to forecast the traffic conditions of the proposed Schematic Development Plan. The plan determines the levels of service at key intersections, proposed intersection geometrics and traffic controls. The applicant has submitted a Traffic Impact Assessment (TRF-3891-2013). Engineering Services Director Ollie Mumpower has reviewed and approved findings of the Traffic Impact Assessment statement on January 3, 2014, Exhibit #41, SDP-3878-2013. The Applicant and staff will be working with Montgomery County Department of Transportation and the State Highway Administration (SHA) concerning requirements proposed in their review of the plan, especially sequencing the signalization pattern at the Washingtonian Bridge.

## Transportation

The site is serviced by Montgomery County Ride-On Bus Routes #54 and 74 on Washingtonian Boulevard. There is a pedestrian sidewalk proposed on both sides of the entry road (Washingtonian Boulevard extended), which will link to the existing pedestrian system in Washingtonian Center. The applicant has proposed to sign the access road with “Share the Road Arrows or Sharrows” to encourage bicyclists. Additionally, the applicant is required to construct a bicycle pathway connection in Malcolm King Park to improve the connection between communities from Muddy Branch Road and the Washingtonian Center. The property is accessed by motorized vehicles via Sam Eig Highway (a six-lane major arterial roadway maintained by Montgomery County) and Washingtonian Boulevard (a four-lane roadway.)



Pedestrian/Vehicular Circulation Plan, Exhibit #10

The applicant has submitted a Justification Statement in Support of the Application, which includes background concerning compliance with the Adequate Public Facilities requirements of the City Code. The statement is Exhibit #2, SDP-3878-2013.

## **SCHEMATIC DEVELOPMENT PLAN SDP-3878-2013 PROPOSAL**

The Schematic Development Plan (SDP) for Washingtonian North includes approximately 27-acres of land (Exhibit #4). A colored rendering of the site plan is included in the exhibits to show the overall development (Exhibit #5). The SDP plan proposes a 240,000-square foot office building, 128,200-square foot Health Club and

366-unit Multi-family Dwelling Complex. Washingtonian North has submitted a statement outlining the proposed project and discussing the requirements for approval of a Schematic Development Plan. The property is proposed to be subdivided into three lots (Lots 4, 7 & 8) and two out lots (Out Lots C & D), as shown on Exhibit #15.



Schematic Development Plan SDP-3878-2013 Rendering, Exhibit #5

In its evaluation of the property, the applicant has found that there are a number of easements on the property (Exhibit #14). In order to clarify the proposed final easements and lots, the applicant has submitted an additional easement plan (Exhibit #15). The applicant has provided a Fire (and Truck) Access Plan (Exhibit #11) and a Pedestrian and Vehicular Plan (Exhibit #10) to show the access through the site and around the buildings. The Green Area Plan (Exhibit #12) shows that approximately 55 percent of the property is green area. The MXD Zone requires that 40 percent of the property be green space. The applicant has submitted a preliminary Forest Conservation Plan (Exhibit #17) and preliminary Landscape Plan (Exhibit #31) to enhance the green area. The Landscape Plan includes entry features to the Malcolm King Park. The Forest Conservation Plan also relates to a Tree Variance request, which will be reviewed further in this Report.

One of the amenities of this site is the pond at the mid-point of the tract. This pond is a wet pond, meaning that there will be water in it most of the time. There will be a pathway around most of the pond. The applicant has received Conceptual approval of Stormwater Management (SWM) Plans for the property (Exhibits #7) in November 2013. They have submitted Preliminary SWM Plans and Reports to the City for review. These plans are required to receive approval by the City prior to the approval

of the SDP application. See Exhibits #32 - 39. As noted above, Washingtonian North will be submitting a Stream Restoration Plan prior to the approval of this SDP to comply with the Stream Restoration Exhibit, which was an exhibit of the Annexation Agreement.

The applicant has also submitted a proposed Utility Plan (Exhibit #16). Staff has asked Washingtonian North to submit a letter or other means showing that the local utility companies are satisfied with the width and location of the proposed plan.

The topography of the site and the proposed development requires the installation of several retaining walls throughout the site. The applicant has included cross sections for the retaining wall on the northern portion of the site (Exhibit #30). This wall which is a maximum of 21 feet in height is adjacent to the Malcolm King Park and will require a construction and maintenance on City property as noted in the Annexation Agreement.

## Parking

The applicant's plan is providing 573 parking spaces for the multi-family units. Most of these spaces will be in the structured parking garage (573 spaces). This provides approximately 12 percent more parking than what is required by the Zoning Ordinance (509 spaces). The lot for the office building has 800 spaces as required by Code with 775 spaces located in the parking garage and 25 surface parking spaces. The health club is providing a 412-parking space structured facility and 149 surface parking spaces. The applicant is also proposing an optional 86-space parking level that could be added to the parking structure in the future, if necessary, to satisfy the operation of the club. The total number of spaces for the club with the additional level is 678, approximately 165 spaces above what the City has required for other health clubs.

	REQUIRED	PROVIDED
<b>Parking:</b>		
<b>Residential (Lot 8):</b>		
Studio – 1 space/du	47	47
One Bedroom – 1.25 space/du	237	237
Two Bedroom – 1.5 space/du	170	170
Three Bedroom and larger – 2 space/du	34	34
plus one spaces for each 400 square feet of assembly area required.	21	85
<b>Total Residential Spaces</b>	<b>509</b>	<b>573</b>
<b>Life Time Fitness Center - Lot 7 (4 space/1,000 sf of gross floor area)</b>	513	678
<b>Offices, general, business and professional (nonmedical) (Lot 4) (1 space/300 sf of gross floor area)</b>	800	800
<b>Total Non-Residential Spaces</b>	<b>1,313</b>	<b>1,478</b>

## Tree Removal Variance Request<sup>1</sup>

The Applicant has submitted a Tree Removal Variance request/justification letter as part of the subject application (see Exhibit #18). The request references the preliminary Forest Conservation Plan (Exhibit #17). The request pertains to § 22-12 of the City Code which states that trees having a diameter at breast height (DBH) of 30 inches or more must be left in an undisturbed state unless granted a variance from either the Council or Planning Commission. The approved NRI identifies 3.94 acres of forest on-site with 46 specimen trees with a DBH of 30" or larger. This number includes 35 specimen trees on-site of the proposed development and 11 specimen trees in the proposed storm water management pond outfall area in Malcolm King Park. The variance requests the removal of thirty-two (32) trees and critical root zone (CRZ) impacts to ten (10) trees, all 30 inches or greater in DBH. The removal or impact to these trees is necessary for the development of the subject project.

As part of the request letter, the Applicant has provided a detailed summary of the trees impacted and the purpose of disturbance. Staff acknowledges the needs for impacts as related to the proposed project design and notes the removal of trees is unavoidable in order for construction. Further, Staff notes that regardless of the subject SDP application, the same trees subject to this variance request would still similarly be impacted in implementing the previously approved SDP-W5(A). In short, Staff recognizes that Washingtonian North cannot be developed to any significant degree without the removal of specimen trees.

Per § 22-12(c) the Applicant has included in the justification letter responses to the following:

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

Lastly, the Applicant, in accordance with § 22-12(d) which defines that a variance must not be granted if granting the request, has submitted responses to the following:

- (1) Will confer on the applicant a special privilege that would be denied to other applicants;
- (2) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
- (3) Will violate State water quality standards or cause measurable degradation in water quality.

Staff will prepare an analysis of the Tree Variance in the Final Staff Analysis.

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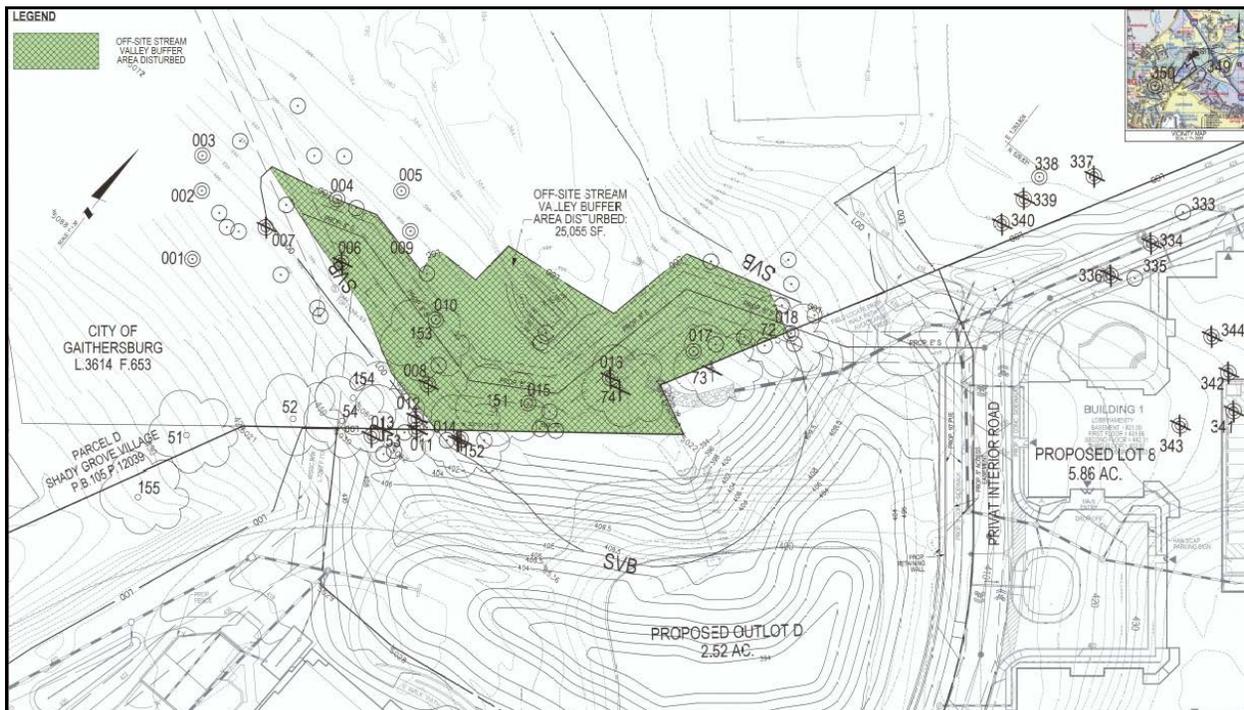
<sup>1</sup> Prepared by Long Range Manager Robinson

## Environmental Waiver Request<sup>2</sup>

The Applicant has submitted an environmental waiver application and justification letter addressing the proposed waiver per Sec. 25-1-d. The application, identified as ENV-4257-2014, and the letter with exhibits are identified as Exhibits #20. The Applicant has requested an environmental waiver for 25,055 square feet of stream valley buffer disturbance, located in the City owned Malcolm King Park. The disturbance to the stream valley buffer (SVB) is required for the construction of a sanitary sewer line and an outfall for the storm water management pond serving the proposed project. The request is being made in accordance with the City's Environmental Standards for Development Regulation (Regulation No. 01-10), Article III, Sec. 25-1-d, which requires,

*“Waivers for minimal buffer intrusions may only be approved by the granting of a waiver on a case by case basis pursuant to Section 38 of this Regulation for construction of suitable SWM facilities, non-erosive storm drain outfalls, and unavoidable and consolidated sanitary sewer connections.”*

It is noted the proposed disturbances have been recognized as necessary for any development to occur on this site as far back as 2000 by Council and staff with the approval of schematic development plan SDP-W5(A) and the subsequent final site plan SP-01-0006 in 2001; reapproved (now expired) as SP-05-0007 in 2005.



Stream Valley Buffer Disturbance Plan (Exhibit 20)

The current environmental waiver request has been submitted concurrently with the subject SDP application because the engineered limits of disturbance (LOD) have been

<sup>2</sup> Prepared by Long Range Manager Robinson

defined. The outfall is necessarily located proximate to the stream within the SVB. The sewer line is a gravity line and must be located at the proposed location, at a lower elevation from the residential and health club buildings to provide necessary sewer service to the Project. The sewer line provides sewer service for the Project, and the outfall is for the storm water management pond on the property that serves off-site areas south of Sam Eig Highway, an annexation agreement term.

The aforementioned disturbed stream valley buffer areas associated with this waiver request are located entirely within City owned Malcolm King Park. Of note, the removal of twenty-seven (27) specimen trees with a diameter at breast height of 24 inches or more are included in this disturbance. The Applicant has proffered a two-part mitigation strategy to help offset the disturbance created by the two necessary facilities. The Applicant has proposed monetary contributions to the City's Tree Fund to offset the 27-tree loss. Staff is supportive of this approach and, should the waiver be granted, will work with the Applicant on the final contribution amount.

To mitigate the actual SVB disturbance, the Applicant has proposed a comprehensive stream mitigation plan for the associated channel network. The proposed stream restoration downstream of the existing stream includes:

- 1) Step Pool conveyance to reduce velocity and mitigate grade change from existing scour. The Step Pool Storm Conveyance Systems are open-channel conveyance structures that safely convey, attenuate, and treat the quality of storm flow. There are different design configurations for this kind of system to accommodate various site implementation conditions.
- 2) Cross-Vane and J-Hook to redirect thalweg, reduce velocity, and provide stream habitat. Cross-Vane and J-Hook Vane are grade control structures that decrease near-bank shear stress, velocity and stream power. Using natural material, they are designed to reduce bank erosion and provide stream habitat.
- 3) Grade back stream banks to reconnect to floodplain and plant vegetation for bank stabilization.
- 4) Remove PVC piping and install large stepping stones across mulch path.

Staff will prepare a recommendation about the Environmental Wavier in the Final Staff Analysis.

### **Utility Plan**

The applicant has submitted a Utility Plan (Exhibit #16). The utilities are reviewing the plans. Staff has asked the applicant to provide the City with letters accepting the concept of the location of the utilities. WSSC provided comments to the applicant (Exhibit #42) and the applicant responded in two letters to the utility (Exhibit #43). There is WSSC right of way on and adjacent to the property (in Malcolm King Park), which contains two 48-inch pipes as shown on the SDP Plan.

### **Affordable Housing**

In accordance with Article XVI of the Zoning Ordinance (Chapter 24 of the City Code), Affordable Housing Requirements and the requirement for the submission of a Schematic Development Plan, Section 24-160D.9.(b), the applicant has submitted a

preliminary Affordable Housing Plan, Exhibit #28, which proposes to provide 54 affordable units (one unit above what is required.) The Housing and Community Development staff has reviewed the Plan and noted that approval will be issued at the time of Final Site Plan, Exhibit #29.

## Architecture

A perspective of the proposed architecture of the Office Building is shown below. The materials of the building consist of energy-efficient ribbon windows, precast concrete and metal panels. The building is proposed to be seven stories at the front of the building, which faces south. The rear of the building has another level due the topography being lower on the side facing the pond. The parking garage is proposed to be constructed with precast concrete. The building and parking garage elevations and heights are the same as the plans that received Final Site Plan Approval in 2001, and again in 2005. The architectural plans for the seven-story office building and the associated two-and-a-half-level garage are shown in Exhibit #22 (and include 17 sheets). The applicant, Washingtonian North Associates LLC, has submitted a preliminary Leadership in Energy and Environmental Design (LEED) Checklist (Exhibit #23) and is committed to achieve LEED Silver certification, but would like to be able to analyze the City's sustainable requirements at the time of Final Site Plan review and adjust to most cost-effective certification process approved by the City.



Perspective of front (southern side) of Office Building

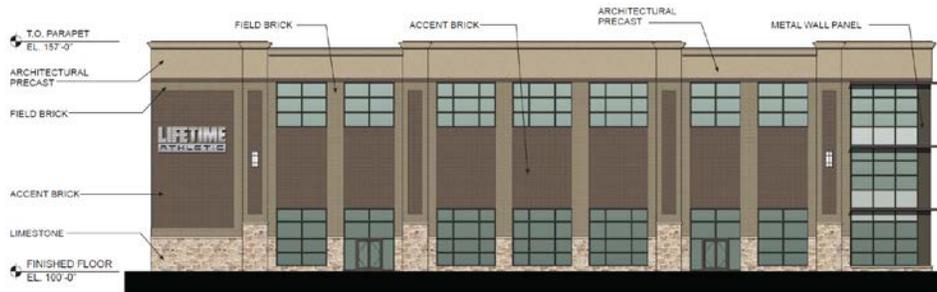
The Health Club identified as Lifetime Fitness is a three-story building. Materials proposed for the architectural elevations (Exhibit #24) include quarried limestone, accent, field and soldier brick, architectural precast concrete panels, metal panels, aluminum curtain wall, aluminum mullion system and hollow metal doors and frame. Both the parking garage, which is three and a half levels (with an optional fourth level), and one-story outdoor bistro on the pool deck, have similar materials. The applicant

has submitted a LEED Checklist for the building (Exhibit #25). The building will not be required to receive Silver LEED certification in accordance with the Annexation Agreement, but will certify with a commissioning plan to obtaining at least 50 LEED points pursuant to the 2009 LEED for New Construction.



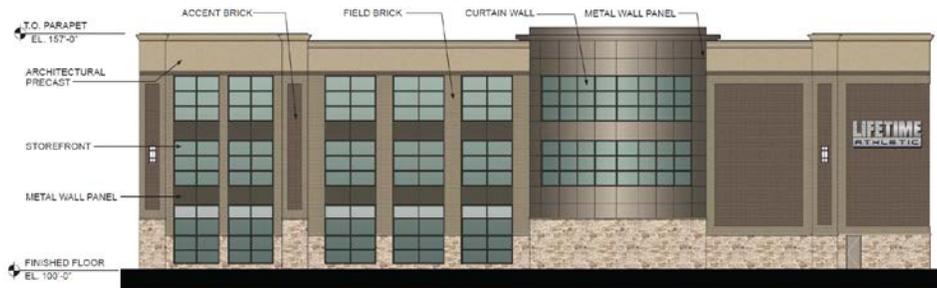
SOUTH ELEVATION

Elevation facing Sam Eig Highway (Exhibit #24)



WEST ELEVATION

Elevation facing the Outdoor Pool (Exhibit #24)



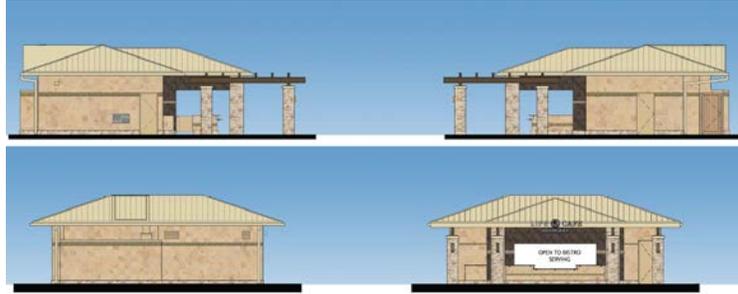
EAST ELEVATION

Elevation facing the Parking Garage (Exhibit #24)

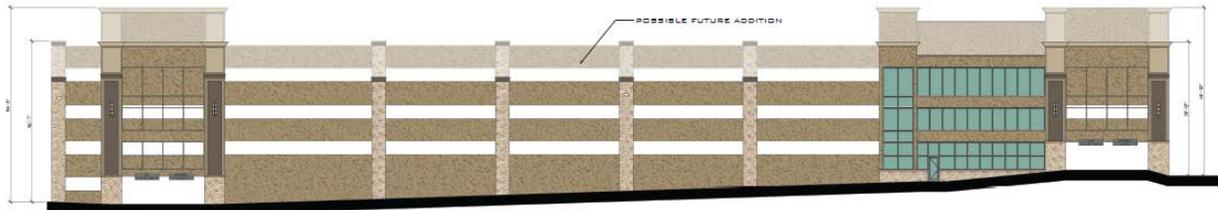


NORTH ELEVATION

Elevation facing the Multi-Family Units (Exhibit #24)



Outdoor Bistro (Exhibit #24)



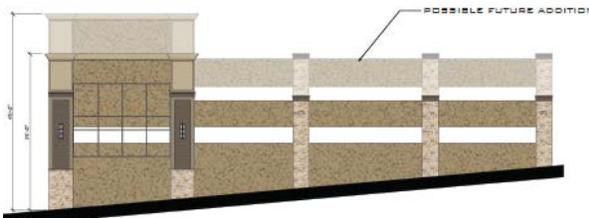
WEST ELEVATION

Parking Garage facing the Lifetime Fitness Building (Exhibit #24)

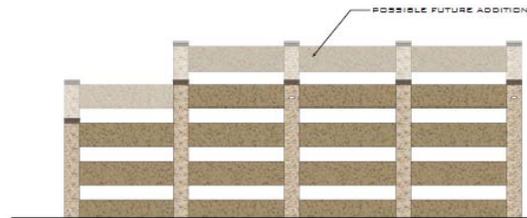


EAST ELEVATION

Elevation facing Malcolm King Park (Exhibit #24)



SOUTH ELEVATION



NORTH ELEVATION

Elevation facing Sam Eig (Exhibit #24)

Elevation facing Multi-family Complex (Exhibit #24)

The Multi-Family Complex consisting of 366 dwelling units will consist of materials such as metal canopies, three different shades of brick, three types of cementitious siding, metal railings, and precast concrete (Exhibit #26). The applicant has provided a National Green Building Checklist Exhibit #27. The National Green Building Code is one of the standards utilized for residential buildings in the City's recently adopted Building Code (January 6, 2014). As mentioned above, the complex will house 54 Affordable Dwelling Units. The units wrap around a four and a half-level parking garage. The garage is only visible from the elevation facing Malcolm King Park to the northeast and is a precast concrete material with accents.



Over all Perspective (Exhibit #26)



Front entrance facing the pond (Exhibit #26)

Several other perspectives similar to above are included in the architectural package for visualization of the proposed project.



NORTH ELEVATION

Elevation facing west towards Malcolm King Park Tennis Courts (Exhibit #26)



WEST ELEVATION

Front Elevation facing the Pond (Exhibit #26)



EAST ELEVATION

Elevation facing Malcolm King Park to the northeast (Exhibit #26)



SOUTH ELEVATION

Elevation facing Lifetime Fitness Club (Exhibit #26)

**Height and Setback Reduction**

The MXD Zone states in § 24-160D.5. that buildings, other than single-family units should be set back 100 feet from the property line. However, the Annexation Agreement grants a waiver for this project to allow the setback to be reduced for only the Multi-Family Complex and the Lifetime Fitness Parking Garage. Exhibit #13 is Exhibit #5 of the Annexation Agreement displaying the approved setback waiver. The City agreed that the proposed reduction of the setbacks as shown on the Setback Reduction Plan is necessary and appropriate for the Permitted Development and will be compatible with adjacent park, and agreed to approve the setback reductions as part of the site plan review process.

The plans for the office building and parking garage maintain the required 100-foot setbacks as were approved with the previously approved Schematic Development Plan SDP-W5(A) and Final Site Plan SP-05-0008.

**SUMMARY:**

The applicant has submitted for consideration Schematic Development Plan Application SDP-3878-2013. This is a complete application as defined by § 24-160D.9.(b), Application for Schematic Development Plan Approval of the City Code. A joint public hearing with the Mayor and City Council and the Planning Commission has been scheduled for February 3, 2014.



# WASHINGTONIAN NORTH

# SITE PLAN

CITY OF GAITHERSBURG, MD  
 KTGY # 2012-0669 1.10.2014

Architecture+Planning  
 8605 Westwood Center Dr.  
 Suite 300  
 Vienna, VA 22182  
 703.992.6116  
 ktgy.com



June 11, 2013

Honorable Sidney A. Katz, Mayor  
Gaithersburg City Council  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20877

Re: Proposed Washingtonian North Annexation Agreement Amendments

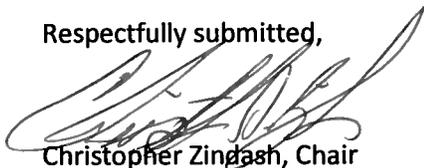
Dear Mayor Katz and City Council Members:

It is the understanding of the Economic & Business Development Committee that the Mayor and Council have been presented with a proposal to amend the Washingtonian North Annexation Agreement. The amendment is being proposed by the property's owner, Boston Properties, to permit the development of both residential and commercial uses on the site, specifically for an apartment building with up to 400 residential units and a 127,000 square foot Lifetime Fitness center. The Committee heard a presentation on this issue by Jake Stroman of Boston Properties and Jay Johnson of Camden Property Trust at the May 17<sup>th</sup> meeting.

The quality of the proposed projects, coupled with the region's high demand for multi-family housing, the relatively weak conditions of the area office market, and the dedication of one pad on the site for a future office building, gives the Committee confidence that this proposed amendment will serve the City well. For these reasons, the Committee strongly supports this proposed amendment.

As always, we appreciate the opportunity to contribute to the City's economic growth and look forward to working with you on this important topic. Please do not hesitate to reach out with any questions or for additional information.

Respectfully submitted,



Christopher Zingash, Chair  
Economic & Business Development Committee  
City of Gaithersburg

SDP-3878-2013  
Exhibit #56



# Gaithersburg-Germantown Chamber of Commerce, Inc.

910 Clopper Road, Suite 205N, Gaithersburg, Maryland 20878 (301) 840-1400, Fax (301) 963-3918

## Corporate Sponsors



## The Gazette



September 10, 2013

Mr. Tony Tomasello  
City Manager  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20877-2098

Re: Letter in Support of the Washingtonian North Annexation Agreement Amendment ("AAA")  
- September 16, 2013 Mayor and Council Meeting

Dear Mr. Tomasello:

The Gaithersburg-Germantown Chamber of Commerce would like to express our strong support of the draft AAA filed with the City of Gaithersburg to allow for mixed-use development on the Washingtonian North property (the Project). Boston Properties presented the Project to the Chamber's Economic Development Committee on May 21, 2013. The committee members unanimously voted to support the Project, which will contribute to the City's economic development by converting a prominent, vacant property into an attractively-designed project with a complimentary comprehensive mix of residential, health club and office uses.

The Project is located on the 27-acre, northernmost parcel of the Washingtonian Center property and has sat vacant for more than 15 years. In close proximity to a well-established transportation network including MD 200 (the InterCounty Connector), I-270 and Fields Road, the Project is also accessible by Ride-On bus service and by car or mass transit to the Shady Grove Metro Station.

The Applicant seeks to amend the existing Annexation Agreement, which approved 850,000 SF of office uses in three buildings, to, instead, develop the Property with a mix of uses, including an office building, up to 400 high-quality, multi-family units, and an approximately 130,000 square foot health club. The mixed-use Project proposed will transform and vitalize the property and help support the stores and restaurants in Washingtonian Center.

For these reasons, the Chamber asks the Mayor and Council to approve the AAA to allow the Project to move forward to the next stages of the entitlement process. Thank you for your consideration of our comments. We look forward to welcoming the Washingtonian North project to our community.

Sincerely,

Marilyn Balcombe  
mbalcombe@ggchamber.org

SDP-3878-2013  
Exhibit #57